



# City of Oakland

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

## Meeting Minutes - DRAFT \*Rules & Legislation Committee

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

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

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Thursday, July 21, 2016

10:45 AM

City Council Chamber, 3rd Floor

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### COMMITTEE MEMBERSHIP:

*The Oakland City Council Rules and Legislation Committee convened at 10:59  
a.m. with Councilmember Reid presiding as Chairperson.*

**Excused** 1 - Lynette Gibson McElhaney

**Present** 3 - Abel J. Guillén, Dan Kalb, and Laurence E. Reid

#### 1 Determinations Of Closed Session

[15-1170](#)

**A motion was made by Abel J. Guillén, seconded by Dan Kalb, that this matter be  
Accepted. The motion carried by the following vote:**

**Excused:** 1 - Gibson McElhaney

**Aye:** 3 - Guillén, Kalb, and Reid

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of July 7, 2016

[15-1171](#)

**A motion was made by Abel J. Guillén, seconded by Dan Kalb, that this matter be  
Accepted. The motion carried by the following vote:**

**Excused:** 1 - Gibson McElhaney

**Aye:** 3 - Guillén, Kalb, and Reid

#### 3 Determination Of Schedule Of Outstanding Committee Items

[15-1172](#)

**This Report and Recommendation be Accepted.**

**Excused:** 1 - Gibson McElhaney

**Aye:** 3 - Guillén, Kalb, and Reid

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

[15-1173](#)

**This Report and Recommendation be Accepted as Amended.**

**Excused:** 1 - Gibson McElhaney

**Aye:** 3 - Guillén, Kalb, and Reid

- 4.1** Subject: Settlement Agreement of Jane Roe, et al., v. City of Oakland, et al.  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Jane Roe, By And Through Her Guardian Ad Litem Janet Roe, Et Al. V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG14732238, City Attorney's File No. 29938, In The Amount Of Two Hundred And Thirty Thousand Dollars And Zero Cents (\$230,000.00) (Office Of Parks And Recreation - Child Assaulted)  
[15-1316](#)

**This City Resolution be Scheduled.to go before the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

- 4.2** Subject: Settlement of Camille Li v. Chim and 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 Camille Li, By And Through Her Guardian Ad Litem, Ella Seil Gee Leung V. Mark H. Chim, Marilyn M. Chim And City Of Oakland, Alameda County Superior Court Case No. RG15763115, City Attorney's File No. 30346, In The Amount Of Sixty-Two Thousand And Five Hundred Dollars And Zero Cents (\$62,500.00) (Public Works - Dangerous Condition) (1926658)  
[15-1315](#)

**This City Resolution be Scheduled.to go before the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

- 4.3** Subject: A Resolution Requesting The Planning Commission To Consider CN-1 Zoning Regulation Changes  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution Requesting The City Planning Commission To Consider Zoning Regulation Changes To The CN-1 Neighborhood Commercial CN-1 Zone To Allow The City To Deem A Use Permit To Be Abandoned If The Use Has Been Discontinued Or If The Business License Lapses For More Than One Year.  
[15-1317](#)

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 9/13/2016**

- 4.4 Subject: A Conditional And Revocable Permit to Dimond Improvement Association  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Encroachment Permit To Dimond Improvement Association To Allow The Art In The Street Event On Champion Street Between Macarthur Boulevard And Lincoln Avenue On The Second Sunday Of Each Month From April 1st Until September 30th Between The Hours Of 12:00 P.M. And 6:00 P.M.  
[15-1318](#)

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 9/13/2016**

**NOTED CHANGES TO THE JULY 26, 2016 SPECIAL CITY COUNCIL MEETING AGENDA**

- Subject: Ordinance Amending Chapter 8.22, Article I (Rent Adjustment)  
From: Councilmembers Kalb, Gibson McElhaney and Guillen  
Recommendation: Adopt An Ordinance Amending Chapter 8.22, Article I (Rent Ajustment) Of The Oakland Municipal Code To: (1) Modify Exemptions For Owner-Occupied Duplexes And Triplexes And Substantially Rehabilitated Properties; (2) Require That Owners File Petitions For Rent Increases In Excess Of The Annual Consumer Price Index Increase (3) Change The Amortization Period For Capital Improvements To That Of The Useful Life Of The Improvement; (4) Clarify That Certain Types Of Work Are Not Capital Improvements; (5) Amend Timelines For Filing Petitions; (6) Require Owners To Pay Interest On Security Deposits; And (7) Amending Chapter 8.22, Article Iv To Permit Tenants To Choose To Pay Their Portion Of The Program Fee Either In A Lump Sum Or In Six Monthly Installments  
[15-1226](#)

**as a Consent Calendar item**

**This Ordinance be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 9/20/2016**

- Subject: Amendment to the Salary Ordinance  
From: Human Resource Management  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12187 C.M.S., "The Salary Ordinance," To Clarify The Authority Of The City Administrator In Setting The Compensation And Other Terms And Conditions Of Employment For Department Heads And Amending Ordinance No. 12903 C.M.S. And Repealing Ordinance No. 12918 C.M.S.  
[15-1241](#)

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

Subject: Pilot Project to Modify Library Fines & Fees for Oakland Youth  
From: Oakland Public Library  
Recommendation: Adopt An Ordinance Authorizing The City Administrator And Director Of Library Services, As Part Of A One Year Pilot Project, To Modify The Oakland Public Library Fines And Fees Affecting Youth (18 Years-Old And Under) In Order To Reduce A Substantial Barrier To Library Use By Oakland Students  
[15-1264](#)

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

Subject: OUSD Use of City Hall Agreement  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The Oakland Unified School District For Use Of City Hall Facilities For Purposes Of Conducting Twice-Monthly Board Meetings For A One Year Period  
[15-1278](#)

**This City Resolution was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

Subject: OUSD Use Of City Hall Agreement  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Waiving Facility Rental Fees For Oakland Unified School District Use Of City Hall Facilities For Purposes Of Conducting Twice-Monthly Board Meetings For A One Year Period  
[15-1308](#)

**This City Resolution was Rescheduled.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

Subject: RAP Fee Increase  
From: Council President Gibson McElhaney, President Pro Tem Reid and Vice Mayor Campbell Washington  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13320 C.M.S. (The 2015-16 Master Fee Schedule) To Increase The Rent Program Service Fee From \$30 Per Unit To \$68 Per Unit  
[15-1299](#)

**This Ordinance was Scheduled.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

- 5 Subject: Aircraft Noise In Oakland, California  
From: Vice Mayor Annie Campbell Washington and Pro Tempore Reid  
Recommendation: Adopt A Resolution Of The Oakland City Council Requesting The Federal Aviation Administration Address Increased Noise In Oakland, California  
[15-1301](#)

*The resolution was amended to the last Whereas on page 2 to read as follows:*

*"In February 2015, SFO received an average of 12 noise complaints from Oakland residents, from 12 complaints, but by February 2016 the number of complaints has increased to 1,768, from 17 complaints, and in February 2015 OAK received an average of 6 noise complaints from Oakland residents, from 3 complaints, but by February 2016, the number of complaints had increased to 3,485 from 89 complaints; now, therefore be it." and,*

*an additional Resolve to direct federal lobbyist to take action, accepted by Councilmember Kalb as a Friendly amendment.*

**This City Resolution was Approve as Amended the Recommendation of Staff, and Forward.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

**Excused:** 1 - Gibson McElhaney

**Aye:** 3 - Guillén, Kalb, and Reid

- 6 Subject: Mayor's Appointment to the City Planning  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Tom Limon To The City Planning Commission  
[15-1305](#)

**This City Resolution was Approve the Recommendation of Staff, and Forward.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016**

**Excused:** 1 - Gibson McElhaney

**Aye:** 3 - Guillén, Kalb, and Reid

### **Open Forum (Total Time Available: 15 Minutes)**

*There were 12 speakers during open forum.*

### **Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules and Legislation Committee adjourned the meeting at 11:58 a.m.*

**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**

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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.