



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, June 16, 2016

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:

Abel J. Guillén, District 2; Dan Kalb, District 1; President Pro Tempore Larry Reid, District 7; Chairperson: Council President Lynette Gibson McElhaney, District 3

1 Determinations Of Closed Session

[15-1106](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of June 2, 2016

[15-1107](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[15-1108](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

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

[15-1109](#)

Attachments: [View Report](#)

4.1 Subject: Macarthur BART Transit Village - Consent To Property Conveyance
From: Economic Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) Adopt A Resolution Authorizing The Agency Administrator Or Designee To Execute A Consent To The Conveyance By Macarthur Transit Community Partners, LLC To A Joint Venture Between Boston Properties, LP, Or One Of Its Affiliates, And Mcgrath Properties, Inc., Or One Of Its Affiliates, Of Parcels B-1 and B-2 Of The Macarthur BART Transit Village For Development Of One Residential Mixed-Use Project, Pursuant To The Terms Of An Owner Participation Agreement Between The Oakland Redevelopment Successor Agency And Macarthur Transit Community Partners, LLC, As Such Conveyance Is Not A Project Under The California Environmental Quality Act ("CEQA"), And Separately And Independently Relying On The Previously Certified 2008 Environmental Impact Report Per CEQA Guidelines Sections 15162-15164, 15183, 15183.3, And 15168 And 15180; And

[15-1208](#)

2) A Resolution Authorizing The City Administrator Or Designee To Execute A Consent To The Conveyance By Macarthur Transit Community Partners, LLC To A Joint Venture Between Boston Properties, LP, Or One Of Its Affiliates, And Mcgrath Properties, Inc., Or One Of Its Affiliates, Of Parcels B-1 and B-2 Of The Macarthur Bart Transit Village For Development Of One Residential Mixed-Use Project, Pursuant To The Terms Of A Development Agreement Between The City Of Oakland And Macarthur Transit Community Partners, LLC, As Such Conveyance Is Not A Project Under The California Environmental Quality Act ("CEQA"), And Separately And Independently Relying On The Previously Certified 2008 Environmental Impact Report Per CEQA Guidelines Sections 15162-15164, 15183, 15183.3, And 15168 And 15180; On The June 28, 2016 Community And Economic Development Committee Agenda

[15-1209](#)

- 4.2** Subject: 2100 Telegraph Avenue Assignment
From: Economic Workforce And Development
Recommendation: Adopt A Resolution Authorizing The Assignment Of An Exclusive Negotiation Agreement With TB2 Retail Complex, LLC For Development Of A Mixed-Use Project On City-Owned Property Located At 2100 Telegraph Avenue To W/L Telegraph Owner, LLC, Or A Related Entity; And Authorizing A Six-Month Extension, From 24 To 30 Months, To The Term Of The Agreement, And Authoring Extensions Of Performance Deadlines, As Such Assignment Is Exempt Under The California Environmental Quality Act ("CEQA") Pursuant To Sections 15262, 15306 And Section 15061(B)(3) Of The CEQA Guidelines; On The June 28, 2016
[15-1210](#)
- 4.3** Subject: Coliseum City Professional Services Contracts
From: Economic And Workforce Development
Recommendation: Adopt A Resolutions (1) Amending Resolution No. 85548 C.M.S., Which Authorized A Professional Services Contract With Keyser Marston and Associates, Inc., For The Coliseum City Project, To Extend The Contract For An Additional Year And Increase the Contract By \$350,000 Including Contingency For A New Total Amount Not To Exceed \$650,000; and (2) Authorizing A Professional Services Contract With Cushman and Wakefield Inc., In An Amount Not To Exceed \$175,000 Including Contingency To Provide Property Appraisal Services For The Oakland-Alameda County Coliseum Complex Property And Adjacent City-County Owned Property, and Waiving the City's Advertising, Competitive Bid And Formal Request for Proposal/Qualifications (RFP/Q) Process; On The June 28, 2016
Community And Economic Development Committee Agenda
15-1211
- 4.4** Subject: Ordinance Amending The OMC Chapter 2.04 Purchasing System
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 2.04 Purchasing System: 1) Increasing The City Administrator's Purchasing Authority For Supplies And Services, Including Professional Services, From \$100,000 To \$250,000; 2) Eliminating All Lower Purchasing Limits 3) Raising The Dollar Amount For Informal Solicitations For Requests For Proposals/Qualifications To \$50,000; Delegating Authority To The City Administrator Make Findings And Waive Advertising And Solicitation Processes For Requests For Proposal/Qualifications For Professional Services Purchases Up To Fifty Thousand Dollars (\$50,000); And Clarifying Certain Definitions And Other Clean Up; On The June 28, 2016 Finance Committee Meeting Agenda
[15-1212](#)

- 4.5** Subject: Major Encroachment Permit At 701 55th Street
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Robert M. Hamner And Clair F. Hamner To Allow Portions Of The Building At 701 55th Street To Encroach Into The Public Right-Of-Way Along 55th Street And Dover Street; On The June 28, 2016 Public Works Committee Agenda [15-1213](#)
- 4.6** Subject: Adopt Recommended Police Recruitment and Hiring Policy Proposals
From: Councilmember Kaplan
Recommendation: Adopt New Police Recruitment And Hiring Policies to: (1) Prohibit the Use Of Past Marijuana Use As Grounds For rejection; (2) Prohibit The Use Of Having Student Loans As Grounds For Rejection; (3) Restrict The Use Of Debt As Grounds For Rejection To Those Situations Where Lack Of Income Would Be Solved By Obtaining A Job As A Police Officer; (4) To Seek A Goal Of Not Less Than 50% Of New Hires Will Be Among Those Who Do Have Some Connection Or History With Oakland Or Live Or Have Lived In Oakland; (5) Evaluate The Use Of And Impact Of Rejecting Applicants With An "Association" To People With Criminal Records, And Determine How This Is Being Used And Decide Whether It Genuinely Measures The Potential Of The Applicants, And Whether It Is Disproportionately Excluding Oakland Residents And/Or People Of Color; (6) Weigh Out-Of-School Suspensions, Dismissal From School Or Poor Academic Performance Within Reasonable Contexts; (7) Request A Review Of Recent Applicants Who Were Rejected At The Background Check Stage To Determine If Any Of Them, Especially Oakland Residents, Were Rejected For Reasons That Might Warrant Reconsideration; (8) Expand Outreach And Explore Additional Strategies To Mitigate The Under Representation Of Women, LGBT People, And People Of Color In The Department; (9) Explore And Report Back To Council On Additional Strategies To Improve Recruitment Screening For Attitude Issues, Including Attitudes About Appropriate Conduct Toward Women and Understanding Of Respecting The Community; On The July 12, 2016 Public Safety Committee Agenda [15-1214](#)
- 4.7** Subject: Adopt An Interim Emergency Ordinance To Temporarily Place A Moratorium On Rent Increases Above The Annual CPI Adjustment
From: Councilmember Kaplan
Recommendation: Adopt An Interim Emergency Ordinance To Continue Temporary Moratorium On Rent Increases Above The Annual CPI Adjustment For Residential Units Regulated By Oakland's Residential Rent Adjustment Ordinance (Section 8.22.010 et seq.) through December 31, 2016, In Which an Owner Who Desires a Rent Increase in Excess of the CPI Rent Adjustment Must Petition the Rent Program on the Ground That the Owner Needs a Rent Increase to Provide A Fair Return Based On Maintaining The Property's Net Operating Income; On The July 5, 2016 City Council Agenda [15-1215](#)

- 4.8** Subject: PRIME Maintenance Agreement
From: Information Technology Department
Recommendation: Resolution Authorizing The City Administrator Or Her Designee
To: 1. Enter Into A Premier Maintained Application (Pma) Maintenance Agreement With Microsoft Corporation To Support And Maintain The Second Generation Early Warning System For The Oakland Police Department For A Total Estimated Three-Year Cost Not To Exceed One Million Two Hundred Twenty Thousand Dollars (\$1,220,000) Of Which: A) The First Year Cost Of The Pma Will Be Three Hundred Eighty Four Thousand Six Hundred And Forty-Four Dollars (\$384,644) To Be Appropriated From Already Budgeted Funds, And B) Years Two And Three Costs Of The Pma Will Not Exceed Eight Hundred Thirty-Five Thousand Three Hundred Fifty-Six Dollars (\$856,356) To Be Funded Via The Oakland Police Department Operations And Maintenance (O&M) Budget To Be Finalized And Brought To The City Council For Approval During The City's Fiscal Year (FY) 2017-2019 Budget Process
2. Waive The Advertising, Bidding And Request For Proposals/Qualifications ("Rfp/Q") Competitive Selection Requirement For Agreements Associated With This Project; On The June 28, 2016 Public Safety Committee Agedna
[15-1216](#)
- 4.9** Subject: 2015-16 Affordable Housing and Sustainable Communities Program: Resolutions for Projects Invited to Submit Full Applications
From: Housing And Community Development
Recommendation: Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development For Coliseum Connections Located At 801-844 71st Avenue In An Amount Not To Exceed \$14,898,316 Under The 2015-16 Affordable Housing And Sustainable Communities Program; On The June 28, 2016 Community And Economic Development Committee Agedna
[15-1217](#)

- 4.10** Subject: 12th Street Remainder Parcel Disposition And Development Agreement With Urbancore And EBALDC
From: Economic And Workforce Development
Recommendation: An Ordinance: (1) Authorizing The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland And Urbancore Development, LLC Or Its Related Entities Or Affiliates (“Urbancore”), And East Bay Asian Local Development Corporation Or Its Related Entities Or Affiliates (“EBALDC”), For (A) Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue (“Property”) For No Less Than \$8.0 Million, (B) A Seller Carryback Loan From The City To Ebaldc In The Amount Of \$3.3 Million Plus The Cost Of Loan Origination, And (C) Development Of The Property As A Residential Mixed-Use Project, All Of The Foregoing Documents To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Exhibit A; And (2) Adopting CEQA Exemptions (15183 & 15183.3) And Addendum (Relying On The Previously Certified 2014 Lake Merritt Station Area Plan EIR); On The June 28, 2016 Community And Economic Development Committee Agenda
[15-1218](#)
- 4.11** Subject: 2015-16 Affordable Housing and Sustainable Communities Program: Amended Resolution for Project Invited to Submit Full Application
From: Housing and Community Development Department
Recommendation: Resolution Amending Resolution No. 86218 C.M.S. Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development For Coliseum Connections Located At 801-844 71st Avenue Under The 2015-16 Affordable Housing And Sustainable Communities Program, To Change The Not-To-Exceed Amount From \$14,883,316 To \$14,898,316; On The June 28, 2016 Community And Economic Development Committee Agenda
[15-1219](#)
- 5** A Review Of The Council Committees' Actions From June 14, 2016 And Determination Of Scheduling To The City Council Meeting Of June 21, 2016 (MATRIX)
[15-1175](#)
Attachments: [View Report](#)
- 6** A Review Of The Draft Agendas For The City Council Committee Meetings Of June 28, 2016 And The Rules And Legislation Committee Of June 30, 2016
[15-1110](#)
Attachments: [View Report](#)

7 Subject: Resolution In Support Of AB 2818 - Property Taxation: Community Land Trust
 From: Councilmember Kalb
 Recommendation: Adopt A Resolution In Support Of AB 2818 (Chiu) That Would Require County Tax Assessors To Consider When Valuing Property For Property Taxation Purposes Recorded Affordability Restrictions On Low And Moderate Income Housing Including Community Land Trusts
[15-1088](#)

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

Legislative History

5/26/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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8 Subject: Resolution In Support Of AB 2713 - Energy Systems
This item was removed from the agenda

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

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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.**

