



City of Oakland Meeting Agenda

*Rules & Legislation Committee

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

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

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

Thursday, June 26, 2014

10:45 AM

City Council Chambers - 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:

Dan Kalb, District 1; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Chairperson: Council President Patricia Kernighan, District 2

- 1 Determinations Of Closed Session
 - 2 Approval Of The Draft Minutes From The Committee Meeting Of June 12, 2014
 - 3 Determination Of Schedule Of Outstanding Committee Items
([Rules062614Item3](#))
 - 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas
(SUPPLEMENTAL)
- S-4.1 Subject: Support For AB 2188 - Simplifying Solar Energy Permitting Process
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill (AB) 2188
(Muratsuchi) - State Legislation That Would Make California Statewide Permitting

Process For Rooftop Solar Systems Simpler And More Efficient And Help Advance Goals Outlined In Oakland Climate Action Plan; On The July 17, 2014 Rules And Legislation Committee Agenda
[\(13-0703\)](#)

S-4.2 Subject: LDDA Terms And Conditions With OMSS
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13201 C.M.S. (That Authorized The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Lease Disposition And Development Agreement (“LDDA”) And Ground Lease Between The City Of Oakland And Oakland Maritime Support Services, LLC, Or Its Affiliate (“OMSS”), For The Development Of Truck Parking And Truck-Related Services On Approximately 17 Acres Of The Former Oakland Army Base) To Amend The General Terms Of The LDDA As Follows: (1) Modify The Financial Requirements For The Project Guarantor; And (2) Grant OMSS An Exclusive Right To Sell Truck Fuel On The City-Owned Portions Of The Army Base For Ten (10) Years; On The July 8, 2014 Community & Economic Development Committee Agenda
[\(13-0693\)](#)

S-4.3 Subject: Permanent Access To Housing (PATH) Strategy
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into Grant Agreements With Agencies Selected Under The City Of Oakland's 2014-2015 Request For Proposals (RFP) Process For The Permanent Access To Housing (PATH) Strategy In An Amount Of \$1,101,022 With An Option To Extend For An Additional Two Years Without Returning To Council; 2) Allocate A General Purpose Fund Match Up To \$133,000 To East Oakland Community Project (EOCP) For The City's Families In Transition (FIT) Program, Funded By The U.S. Department Of Housing & Urban Development (HUD) Supportive Housing Program (SHP) Grant; 3) Allocate A General Purpose Fund Match Up To \$52,750 To EOCP For The City's Matilda Cleveland Transitional Housing Program (MCTHP), Funded Under HUD/SHP; 4) Allocate Community Development Block Grant (CDBG) Funds Up To \$23,064 To Cover Lease Costs At The Matilda Cleveland Transitional Housing Facility For The Fiscal Year (FY) 2014-2015; 5) Accept And Appropriate Funding Up To \$268,943 Awarded To The City Of Oakland By Alameda County And Enter Into A Grant Agreement With Bay Area Community Services, Inc., For Shelter Services From July 1, 2014 To June 30, 2015; 6) Allocate Funds Up To \$91,000 To Cover Mortgage Costs At EOCP For The Crossroads Shelter For The FY 2014-2015 And Enter Into An Agreement With EOCP In The Amount Of \$126,504 For The Operation Of The Shelter; 7) Allocate Funds Up To \$40,020 To Fulfill The City's Annual Obligation To The Alameda County Everyone Home Strategy And Alameda County Homeless Management Information System (HMIS); 8) Allocate Match Funds \$17,103 For The Abode Services Supportive Housing Program Grant To Increase Supportive Housing Services In Oakland Through The Oakland PATH Rehousing Initiative (OPRI); 9) Enter Into A Grant Agreement With Alameda County Community Food Bank In The Amount Of \$100,000 For The City's Hunger Program From July 1, 2014 To June 30, 2015, And Accept Any Additional Funds Up To \$50,000 Donated To The Hunger Program And Amend The Agreement With The Food Bank Without Returning To Council; And 10) Specify The Funding

Sources Of Grant Funds For A Memorandum Of Understanding And Grant Agreement With Alameda County Behavioral Health Care Services (BHCS) Agency For PATH Activities In The Amount Of \$200,000 As Authorized By Resolution No. 84927 C.M.S.; On The July 8, 2014 Life Enrichment Committee Agenda
[\(13-0697\)](#)

S-4.4 Subject: Action Item For Default
 From: Gene Hazzard (Citizen)
 Recommendation: Request To Schedule An Item Regarding The \$5,7000,000.00 Nationwide Insurance Company Loan Issued To Rotunda Garage LP (Aka Phil Tagami) On Rotunda Garage [Parcel 2] On March 24, 2006. Stated Purpose Of The Loan Pursuant To City Council Resolution No. 78669 And Agency Resolution No. 8004-0036 On August 26, 2004. Default Action Is Required For Violation Of Article XVI(16) And The Following Sections: 16.01, 16.02, 16.04 And 16.05 For The 17th Street Garage Parcel 2; On The Community & Economic Development Committee Agenda
[\(13-0702\)](#)

S-4.5 Subject: Producers Associates Inc. Agreement
 From: Oakland Parks And Recreation Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Execute An Agreement With Producers Associates Inc. To Provide Summer Musical Theater At Woodminster Amphitheater For A Ten-Year Term From 2014 Through 2023 With One Three-Year Option To Renew; On The July 8, 2014 Life Enrichment Committee Agenda
[\(13-0698\)](#)

S-4.6 Subject: Establishing A Minimum Wage
 From: Office Of The City Clerk
 Recommendation: Adopt A Resolution Submitting, On Initiative Petition, To The Electors At The November 4, 2014 Statewide General Election, A Proposed Charter Amendment "Establishing A Minimum Wage"; Consolidating The Election With The Statewide General Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 4, 2014, Statewide General Election; On The July 15, 2014 City Council Agenda
[\(13-0692\)](#)

S-4.7 Subject: Plan Amendments For Jack London Square And West Oakland
 From: Planning & Building Department
 Recommendation: Adopt A Resolution Approving The Environmental Determinations For, And Adopting, The Following Two Amendments To The City Of Oakland General Plan: (1) Approve Changes To The General Plan Designations In Support Of The West Oakland Specific Plan, As Delineated In Exhibit A; And (2) Approve Changes To The General Plan Designations Of (A) Assessor's Parcel Number 0018-0415-001-01 (Known As "Site D" Of The Jack London Square Development Project, And Generally Bounded By The Building Known As 70 Washington Street To The South And West, Embarcadero West To The North, And Broadway To The East) From RDE-1 (Retail, Dining, Entertainment Phase 1) To RDE-2 (Retail, Dining, Entertainment Phase 2), And (B) Assessor's Parcel Number 0018-0420-004-01 (Known As "Site F-2" Of The Jack

London Square Development Project, And Generally Bounded By Harrison Street To The West, Embarcadero West To The North, Alice Street To The East, And Water Street To The South) From WCR-1 (Waterfront Commercial Recreation 1) To MUD (Mixed Use Development), As Delineated In Exhibit B; On The July 8, 2014 Community & Economic Development Committee Agenda And As A Public Hearing On July 15, 2014 [\(13-0694\)](#)

S-4.8 Subject: Jack London Square Redevelopment Project Revisions
From: Planning & Building Department
Recommendation: Adopt A Resolution Approving The Jack London Square Redevelopment Project Revision #1, Including: A) Adopting Addendum #1 To The Jack London Square Redevelopment Project Environmental Impact Report; B) Adopting Revisions To The Jack London Redevelopment Project Planned Unit Development And Design Review Subject To Conditions Of Approval; And C) Approving A Minor Variance From Loading Requirements; On The July 8, 2014 Community & Economic Development Committee Agenda And As A Public Hearing On July 15, 2014 [\(13-0695\)](#)

S-4.9 Subject: West Oakland Specific Plan And Related Actions
From: Planning & Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution, As Recommended By The City Planning Commission, (A) Certifying The Environmental Impact Report And Making Related CEQA Findings; And (B) Adopting The West Oakland Specific Plan And Design Guidelines; And (C) Authorizing The Installation Of Bicycle Lanes On Adeline Street From Seventh (7th) Street To Thirty-Sixth (36th) Street, And On West Grand Avenue From Mandela Parkway To Market Street; And [\(13-0696\)](#)

2) An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To Create The Commercial Industrial Mix CIX-1A Business Enhancement Zone, Commercial Industrial Mix CIX-1B Low Intensity Business Zone, Commercial Industrial Mix CIX-1C High Intensity Business Zone, Commercial Industrial Mix CIX-1D Retail Commercial Mix Zone, Housing And Business Mix HBX-4 Zone, And The "T" Combining Overlay Zone Regulations And Make Conforming Changes To Other Planning Code Sections, As Well As Mapping Of A 'C' (Commercial) Overlay For The RM-2 Zoned Properties Near The West Oakland BART Station Along The 5th Street And Chester Street Frontage Area, And Adopting Zoning And Height Area Maps; On The July 8, 2014 Community & Economic Development Committee Agenda And As A Public Hearing On July 15, 2014 [\(13-0696-1\)](#)

S-4.10 Subject: 5816-5826 Mendoza Drive Utility Pole Telecomm. Project Appeal
From: Planning & Building Department
Recommendation: Adopt A Resolution Denying Appeal #A13115 And Upholding The Decision Of The City Planning Commission To Approve Regular Design Review To Attach A Telecommunications Facility To A Utility Pole Located In The Public Right-Of-Way Fronting The Lot Line Between 5816 And 5826 Mendoza Drive; On The

July 15, 2014 City Council Agenda As A Public Hearing

[\(13-0699\)](#)

S-4.11 Subject: 6239 Elderberry Drive Utility Pole Telecommunications Project Appeal
From: Planning & Building Department
Recommendation: Adopt A Resolution Denying The Appeal Of Manuel Perez And Dr. Christy Hiebert (Case File #A13-233) And Upholding The Planning Commission's Decision Of Approval Of A Major Conditional Use Permit To Install A New Wireless Telecommunication Facility (At&T Wireless) On A New 47'-6" High Pg&E Utility Pole Located In The Public Right-Of-Way (Case File#Dr13-055) At The Intersection Of Elderberry Drive And Girvin Drive (Adjacent To 6239 Elederberry Drive); On The July 15, 2014 City Council Agenda As A Public Hearing
[\(13-0700\)](#)

S-4.12 Subject: Tract 8138 Subdivision Map - The Hive
From: Planning & Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 8138 Located At 2301-2345 Broadway, 421 24th Street, 2300-2350 Valley Street And 2380-2396 Valley Street For A Seven Lot Subdivision For The Hive Development Group, LLC; And
[\(13-0701\)](#)

2) A Resolution Authorizing The City Administrator Or His Designee To Enter Into (1) A Subdivision Improvement Agreement With The Hive Development Group, LLC For Deferred Construction Of Public Infrastructure Improvements As A Condition To Final Map Approval For Tract 8138 Located At 2301-2345 Broadway, 421 24th Street, 2300-2350 Valley Street And 2380-2396 Valley Street, And (2) A Deferred Improvement Agreement With The Hive Development Group, LLC To Satisfy Mitigation Measures Trans-1, Trans-2, And Trans-5 Of The Standard Conditions Of Approval And Mitigation Monitoring And Reporting Program; On The July 15, 2014 City Council Agenda

Scheduling Justification: Conditional Approvals Of Final Tract Maps Are A Ministerial Action For Which Past Council Practice Has Generally Been To Bypass Committees.

[\(13-0701-1\)](#)

[\(Rules062614Item4\)](#)

5 A Review Of The Council Committees' Actions From June 24, 2014 And Determination Of Scheduling To The City Council Meeting Of July 1, 2014 (MATRIX)
[\(Rules062614Item5\)](#)

6 A Review Of The Draft Agendas For The Council Committee Meetings Of July 8, 2014 And The Rules And Legislation Committee Of July 10, 2014
[\(Rules062614Item6\)](#)

7 Subject: Amendments To The Oakland Campaign Reform Act
From: Council President Patricia Kernighan
Recommendation: Adopt An Ordinance Amending The Oakland Campaign Reform Act To Prohibit The Use Or Transfer Of Money From Ballot Measure Committees

Controlled By Candidates For City Office Or City Officeholders

(13-0633)

This item was Continued from the June 12, 2014 Rules & Legislation Committee meeting.

8 Subject: Creation Of An Independent Redistricting Commission
From: Councilmembers Libby Schaaf And Dan Kalb
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 4, 2014 Statewide General Election, A Proposed Ordinance To Amend The City Charter To Create The City Of Oakland Independent Redistricting Commission; Consolidating The Election With The Statewide General Election; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Election

(13-0643)

Pursuant to Rule 28(b) of Resolution 82580 C.M.S., this item was rescheduled from the June 19, 2014 Rules & Legislation Committee to this agenda.

Open Forum (Total Time Available: 15 Minutes)

Adjournment

NOTE: 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 48 hours 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.

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(TTD)

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.

**LaTonda Simmons
City Clerk and
Clerk of the Council**