



# 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>

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Thursday, January 12, 2017

10:45 AM

City Council Chamber, 3rd Floor

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#### **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

[16-0540](#)

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

- 2 Approval Of The Draft Minutes From The Committee Meeting Of December 1, December 8, And December 15, 2016

[16-0541](#)

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

- 3 Determination Of Schedule Of Outstanding Committee Items

[16-0542](#)

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

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

[16-0543](#)

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

- 4.1 Subject: Confirm City Council President Reid's Appointments To Members And Chairpersons Of Council Committees For 2017-2019  
From: City Council President Reid  
Recommendation: Adopt A Resolution Pursuant To The Council's Rules Of Procedure (Resolution No. 86034 C.M.S.) To Confirm The City Council President's Appointments Of The Members And Chairpersons Of The Public Works, Finance And Management, Community And Economic Development, Life Enrichment, Public Safety, Rules And Legislation, And Education Partnership Committees Of The City Council; On The January 17, 2017 City Council Meeting Agenda

[16-0600](#)

**Sponsors:** Larry Reid  
*This matter requires an urgency finding to be placed on this agenda*

- 4.2 Subject: Resolution to Protect DACA Youth  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution To Demand President Obama Take Action To Protect Deferred Action For Childhood Arrivals (DACA) Youth; On The January 17, 2017 City Council Meeting Agenda

[16-0608](#)

**Sponsors:** Kaplan  
*This matter requires an urgency finding to be placed on this agenda*

- 4.3** Subject: The Ghost Ship Remembrance Day Resolution  
From: Members Of The Public  
Recommendation: Adopt A Resolution Declaring December 2 As Ghost Ship Remembrance Day; On The January 17, 2017 City Council Meeting Agenda [16-0573](#)  
**Sponsors:** Member(s) of the Public
- 4.4** Subject: Worker's Compensation Third Party Administrator Agreement Extension (March 1, 2017 Through February 28, 2018)  
From: Human Resources Management  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Professional Services Agreement With JT2 Integrated Resources To Continue Provision Of Worker's Compensation Administration Services For The Period March 1, 2017, Through February 28, 2018, In An Amount Of \$2,511,538.40 For A Total Amount Over The Four Year Term Of The Contract Of \$9,943,374.86; On The January 24, 2017 Finance And Management Committee Meeting Agenda [16-0578](#)
- 4.5** Subject: Informational Report On The Port Of Oakland's Finances  
From: Port Of Oakland  
Recommendation: Receive An Informational Report On The Port Of Oakland's Finances; On The February 28, 2017 Finance And Management Committee Meeting Agenda [16-0546](#)
- 4.6** Subject: Informational Report on Port of Oakland's Finances and Budget  
From: Port Of Oakland  
Recommendation: Receive An Informational Report on Port of Oakland's Finances and Budget; On The February 28, 2017 Finance And Management Committee Meeting Agenda [16-0547](#)
- 4.7** Subject: Status Report On Trash Reduction Requirement For Stormwater Drains  
From: Councilmember Kalb  
Recommendation: Receive An Informational Report On The Status Of The City's Compliance With The Municipal Regional Stormwater Permit's July 1, 2017 Deadline For A 70% Reduction In Stormwater Drain Trash And Recommendations For Achieving That Requirement; On The April 11, 2017 Public Works Committee Meeting Agenda [16-0602](#)

- 4.8** Subject: Informational Presentation On Housing And Health Inequity In Oakland  
From: Councilmember Gibson McElhaney  
Recommendation: Receive An Informational Presentation From The Alameda County Department Of Public Health On The State Of Housing Habitability In Oakland And Its Impacts On The Health Of Oakland Residents; On The January 24, 2017 Community And Economic Development Committee Meeting Agenda  
[16-0604](#)
- 4.9** Subject: Informational Presentation On Improving Healthy Housing And Reducing Lead Poisoning  
From: Councilmember Gibson McElhaney  
Recommendation: Receive An Informational Presentation From The Alameda County Healthy Homes Department On Possible Responses To The Public Health Crisis Of Unhealthy Housing And Lead Exposure; On The January 24, 2017 Community And Economic Development Committee Meeting Agenda  
[16-0605](#)
- 4.10** Subject: Discussion Of The Community-Proposed Emergency Tenant Protection Ordinance  
From: Councilmember Kaplan And Gallo  
Recommendation: Schedule A Discussion Of The Community-Proposed Interim Emergency Tenant Protection Ordinance To Temporarily: 1) Place A Moratorium On Evictions Of Residents Of Commercially Zoned Properties, 2) Place A Moratorium On Red-Tagging For Non-Life-Threatening Violations, 3) Reinforce Existing Tenant Protections To Eliminate Loopholes, 4) Provide Reasonable Notice To Tenants Of Upcoming Inspections, 5) Provide Amnesty For Landlords Leasing Commercially Zoned Properties As Residential, And 6) Open Avenues To Long-Term Solutions For Oakland's Housing Crisis; On The January 24, 2017 Community And Economic Development Committee Meeting Agenda  
[16-0603](#)

**Sponsors:** Kaplan and Gallo

- 4.11** Subject: Public Space Maintenance Services Contracts  
From: Economic And Workforce Development  
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding Requirements And Authorizing The City Administrator To Negotiate And Enter Into The Following Proposed Contracts For Maintenance Services:

(1) A Contract Or Contracts With The Lake Merritt-Uptown District Association For Maintenance Of (A) The BART 17th Street Gateway Entrance To The 19th Street BART Station Fronting Broadway And Telegraph Avenue Between 17th And 19th Streets And (B) The Property Located At 1911 Telegraph Avenue, In An Amount Not To Exceed \$24,950 For Each Of The Uptown Sites, And

(2) A Contract With The Downtown Oakland Association For Maintenance Of The Civic Center T-5/6 Parcels Located On The Block Bounded By Broadway, 11th Street, 12th Street And Clay Street In An Amount Not To Exceed \$24,950; On The January 24, 2017 Community And Economic Development Committee Meeting Agenda [16-0575](#)

- 4.12** Subject: ENA For 3 City Owned Parcels On The Oak Knoll Development Site  
From: Economic And Workforce Development  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Oak Knoll Venture Acquisitions, LLC, Or Affiliates For One Year, With One Optional Six Month Administrative Extension, For The Disposition And Development Of City-Owned Parcels At Oak Knoll; On The January 24, 2017 Community And Economic Development Committee Meeting Agenda [16-0574](#)

- 4.13** Subject: Resolution Declaring Inspection And Enforcement Activity Policy Priorities  
From: Councilmembers Kaplan And Gallo  
Recommendation: Adopt A Resolution Declaring Policy Priorities For Inspections And Related Enforcement Activities To: Avoid Unnecessary Displacement, Reduce Waste Of Time And Resources, And Focus Enforcement On Threats To Health And Safety; On The January 24, 2017 Community And Economic Development Committee Meeting Agenda [16-0614](#)

**Sponsors:** Kaplan and Gallo

**4.14** Subject: FY16-17 Cultural Funding Grants  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Eighty-Nine (89) Cultural Services Grant Agreements To Seventy-Nine (79) Oakland-Based Individual Artists And Nonprofit Organizations Providing Arts And Cultural Services In Oakland During Fiscal Year 2016-17, In A Total Amount Not To Exceed \$1,121,853; On The January 24, 2017 Life Enrichment Committee Meeting Agenda

[16-0571](#)

**Sponsors:** Economic & Workforce Development Department

**4.15** Subject: Cell Site Simulator Policy  
From: Oakland Police Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Establishing The City Of Oakland's Cellular Site Simulator Usage And Privacy Policy; And

[16-0576](#)

2) A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) With The Alameda County District Attorney's Office (ACDA) To Allow Members Of The Oakland Police Department (OPD) To Use Cellular Site Simulator Technology, For Five Years From The Effective Date Of The MOU At No Cost To OPD; On The January 24, 2017 Public Safety Committee Meeting Agenda

[16-0577](#)

**4.16** Subject: Resolution Requiring Fire Inspections Of Vacant Buildings  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution Requiring That Vacant Buildings Be Subject To Fire Prevention And Inspection Requirements, And Rescinding Any Existing Policies Or Directives Allowing For The Exemption Of Vacant Properties From Fire Inspections; On The January 24, 2017 Public Safety Committee Meeting Agenda

[16-0601](#)

**4.17** Subject: OFD Status Update Regarding Vegetation Inspection Audits  
From: Councilmember Kalb And Vice Mayor Campbell Washington  
Recommendation: Receive An Informational Report On The Status Update Regarding The Oakland Fire Department's (1) Implementation Of Recommendations Provided In The Vegetation Inspection Audits Of 2013 And 2015 And (2) The State Of The Vegetation Management Inspection Program, Including Any Challenges To Achieving Full Implementation And Compliance; On The March 14, 2017 Public Safety Committee Meeting Agenda

[16-0611](#)

**Sponsors:** Kalb

- 5 A Review Of The Council Committees' Actions From January 10, 2017 And Determination Of Scheduling To The City Council Meeting Of January 17, 2017 (MATRIX)  
[16-0544](#)

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

- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of January 24, 2016 And The Rules And Legislation Committee Of January 26, 2016  
[16-0545](#)

- 7 Subject: Examining Alameda County Probate Court Process, And Grand Jury Investigation  
From: Councilmember Gibson McElhaney  
Recommendation: Adopt A Resolution Requesting An Examination Of The Way In Which The Probate Courts In Alameda County Function And Directing The City Administrator To Send Copies Of The Resolution And Agenda Item To The Alameda County District Attorney Nancy O'Malley, Alameda County Supervisor Keith Carson, Assemblymember Tony Thurmond, And State Senator Nancy Skinner  
[16-0345](#)

**Sponsors:** Gibson McElhaney

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

**Legislative History**

10/27/16	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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*President Gibson McElhaney along with Pro Tempore Reid agreed to work on this request and revise the title if necessary with the City Attorney's approval.*

*The title of this item should read:*

*A Resolution Requesting An Examination By The Alameda District Attorney Of The Way In Which The Probate Courts In Alameda County Function And The City Clerk Send Copies Of The Resolution And Agenda Item To The Alameda County District Attorney Nancy Omaley, Alameda County Supervisor Keith Carson, And Assemblymember Tony Thurman, and State Senator Loni Hancock.*

*Council President Gibson McElhaney requested to also add to the list Assemblymember Rob Bonta.*

*City Attorney made the following adjustments: "...To Direct The Oakland City Clerk To Send Copies to..."*

12/8/16	*Rules & Legislation Committee	Continued to the *Rules & Legislation Committee
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*There were 2 speakers on this item.*

12/15/16

\*Rules & Legislation  
Committee

Scheduled to the \*Rules & Legislation  
Committee

*Staff requested title change to read as follows: "Adopt A Resolution Requesting An Examination Of The Way In Which The Probate Courts In Alameda County Function And Directing the City Administrator To Send Copies Of The Resolution And Agenda Item To The Alameda County District Attorney Nancy O'Malley, Alameda County Board of Supervisors, Assemblymember Tony Thurmond, And State Senator Nancy Skinner."*

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

**Adjournment**

**Americans With Disabilities Act**

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**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.**