



City of Oakland

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City
Clerk

Meeting Agenda - SUPPLEMENTAL

*Rules & Legislation Committee

Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, October 25, 2018

10:45 AM

City Council Chamber, 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call To Order

COMMITTEE MEMBERSHIP:

Lynette McElhaney, District 3; President Pro Tempore Abel J. Guillén, District 2; Vice Mayor Campbell Washington, District 4; Chairperson: President Reid, District 7

1 Determinations Of Closed Session

[18-0997](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of October 11, 2018

[18-0998](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-0999](#)

Attachments: [View Report](#)

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)

[18-1000](#)

Attachments: [View Report](#)

4.1 Subject: PEG Funding Apportionment 2018-2023

From: Office Of The City Clerk

Recommendation: Adopt A Resolution (1) Appropriating Approximately \$3.9 Million Estimated For Fiscal Years 2018-2019 Through 2022-2023, From Funds Paid By Cable And Video Franchise Holders Comcast And AT&T (PEG Funds) For The Capital Expenses Of The Public, Education, And Government Cable Television Channels Operating In The City Of Oakland; And (2) Authorizing Apportionment Of Equal Shares Of The PEG Funds To PEG Channels Of The City Of Oakland (KTOP), Of The Oakland Unified School District (KDOL), And Of The Peralta Community College District (PCTV) For Their PEG Channel Cable And Video Television Facilities, Subject To Equal Reapportionment In Fiscal Years When There Are Fewer Or More PEG Channels Operating In Oakland; And (3) Authorizing The City Administrator To Execute Or Amend Memoranda Of Understanding To Effectuate The Distribution Of Said Funds; And (4) Adjust The Apportionment Of PEG Fees Collected And Allow Appropriation Of The Undistributed Balance \$1,298,523 For Fiscal Years 2010-2018 From Funds Paid By Cable And Video Franchise Holders Comcast And AT&T, ("PEG Funds"), For The Capital Expenses Of Public, Education, And Government ("PEG") Cable Television Channels Operating In The City Of Oakland; On The November 13, 2018 Finance And Management Committee Agenda

18-1045

4.2 Subject: Reimbursement - Goport

From: Transportation Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Negotiate A Reimbursement Agreement With The Alameda County Transportation Commission (ACTC) And Accept And Appropriate Up To \$1 Million In Funding From The ACTC For City Staff And Consulting Services Related To Of The Global Opportunities At The Port Of Oakland (Goport) Program; On The November 13, 2018 Public Works Committee Agenda

18-1044

- 4.3** Subject: Major Encroachment Permit At 1940 Webster Street
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Michael K. Park, A Married Man As His Sole And Separate Property, To Allow Portions Of The New Building Above Grade At 1940 Webster Street To Encroach Into The Public Right-Of-Way On Webster Street, Major Encroachment Permit ENMJ18061; On The November 13, 2018 Public Works Committee Agenda
18-1050
- 4.4** Subject: PG&E Cost-Share Agreement
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: (1) Negotiate And Execute An Agreement With Pacific Gas & Electric Company For Cost-Sharing Of Joint-Benefit Paving Projects Throughout Oakland, And (2) Accept And Appropriate Funds From Pacific Gas & Electric Company On A Case-By-Case Basis Per The Executed Agreement Without Returning To City Council; On The November 13, 2018 Public Works Committee Agenda
18-1054
- 4.5** Subject: Collaborative Creeks Agreement
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Accept And Appropriate An Amount Not To Exceed Three Hundred Sixty Thousand Dollars (\$360,000.00) Annually From The Alameda County Flood Control And Water Conservation District (District) For A Total Amount Not To Exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00) For The Grant Term FY 2018 - 2022 And 2) Enter Into An Agreement With The District To Implement The Collaborative Creek Improvement And Clean Creeks Programs (Programs) For The Period July 1, 2017 Through June 30, 2022; On The November 13, 2018 Public Works Committee Agenda
18-1055
- 4.6** Subject: Removal Of Travel Lanes (Foothill & E 15th St)
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The Removal Of Travel Lanes And The Installation Of Bicycle Lanes On Foothill Boulevard From 1st Avenue To 23rd Avenue And On E. 15th Street From 1st Avenue To 14th Avenue And 2) Adopting California Environmental Quality Act Exemption Findings; On The November 13, 2018 Public Works Committee Agenda
18-1057

- 4.7** Subject: Major Encroachment Permit At 2401 Broadway.
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 2401 Broadway Investors LLC, To Allow Portions Of The New Building Above Grade At 2401 Broadway And 25th Street To Encroach Into The Public Right-Of-Way On Broadway And 25th Street, Major Encroachment Permit ENMJ18062; On The November 13, 2018 Public Works Committee Agenda
18-1059
- 4.8** Subject: Construction Contract Amendment For Lions Pool Renovation
From: Oakland Public Works
Recommendation: Adopt A Resolution To Waive Advertising And Competitive Bidding And Authorize The City Administrator, Or Designee, To Increase The Construction Contract Amount For The Lions Pool Renovation (Project No. 1003434) With Beliveau Engineering Contractors, Inc. By Six Hundred Ten Thousand Two Hundred Fifty Dollars (\$610,250.00) From Six Hundred Seventy Thousand Dollars (\$670,000.00) To One Million Two Hundred Eighty Thousand Two Hundred-Fifty Dollars (\$1,280,250.00); On The November 13, 2018 Public Works Committee Agenda
18-1060
- 4.9** Subject: Oakland Waterfront Trail Implementation Status Update
From: Oakland Public Works
Recommendation: Receive An Informational Report On The City's Progress In Implementing Continuous Bay Trails In Oakland; On The November 13, 2018 Public Works Committee Agenda
18-1061
- 4.10** Subject: Montclair Business Improvement District
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2019-2020 For The Montclair Business Improvement District, Approving The Annual Report Of The Montclair Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 11, 2018; On The November 13, 2018 Community And Economic Development Committee Agenda And On The December 11, 2018 City Council Agenda As A Public Hearing
18-1040

- 4.11** Subject: Designation Of Authorized Agents For Caloes Funding And FEMA Grants
From: Housing And Community Development
Recommendation: Adopt A Resolution Designating The City Administrator, The Assistant City Administrator, And The Director Of Housing And Community Development As Authorized Agents On Behalf Of The City Of Oakland To Execute And Submit All Documents Necessary To Administer The Safer Housing For Oakland Program And Earthquake Safe Homes Program Funded Through Hazard Mitigation Grant Program Funds From The Federal Emergency Management Agency And The State Of California Governor's Office Of Emergency Services; On The November 13, 2018 Community And Economic Development Agenda
18-1043
- 4.12** Subject: Workforce Development Board Revised FY 2018-19 Budget And Contracts
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Amending Resolution No. 87248 C.M.S. To: (1) Adopt The Revised Fiscal Year 2018-19 Workforce Development Board Budget In The Amount Of \$6,609,499; And (2) Amend Fiscal Year 2018-19 Contracts With Service Providers For An Additional Amount Not To Exceed \$535,107; On The November 13, 2018 Community And Economic Development Committee Agenda
18-1049
- 4.13** Subject: Mandatory Seismic Retrofit For Soft Story Residential Buildings
From: Councilmember Kalb And Mayor Schaaf
Recommendation: Adopt An Ordinance, As Recommended, In Part, By The Planning Commission, Amending The Oakland Municipal Code To: (1) Add Building And Construction Code Chapter 15.27 Entitled "Mandatory Seismic Evaluation And Retrofit Of Certain Multi-Unit Residential Buildings", (2) Add Planning Code Section 17.102.250 To Create Special Exceptions To Buildings Undergoing Permitted Retrofit Work In Compliance With Chapter 15.27, (3) Make Conforming Changes To Sections 1.08.020 And 15.26.230, And (4) Make Clarifying Amendments Relating To Capital Improvements In Chapter 8.22, Article I (Residential Rent Adjustment Program); And Directing The Rent Board To Modify Its Capital Improvement Amortization Schedule For Work In Compliance With Chapter 15.27; And Adopting CEQA Exemptions; On The November 13, 2018 Community And Economic Development Committee Agenda
18-1062

- 4.14** Subject: Planning Code Amendments
From: Planning And Building Department
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, Amending Oakland Planning Code Regulations Related To Parking, Loading, Emergency Shelters, Extensive Impact Civic Activities, Permitted Activities In The D-GI Zone, Conditional Use Permits, Hotel Conversions In The CIX-2 Zone, And Joint Living And Working Quarters; And Make Appropriate California Environmental Quality Act Determinations; On The November 13, 2018 Community And Economic Development Committee Agenda And On The November 27, 2018 City Council Agenda As A Public Hearing
18-1051
- 4.15** Subject: Rockridge Business Improvement District
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2019-2020 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 11, 2018.; On The November 13, 2018 Community And Economic Development Committee Agenda And On The December 11, 2018 City Council Agenda As A Public Hearing
18-1053
- 4.16** Subject: Indigenous People's Day
From: Councilmember Gallo
Recommendation: Adopt An Ordinance Amending The Administrative Code To Declare The Second Monday In October To Be Indigenous People's Day; On The November 13, 2018 Life Enrichment Committee Agenda
18-1041
- 4.17** Subject: Mayor's Commission On Persons With Disabilities Annual Report
From: ADA Programs Division
Recommendation: Receive The Mayor's Commission On Persons With Disabilities (MCPD) Annual Report; On The November 13, 2018 Life Enrichment Committee Agenda
18-1042

4.18 Subject: AC-OCAP State ETIC Grant Report and Resolution
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing the City Administrator To: 1) Accept, Appropriate, And Allocate A Grant In The Amount Of \$176,000 From The California Department Of Community Services And Development (CSD), And Any Additional Funding That May Become Available From The Franchise Tax Board (FTB), Without Returning To Council, To Implement the California Earned Income Tax Credit (CalEITC) Free Tax Preparation Assistance Program; 2) Enter Into Grant Agreements, Professional Services Agreements, And Amendments With Service Providers To Implement The California Earned Income Tax Credit Free Tax Preparation Assistance Program Throughout Alameda County; 3) Amend The Agreements To Increase The Amount If Additional Funding Becomes Available During The Grant Period Of November 1, 2018 To June 30, 2019, Without Returning To Council; And 4) Authorize A Contribution From The General Purpose Fund In An Amount Equivalent To The Department's Central Services Overhead Charges Estimated At \$80,508; On The November 13, 2018 Life Enrichment Committee Agenda

18-1052

4.19 Subject: Park And Recreation Area Use Regulation Amendments
From: Parks, Recreation & Youth Development
Recommendation: Adopt An Ordinance Amending Chapter 12.64 Of The Oakland Municipal Code (OMC), Parks And Recreation Area Use Regulations, Section 12.60.020 Of The OMC Bicycle Operation Rules-Violations-Penalty, And Section 1.28.020 Of The OMC Violations As Infractions, To Make Various Changes To Park Rules And Signage And Adopting California Environmental Quality Act (CEQA) Exemptions; On The November 13, 2018 Life Enrichment Committee Agenda

18-1058

4.20 Subject: OPD 2018 Forensic DNA Laboratory Enhancement Program
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One Hundred Sixty-Six Thousand And Seven Hundred And Twenty Dollars (\$166,720) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year (FY) 2018 Forensic Deoxyribonucleic Acid (DNA) Laboratory Efficiency Improvement And Capacity Enhancement Grant Program In The Oakland Police Department (OPD); And 2) Waiving The Advertising And Competitive Bidding Requirements For The Purchases Of DNA Typing And Robot Supplies And DNA Typing Instrument From Five Companies (1) Promega For Nineteen Thousand Two Hundred And Twenty Dollars (\$19,220), (2) Qiagen For Five Thousand Five Hundred Dollars (\$5,500), (3) Thermofisher For Two Thousand Dollars (\$2,000), (4) Sigma - Aldrich For One Thousand Dollars (\$1,000), (5) Aurora-Biomed For Four Thousand Dollars (\$4,000) And (6) Thermofisher For One Hundred Thirty-Five Thousand Dollars (\$135,000) For A Capillary Electrophoresis DNA Typing Instrument; On the November 13, 2018 Public Safety Committee Agenda
18-1046

4.21 Subject: Active Oakland School Traffic Safety Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Accept And Appropriate The Alameda County Public Health Department (ACPHD) Active Transportation Program Grant Funds In An Amount Not To Exceed Eighty Four Thousand Dollars (\$84,000); and 2) Enter Into A Contract With ACPHD For The Period Of October 1, 2018 To September 30, 2020 To Develop Traffic Safety Plans, Implement School Safety Patrol Programs, And Provide Additional Traffic Enforcement Around Schools, In Support Of The "Active Oakland" Program; And 3) Authorize A Contribution In An Estimated Amount Of Twelve Thousand And Twenty Eight Dollars (\$12,028) From The General Purpose Fund To Subsidize The Central Services Overhead (CSO) Charges Affiliated With This Program; On The November 13, 2018 Public Safety Committee Agenda
18-1047

4.22 Subject: The Sanctuary City Contracting And Investment Ordinance
 Form: Office Of The City Administrator
 Recommendation: Adopt And Ordinance: (1) Amending Title Two Of The Oakland Municipal Code To Prohibit The City From Contracting With Companies That Contract With The United States Immigration And Customs Enforcement (ICE) Or Customs And Border Protection (CBP) To Provide Services Or Goods For Data Collection Or Immigration Detention Facilities; (2) Prohibiting The City From Investing In Companies That Contract With ICE Or CBP For The Services Or Goods Mentioned Above; And (3) Requiring The City To Encourage The Governing Bodies Of The City's Employee Pension Plans To Avoid Investing In Companies That Contract With ICE Or CBP For The Services Or Goods Mentioned Above; On The November 13, 2018 Public Safety Committee Agenda
18-1056

4.23 Subject: Recognizing The Month Of November 2018 As "First Nation's Month"
 From: Councilmember Gallo
 Recommendation: Adopt Resolution Recognizing The Month Of November 2018 As "First Nations Month" Of Celebrating The Heritages And Cultures Of First Nations People And The Contributions Of The First Nations People To The United States At The Next City Council Meeting; On The November 27, 2018 City Council Meeting As A Ceremonial Item
18-1039

5 A Review Of The Council Committees' Actions From October 23, 2018 And Determination Of Scheduling To The Special City Council Meeting Of October 30, 2018 (MATRIX)
[18-1064](#)

Attachments: [View Report](#)

6 A Review Of The Cancelled City Council Agenda For The Meeting Of November 6, 2018 And The Rules And Legislation Committee Of November 8, 2018
[18-1001](#)

Attachments: [View Report](#)

7 Subject: Resolution Urging Registrar Of Voters Regarding RCV
 From: Councilmember Kalb
 Recommendation: Adopt A Resolution Urging The Alameda County Registrar Of Voters To Implement Comprehensive Ranked Choice Voting Reporting
[18-0979](#)

Attachments: [View Report](#)
[View Supplemental Report](#)

Legislative History

10/4/18	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
---------	--------------------------------	---

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

*** In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.**