



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 3, 2019

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:

Council President Rebecca Kaplan, At-Large; President Pro Tempore Dan Kalb, District 1; Lynette McElhaney, District 3; Chairperson: Sheng Thao, District 4

1 Determinations Of Closed Session

[18-2234](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of September 19, 2019

[18-2235](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-2236](#)

Attachments: [View Report](#)

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

[18-2237](#)

Attachments: [View Report](#)

4.1 Subject: Settlement Agreement - Susan Schacher V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Susan Schacher V. City Of Oakland, Et Al, Alameda County Superior Court Case No. Rg17886477, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) As A Result Of A Dangerous Condition Of Public Property On June 16, 2016 (Department Of Public Works - Dangerous Condition Of Public Property); On The October 15, 2019 City Council Agenda

18-2305

4.2 Subject: Oakland Alameda County Coliseum Authority Appointment
From: Council President Kaplan
Recommendation: Adopt A Resolution Appointing A Community Member To The Oakland-Alameda County Coliseum Joint Powers Authority Board Of Commissioners As Follows - Re-Appointing Commissioner Christin Hill To Serve The Term Beginning October 9, 2019 And Ending October 8, 2021; On The October 15, 2019 City Council Agenda

18-2307

4.3 Subject: Oakland Alameda County Coliseum Authority Appointment
From: Council President Kaplan
Recommendation: Adopt A Resolution Appointing A Community Member To The Oakland-Alameda County Coliseum Joint Powers Authority Board Of Commissioners As Follows - Re-Appointing Commissioner Reverend Doctor Jacqueline A. Thompson To Serve The Term Beginning October 8, 2019 And Ending October 7, 2021; On The October 15, 2019 City Council Agenda

18-2308

4.4 Subject: Informational Report From The OUSD 7-11 Committee
From: Councilmember Bas And OUSD Board President Aimee
Recommendation: Receive An Informational Report And Update From The Oakland Unified School District (OUSD) 7-11 Committee On Potential Sale Or Lease Of Surplus Real Property Owned By OUSD; On The October 21, 2019 Special Education Partnership Committee Agenda

18-2303

4.5 Subject: Salary Ordinance Amendment For Various Classifications
 From: Human Resources Department
 Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Fire Inspection Supervisor, To Add The Permanent Part-Time And Part-Time Classification Equivalents Of Special Assistant To The Mayor III, And To Amend The Salary Format For Deputy Chief Of Violence Prevention; On The October 22, 2019 Finance And Management Committee Agenda
18-2300

4.6 Subject: Major Encroachment Permit At 5932 Foothill Blvd
 From: Department Of Transportation
 Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Foothill Boulevard Plaza LLC To Allow Portions Of The New Building Above Grade At 5932 Foothill Boulevard To Encroach Into The Public Right-Of-Way On Foothill Boulevard And 60th Avenue, Major Encroachment Permit ENMJ19061; On The October 22, 2019 Public Works Committee Agenda
18-2299

4.7 Subject Disposition And Development Of The Fire Alarm Building At 1310 Oak Street
 From: Councilmembers Bas And McElhaney
 Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Directing The City Administrator To Issue A Request For Proposals, Consistent With The Surplus Land Act, For The Disposition And Development Of The Property; Or

[NEW TITLE]

Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Directing The City Administrator To Issue A Request For Proposals That Is Consistent With The State Surplus Land Act And The Competitive Process Set Forth In Chapter 2.42.050 Of The Oakland Municipal Code For The Disposition and Development Of The Fire Alarm Building At 1310 Oak Street; Or, Alternatively

18-2249

Legislative History

9/19/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
9/24/19	*Community & Economic Development Committee	Scheduled to the *Community & Economic Development Committee

[OLD TITLE]

2) A Resolution Directing The City Administrator To Exercise The Waiver Of Competitive Process In Chapter 2.42.050 Of The Oakland Municipal Code And Issue A Surplus Land Act Notice For The Disposition And Development Of The Property, And If No Other Proposal Is Received, To Enter Into Exclusive Negotiation For The Lease And Development Of The Property With The Museum Of Jazz And Art

[NEW TITLE]

2) A Resolution Exercising The Waiver Of Competitive Process Set Forth In Chapter 2.42.050 Of The Oakland Municipal Code And Directing The City Administrator To Issue A Notice Of Offer Pursuant To The State Surplus Land Act For The Disposition and Development Of The Fire Alarm Building At 1310 Oak Street And If No Other Proposal Is Received To Commence Negotiations For The Lease And Development Of The Property With The Museum Of Jazz And Art; Or Alternatively; Or, Alternatively,

18-2250

Legislative History

9/19/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
9/24/19	*Community & Economic Development Committee	Scheduled to the *Community & Economic Development Committee

3) A Motion Directing Staff To Include The Fire Alarm Building In The Forthcoming Asset Disposition Plan And To Defer Commencement Of Negotiations For The Property; On The October 22, 2019 Community And Economic Development Committee Agenda
18-2309

4.8 Subject: 2019 Mills Act Contract Recommendations

From: Planning And Building Department

Recommendation: Adopt A Resolution, As Recommended By The Landmarks Preservation Advisory Board, Approving Twelve (12) Mills Act Contracts Between The City Of Oakland And The Properties At 418 Jefferson Street, 6028 Broadway Terrace, 6475 Colby Street, 1263 Trestle Glen Road, 619 Mariposa Avenue, 2600 Best Avenue, 678 18th Street, 360 Van Buren Avenue, 1000 Sunnyhills Road, 412 Monte Vista Avenue, 3007 Telegraph Avenue, And 492 Staten Avenue, Pursuant To Ordinance No. 12987 C.M.S., To Provide Property Tax Reductions In Exchange For Owners' Agreement To Repair And Maintain Historic Properties In Accordance With Submitted Work Programs And Approving Total City Tax Revenue Reduction Estimated To Be Above \$25,000/Year; On The October 22, 2019 Community And Economic Development Committee Agenda
18-2296

4.9 Subject: Negotiating Agreement With East Oakland Boxing Association
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute An Exclusive Negotiating Agreement With East Oakland Boxing Association For The Development Of The City-Owned Property Located At 816 And 828 98th Avenue; On The October 22, 2019 Community And Economic Development Committee Agenda
18-2297

4.10 Subject: West Oakland Community Fund Agreement
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A West Oakland Community Fund Restricted Purpose Fund Agreement And Fee Agreement With East Bay Community Foundation (Foundation); Appropriate And Transfer Up To Two Million Four Hundred Thousand Dollars (\$2,400,000) From The West Oakland Community Fund (Community Fund) To The Foundation; And Approve The West Oakland Community Advisory Group As The Fund Advisor To The Foundation; On The October 22, 2019 Community And Economic Development Committee Agenda
18-2298

4.11 Subject: Access To Housing For Persons With Criminal History
From: City Attorney Parker, Councilmembers Reid, Bas, And Kalb
Recommendation: Adopt An Ordinance Adding A New Oakland Municipal Code Chapter 8.2 Access To Housing, Article I, Ronald V. Dellums And Simbarashe Sherry Fair Chance Housing Ordinance, Enacting "The Ronald V. Dellums And Simbarashe Sherry Fair Chance And Access To Housing, Public Health And Safety Ordinance" That Precludes The Use Of Criminal Histories In Applications For Rental Housing; On The October 22, 2019 Committee Community And Economic Development Committee Agenda
18-2301

4.12 Subject: PATH Plan
From: Human Services Department
Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements For The Permanent Access To Housing (PATH) Strategy

[NEW TITLE]

Receive An Informational Report On The City's Updated Five Year Plan To Address Homelessness In Oakland (PATH Plan Update); On The October 22, 2019 Life Enrichment Committee Agenda

[18-2223](#)

Legislative History

9/12/19	*Rules & Legislation Committee	Withdrawn with No New Date
9/19/19	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee

4.13 Subject: AC-OCAP State EITC Grant Report And Resolution
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee 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, Including A Second Year Of Funding, Without Returning To Council, To Implement The California Earned Income Tax Credit (CALEITC) Free Tax Preparation Assistance Program; And 2) Enter Into Grant Agreements And Amendments With Service Providers To Implement The California Earned Income Tax Credit Free Tax Preparation Assistance Program Throughout Alameda County; And 3) Amend The Agreements To Increase The Grant Amounts If Additional Funding Becomes Available During The Initial Grant Period Of October 1, 2019 To June 30, 2020 Without Returning To Council; And 4) Amend And Extend The Agreements To Increase The Amounts And Duration Should CSD Extend And Provide Initial And Potentially Additional Funding For And During The Grant Period An Additional Year To June 30, 2021, Without Returning To Council; On The October 22, 2019 Life Enrichment Committee Agenda
18-2295

4.14 Subject: Homelessness Solutions Update
From: Council President Kaplan
Recommendation: Receive An Informational Report From The City Administrator On The Status Of Implementation Of Homelessness Solutions Approved By The City Council In Resolution No. 87129 C.M.S. "Encouraging The Private Development Of Expanded Housing Options, Including For Non-Profits, Faith-Based Organizations, Private Property Owners, And Service Providers Working On Private Land, To Provide Housing And Sanitary Facilities For The Homeless Through Strategies Including 'Small Homes,' Shipping Container Conversion Homes, Recreational Vehicles, Unattached Trailers, Restroom Structures, And Other Options To Provide Dignity, Privacy," Including Identifying Available Public Land For These Efforts, Along With Opportunity For The Committee To Make Recommendations, On Status Of Implementing Each Item And To Include In The Report To Council A Copy Of Communications With The County And Ousd Requesting Their Public Lands/Buildings And Response; On The November 12, 2019 Life Enrichment Committee Agenda
18-2304

4.15 Subject: Updates On The Department Of Violence Prevention
From: Councilmember McElhaney
Recommendation: Receive An Informational Report On Updates From The Office Of The City Administrator On The Implementation Of Ordinance Number 13451 C.M.S., Which Established The Department Of Violence Prevention To End The Epidemic Of Violent Crime In Oakland And Heal Trauma In Impacted Communities; On The October 22, 2019 Life Enrichment Committee Agenda As A Recurring Item
18-2306

4.16 Subject: Request An Informatonal Report
From: Councilmember Gallo
Recommendation: Receive An Informatonal Report From The City Administrator Regarding The Status Of Any Plans To Close The Homeless Encampment On The 4200-4300 Block Of Bond Street, Behind Oakland Charter Academy, And An Opportunity To Hear From The Public Regarding The Status Of The Encampment; On The October 8, 2019 Public Safety Committee Agenda
18-2302

4.17 Subject: League Of California Cities Travel Authorization
From: Councilmember Kalb
Recommendation: Adopt Resolution Authorizing Councilmember Dan Kalb's Travel To Long Beach For Attendance At The League Of California Cities From October 16, 2019 Through October 18, 2019 And Reimbursement Of Approximately \$1,750.00 In Travel Costs From The Council Contingency Fund For Travel; On The October 15, 2019 City Council Agenda As A Consent Item
18-2310

4.18 Subject: OPD Investigative Capacity Annual Report
From: Councilmember Kalb
Recommendation: Receive An Informational Report And Recommendations From The Oakland Police Department Regarding The State Of The Department's Investigative Capacity, Including, But Not Limited To, Staffing Levels And Resources, Percentage Of Serious Crimes Investigated, And Crime Lab Issues; On The November 12, 2019 Public Safety Committee Agenda
18-2311

5 A Review Of The Draft Agendas For The City Council Meeting Of October 15, 2019 And The Rules And Legislation Committee Of October 17, 2019
[18-2238](#)

Attachments: [View Report](#)

6 Subject: Ballot Measure Informational Update And Council Resolution For Next Steps
 From: Council President Kaplan
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Informational Report From The Administration On The Status Of Development Of Ballot Measures For The 2020 Ballot, Including; All Polling Questions And Results For Polls Already Conducted, A Schedule Of Planned Next Steps, And A Financial Report Showing Funding Amounts Allocated To Polling And Consultants, Including The Total Amount That Has Been Expended Or Allocated, Amounts Remaining, And The Process For Selecting The Consultant And Pollster; And
[18-2226](#)

Attachments: [View Report](#)

Legislative History

9/12/19	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
<i>The Agenda was modified to show item 4.27 regarding "Ballot Measure Informational Update And Council Resolution For Next Steps" was heard out of order after item 7</i>		

2) A Resolution Requesting That The City Administrator Prepare A Report, For Consideration No Later Than The November 19, 2019 City Council Meeting, Requesting That The City Council Consider Adopting Legislation To Place Any Revenue Enhancement Measures On The Ballot For The March 2020 Statewide Primary Election That The City Administrator Deems Appropriate And Reasonably Likely To Succeed And, In The Interim, Bring Reports To The City Council On Any Polls Undertaken By The City As Part Of The City Administrator's Efforts To Prepare Potential Measures
[18-2227](#)

Attachments: [View Report](#)

Legislative History

9/12/19	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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7 Subject: Increased Funding For Undergrounding Of Utility Wires To Prevent Wildfires From: President Pro Tempore Kalb
 Recommendation: Adopt A Resolution In Support Of The League Of California Cities' Resolution To The California Public Utilities Commission (CPUC) Requesting That The CPUC Amend Rule 20A To Allow For The Addition Of Projects In Very High Fire Hazard Severity Zones To The List Of Eligibility Criteria For Utility Wire Undergrounding Projects To Help Prevent Wildfires And To Increase Funding Allocations For Rule 20A Projects
[18-2253](#)

Attachments: [View Report](#)

[View Supplemental Report 9/27/2019](#)

Legislative History

9/19/19

*Rules & Legislation
Committee

Scheduled to the *Rules & Legislation
Committee

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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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.