



# 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, March 1, 2018

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:**

Lynette McElhaney, District 3; President Pro Tempore Abel J. Guillén, District 2; Vice Mayor Campbell Washington, District 4; Chairperson: President Reid, District 7

#### **1 Determinations Of Closed Session**

[18-0153](#)

Attachments: [View Report](#)

#### **2 Approval Of The Draft Minutes From The Committee Meeting Of February 15, 2018**

[18-0154](#)

Attachments: [View Report](#)

**3** Determination Of Schedule Of Outstanding Committee Items

[18-0155](#)

Attachments: [View Report](#)

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

[18-0156](#)

Attachments: [View Review](#)

**4.1** Subject: Cityworks License/Maintenance Renewal With Azteca Systems, LLC  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,  
To: (1) Extend The Cityworks License And Maintenance Agreement With Azteca Systems, LLC Through May 31, 2022, In An Amount Not To Exceed Four Hundred Forty-Seven Thousand Dollars (\$447,000), Without Return To Council, With Additional Authority To Enhance The Agreement To: (A.) Expand The License And Maintenance Agreement For Additional Software Products & Licenses In An Amount Not To Exceed Three Hundred Thousand Dollars \$300,000 For The Term Of The Contract Without Return To Council; And (B.) Enter Into License, Maintenance, Hosting, Purchase, And/Or Professional Services Agreement(S) With Azteca Systems LLC Or Their Authorized Business Partner(s) In An Amount Not To Exceed Four Hundred Thousand Dollars \$400,000 For The Term Of The Contract For Professional Services And/Or Products That Enhance Cityworks Through Additional Functionality, Without Return To Council; And (2) Waive The Competitive Proposal Solicitation Requirement For The Above Listed Agreements; On The March 13, 2018 Finance And Management Committee Agenda  
**18-0174**

**4.2** Subject: Status Of Affordable Housing And Infrastructure Bond Public Oversight Committee  
From: Council President Larry E. Reid  
Recommendation: Receive An Informational Report From The City Administrator's Office On The Status Of The Affordable Housing And Infrastructure Bond Public Oversight Committee (Measure Kk); On The April 10, 2018 Finance And Management Committee Agenda  
**18-0223**

**4.3** Subject: Major Encroachment Permit At 385 14th Street  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To CP VI Franklin, LLC To Allow Portions Of The New Building Above Grade At 385 14th Street To Encroach Into The Public Right-Of-Way Along 13th Street, 14th Street, And Webster Street, Major Encroachment Permit ENMJ18052; On The March 13, 2018, Public Works Committee Agenda  
**18-0184**

- 4.4** Subject: Major Encroachment Permit At 378 11th Street  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Pravin L. Patel And Sima P. Patel, Husband And Wife As Community Property With Right Of Survivorship, To Allow Portions Of The New Building Above Grade At 378 11th Street To Encroach Into The Public Right-Of-Way On 11th Street, Major Encroachment Permit ENMJ18051; On The March 13, 2018 Public Works Committee Agenda  
**18-0185**
- 4.5** Subject: ENA For 95th And International Blvd. And 3050 International Blvd.  
From: Economic And Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing The Right To Negotiate And Execute An Exclusive Negotiating Agreement, Without Engaging In A Competitive Solicitation Process, With Acts Community Development Corporation And The Related Companies Of California, And Or Affiliated Entities, For One Year With One Optional Six-Month Administrative Extension For The Potential Disposition And Development Of A Mixed-Use Affordable Housing Project On Seven Contiguous City-Owned Parcels (APNS 044-4967-002, 044-4967-003, 044-4967-004-02, 044-4967-004-03, 044-4967-005, 044-4967-007-01, And 044-4967-009) Located At 95th Avenue And International Boulevard; And  
**18-0178**
- 2) A Resolution Authorizing The Right To Negotiate And Execute An Exclusive Negotiating Agreement, Without Engaging In A Competitive Solicitation Process, With Satellite Affordable Housing Associates And The Native American Health Center, And Or Affiliated Entities, For One Year With One Optional Six-Month Administrative Extension For The Potential Disposition And Development Of A Mixed-Use Affordable Housing And Retail Project Located At 3050 International Boulevard; On The March 13, 2018 Community And Economic Development Committee Agenda  
**18-0181**
- 4.6** Subject: Mid-Term Review Of Five-Year Implementation Plans  
From: Economic And Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) Six Oakland Redevelopment Successors Agency (ORSA) Resolutions Adopting Five-Year Implementation Plans For The (1) Army Base, (2) Broadway/Macarthur/San Pablo, (3) Central District, (4) Coliseum, (5) Oak Knoll, And (6) West Oakland Redevelopment Project Areas, Respectively; And  
**18-0186**

2) A Report Providing Mid-Term Review Of Five-Year Implementation Plans For The (1) Army Base, (2) Broadway/MacArthur/San Pablo, (3) Central District, (4) Central City East, (5) Coliseum, (6) Oak Knoll, And (7) West Oakland Redevelopment Project Areas; On The March 13, 2018 Community And Economic Development Committee Agenda

**18-0187**

- 4.7** Subject: Status Update Clay Street Garage  
From: Council President Reid  
Recommendation: Approve A Report And Recommendation Directing the City Administrator On The Development Of The Clay Street Garage Site With A Feasibility Analysis Detailing Several Development Alternatives; Previously Scheduled To Public Works Committee March 13, 2018 And Now Be Rescheduled April 10, 2018 To The Community And Economic Development Committee Agenda  
[TITLE CHANGE]  
[17-0300](#)

**Legislative History**

10/26/17	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
	<i>This item was scheduled to a committee meeting in February 2018.</i>	
2/15/18	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee
2/27/18	*Special Public Works Committee	Scheduled to the *Public Works Committee

- 4.8** Subject: HSD Cityspan Contract  
From: Human Services Department  
Recommendation: Adopt A Resolution Waiving The Advertising And Bidding Requirements And The Request For Proposal/Qualifications Process, And Authorizing The City Administrator To Execute An Agreement With Cityspan Technologies, Inc. For Licensing And Hosting Of A Web-Based, Client-Level Tracking And Contract Management Database System In An Amount Not To Exceed \$223,000 For The Following Human Services Programs: (1) Oakland Paratransit For The Elderly And Disabled (OPED) Program In A Total Amount Of \$37,500 For Three And A Quarter Years From April 1, 2018 To June 30, 2021 And (2) Oakland Fund For Children And Youth (OFCY) Program In A Total Amount Of \$185,500 For Three Years From July 1, 2018 To June 30, 2021; On The March 13, 2018 Life Enrichment Committee Agenda  
**18-0175**

- 4.9** Subject: Resolution Allowing And Supporting Expanded Housing Options  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution Allowing And Supporting 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, And Disease Control; On The April 10, 2018 Life Enrichment Committee Agenda  
**18-0193**
- 4.10** Subject: Ceasefire And Community Engagement Strategy Support Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: (1) Accept And Appropriate Grant Funds To The Oakland Police Department (OPD) In An Amount Not To Exceed Seven Hundred And Fifty Thousand Dollars (\$750,000) To Be Administered By The International Association Of The Chiefs Of Police (IACP), Which Serves As The Grant Administrator On Behalf Of The U.S. Department Of Justice, Office Of Justice Programs, Office For Victims Of Crime (DOJ/OVC) For The Vision 21: Law Enforcement And The Communities They Serve: Supporting Collective Healing In The Wake Of Harm Demonstration Initiative (Collective Healing) To Fund Personnel Time, Training, Supplies, And Three Project Partners, During The 22-Month Grant Period Of December 1, 2017 - September 30, 2019; (2) Authorize An Increase To OPD's Staffing Level By One Full-Time Equivalent Project Manager I (Collective Healing Initiative Project Manager) To Implement The Collective Healing Project For The Duration Of This Grant; (3) Authorize A Contribution Of Fifteen Thousand Four Hundred Thirty One Dollars (\$15,431) From The General Purpose Fund To Cover The Associated Central Services Overhead Costs Of 14.32 Percent; And (4)Waive The City's Competitive Advertising And Bidding Requirements To Allow OPD To Enter Into Contracts With: (A) Bay Area Women Against Rape In An Amount Not To Exceed Fifty-Seven Thousand Dollars (\$57,000) For The Grant Period Of December 1, 2017 To September 30, 2019, With One Extension At The Same Amount, For A Total Not To Exceed One Hundred Fourteen Thousand Dollars (\$114,000); (B) Community Youth Outreach (CYO) In An Amount Not To Exceed Seventy-Five Thousand Dollars (\$75,000), For The Grant Period Of December 1, 2017 To September 30, 2019, With One Extension At The Same Amount, For A Total Not To Exceed One Hundred Fifty Thousand Dollars (\$150,000); And (C) The Urban Institute In An Amount Not To Exceed Seventy Thousand Dollars (\$70,000), For The Grant Period Of December 1, 2017 To September 30, 2019, With One Extension At The Same Amount, For A Total Not To Exceed One Hundred Forty Thousand Dollars (\$140,000); On The March 13, 2018 Public Safety Committee Agenda  
**18-0183**

- 4.11** Subject: Oakland Measure Z Policing Services Evaluation: Year 1 Report  
From: City Administrator's Office  
Recommendation: Receive An Informational Report Of The First Evaluation By Resource Development Associates Of Policing Services Funded Through The Safety And Services Act Of 2014 (Measure Z); On The March 13, 2018 Public Safety Agenda  
**18-0222**
- 4.12** Subject: Resolution DA To Proactively Apply Prop 64 Retroactively  
From: Councilmember Kalb And Councilmember Kaplan  
Recommendation: Adopt A Resolution Urging The Alameda County District Attorney To Proactively Apply Proposition 64 Retroactively To Reduce Or Dismiss Applicable Marijuana Sentences; On The March 15, 2018 Rules And Legislation Committee Agenda  
**18-0194**
- 4.13** Subject: Appointments To The Housing, Residential Rent And Relocation Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Robert Stone As A Regular Neutral Member And Karen Friedman As A Regular Landlord Member And The Appointment Of Ubaldo Fernandez As A Regular Tenant Member To The Housing, Residential Rent And Relocation Board, Residential Rent And Relocation Board; On The March 15, 2018 Rules And Legislation Committee Agenda  
**18-0225**
- 4.14** Subject: Support Of The California Schools And Local Communities Funding Act Of 2018  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution 1) In Support Of The California Schools And Local Communities Funding Act Of 2018 ("The Initiative") On The November 6, 2018 Ballot, Which Will Amend The State Constitution To Close A Corporate Tax Loophole By Reassessng Commercial And Industrial Real Property On An Annual Basis Based On Fair Market Value; And 2) Encourage Other Jurisdictions In The Region To Take Support Positions On The Initiative; On The March 15, 2018 Rules And Legislation Committee Agenda  
**18-0226**
- 4.15** Subject: Honoring Betty Soskin  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Celebrating And Honoring Betty Reid Soskin For Her Courageous, Innovative, Groundbreaking Work; Which Is Truly Inspirational; Has Promoted Positive Change, And Has Uplifted The Residents Of The City Of Oakland And The Nation In The Areas Of Social Justice, Advocacy, Arts And Culture, Business And Faith; On The March 20, 2018 City Council Agenda As A Ceremonial Item  
**18-0220**

**4.16** Subject: Restricting And Prohibiting Evictions Of Residential Tenants For Cannabis Facilities  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance Amending OMC 5.81 (Cannabis Regulation), To Restrict And Prohibit Use For Cannabis Related Purposes, Of Properties Previously Or Currently Used For Residential Purposes, Including Permitted Or Unpermitted Live-Work; On The March 20, 2018 City Council Agenda As A Non-Consent Item  
**18-0192**

**4.17** Subject: American Red Cross Month  
From: Council President Reid  
Recommendation: Adopt A Resolution Recognizing The Month Of March 2018 As American Red Cross Month; On The March 20, 2018 City Council Agenda As A Ceremonial Item  
**18-0215**

**4.18** Subject: Assessment District No. 2007-232 Piedmont Pines Phase II  
From: Department Of Transportation  
Recommendation: Adopt The Following Pieces of Legislation;

1) A Resolution Of Intention To 1) Order Improvements And To Form The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; 2) Accept Indications Of Interest In The Proposed Assessment District By Owners Owning Land Constituting More Than One-Half Of The Area Of The Assessable Lands Within The Proposed Assessment District; 3) Finding That The Improvements Are Of More Than Local Or Ordinary Public Benefit, And The Cost And Expenses, Including Incurred City Cost Of District Creation Thereof, Are Made Chargeable Upon The Assessment District; 4) Providing That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Providing That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appointing Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Directing The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And

[18-0073](#)

Attachments: [View Report](#)

Legislative History

1/25/18	*Rules & Legislation Committee <i>This item will only be heard at the Finance and Management Committee.</i>	Scheduled to the *Finance & Management Committee
2/13/18	*Finance & Management Committee  <i>There was 1 speaker on this item</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

2/15/18      \*Rules & Legislation Committee      Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*Staff requested this item be forwarded to the February 20, 2018 full council as a consent item.*

2) A Resolution 1) Preliminarily Accepting And Approving The Engineer's Report; 2) Calling For A Public Hearing On The Proposed Assessment District To Be Held By The Council On Tuesday, March 20, 2018 At 6:30 P.M. And An Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; And 3) Designating The Engineer Of Work To Assist The City Clerk In Connection With The Mailing And Tabulation Of The Ballots, And To Answer Inquiries Regarding The Protest Proceedings Applicable To The Assessment District; On The March 20, 2018 City Council Agenda As A Non Consent Item

[18-0074](#)

**Legislative History**

1/25/18      \*Rules & Legislation Committee      Scheduled to the \*Finance & Management Committee  
*This item will only be heard at the Finance and Management Committee.*

*A correction to the title was made correcting the public hearing time.*

2/13/18      \*Finance & Management Committee      Approved as Amended the Recommendation of Staff, and Forward to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*The committee approved staffs title change read into record; "2) ... Council On Tuesday, April 17, 2018"*

2/15/18      \*Rules & Legislation Committee      Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*Staff request that this item be forwarded to the February 20, 2018 full council as a consent item.*

**4.19**      Subject:      MOU With International Federation Of Professional & Technical Engineers  
                  From:      Department Of Human Resource Management  
                  Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional & Technical Engineers ("IFPTE") Local 21, Representing Employees In Representation Units TA1, TF1, TM2, TW1, UH1, UM1, UM2, TM1, And U41, Covering The Period From Of July 1, 2017 Through June 30, 2019; And

**18-0218**

2) Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Miscellaneous Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional & Technical Engineers Local 21; The Cost Of Living Adjustments Shall Be As Follows: Increase Of 4% Effective July 1, 2017; Increase Of 1% Effective The First Pay Period In January 2019; On The March 20, 2018 City Council Agenda

**18-0219**

- 4.20** Subject: Moratorium Extension On Substantial Rehabilitation Exemption  
From: Councilmember Kalb And Councilmember Kaplan  
Recommendation: Adopt An Ordinance Extending By 180-Days Ordinance No. 13465 C.M.S. That Imposed A 180-Day Moratorium On Substantial Rehabilitation Exemptions Of Chapter 8.22, Article 1, "Residential Rent Adjustment Program" (O.M.C. Section 8.22.030.B.2.); On The March 20, 2018 City Council Agenda As A Non-Consent Item

**18-0221**

- 4.21** Subject: ORSA Tax Allocation Refunding Bonds, Series 2018-TE/T  
From: Finance Department  
Recommendation: Adopt A Successor Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And Form Of Not To Exceed \$65,000,000 Combined Aggregate Principal Amount Of The Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2018-TE And Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2018-T (Federally Taxable), Approving The Form Of And Authorizing The Execution And Delivery Of A First Supplement To Indenture Of Trust And A Purchase Agreement; Approving The Selection And Retention Of A Municipal Advisor And Underwriters; Authorizing Payment Of Costs Of Issuance; And Authorizing And Approving Necessary Actions In Connection Therewith; On The March 20, 2018 City Council Agenda

**18-0224**

- 5** A Review Of The Council Committees' Actions From February 27, 2018 And Determination Of Scheduling To The City Council Meeting Of March 6, 2018 (MATRIX)

[18-0157](#)

Attachments: [View Report](#)

- 6** A Review Of The Draft Agendas For The Council Committee Meetings Of March 13, 2018 And The Rules And Legislation Committee Of March 15, 2018

[18-0158](#)

Attachments: [View Report](#)

- 7      Subject:    Resolution In Support Of SB 930 - Financial Institutions: Cannabis  
From:        Councilmember Kalb  
Recommendation: Adopt A Resolution In Support Of Senate Bill 930 (Hertzberg) That  
Would Establish A State-Chartered Bank That Would Allow A Person Licensed To  
Engage In Commercial Cannabis Activity To Engage In Banking Activities  
[18-0115](#)

Attachments:      [View Report](#)

Legislative History

2/1/18

\*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.**