



# 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 - FINAL

### \*Rules & Legislation Committee

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

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

---

Thursday, March 22, 2018

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:**

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**

[18-0236](#)

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

#### **2 Approval Of The Draft Minutes From The Committee Meeting Of March 8, 2018**

[18-0237](#)

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

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

[18-0238](#)

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

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

[18-0239](#)

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

**4.1** Subject: Comprehensive Annual Financial Report (CAFR) And Management Letter  
From: Finance Department  
Recommendation: Receive The Comprehensive Annual Financial Report (CAFR) And The Management Letter For The Year Ended June 30, 2017; On The April 10, 2018 Finance And Management Committee Agenda  
**18-0296**

**4.2** Subject: Measure C - Oakland Hotel Tax Audit and Program Status Report  
From: Finance Department  
Recommendation: Receive The Measure C - Oakland Hotel Tax Audit And Program Status Report For The Year Ended June 30, 2017; On The April 10, 2018 Finance And Management Committee Agenda  
**18-0295**

**4.3** Subject: Piedmont Pines Phase 1 2018 Limited Obligation Refunding Bonds  
From: Finance Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Intention 1) To Levy Reassessments; And 2) To Issue Refunding Bonds Upon The Security Of The Reassessments, Relating To The City Of Oakland Utility Underground Assessment District No. 2007-232 Piedmont Pines Phase 1; And  
**18-0290**

2) A Resolution 1) Adopting The Reassessment Report For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase 1; 2) Confirming And Ordering The Reassessments; And 3) Authorizing And Directing Actions With Respect Thereto; And  
**18-0291**

3) A Resolution 1) Authorizing The Issuance Of Limited Obligation Refunding Bonds In An Amount Not To Exceed \$2,000,000 Pursuant To The Refunding Act Of 1984 For 1915 Act Improvement Bonds For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase 1; 2) Approving A Fiscal Agent Agreement; 3) Approving An Escrow Agreement; 4) Authorizing Services For The Bonds; 5) Approving A Bond Purchase Agreement And Sale Of The Bonds; 6) Approving A Preliminary Official Statement; 7) Approving A Continuing Disclosure Certificate; And 8) Authorizing Related Actions: On The April 10, 2018 Finance And Management Committee Agenda  
**18-0292**

**4.4** Subject: Public Safety And Services Violence Prevention Audit Report  
From: Finance Department  
Recommendation: Receive The Measure Z - Public Safety And Services Violence Prevention Act Of 2014 Audit Report For The Year Ended June 30, 2017; On The April 10, 2018 Finance And Management And Public Safety Committee Agenda  
**18-0287**

**4.5** Subject: Oakland JPFA Lease Revenue Refunding Bonds Series 2018  
From: Finance Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Issuance By The Oakland Joint Powers Financing Authority Of One Or More Series Of Lease Revenue Refunding Bonds In An Aggregate Principal Amount Not To Exceed \$75,000,000; Approving The Form Of And Authorizing The Execution And Delivery Of A Second Amended And Restated Lease, A Second Amended And Restated Sublease And Bond Purchase Agreement; Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Bonds And Authorizing Necessary Actions Relating To The Lease Financing With The Oakland Joint Powers Financing Authority; And  
**18-0284**

2) A Resolution Authorizing The Issuance And Sale Of Lease Revenue Refunding Bonds (Oakland Administration Buildings) Series 2018 In An Aggregate Principal Amount Not To Exceed Seventy Five Million Dollars (\$75,000,000); Authorizing The Execution And Delivery Of A Trust Agreement, Second Amended And Restated Lease, Second Amended And Restated Sublease, Escrow Agreement, Bond Purchase Agreement, Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; Approving The Retention Of Bond Counsel, Municipal Advisor And Underwriters; And Authorizing Payment Of Costs Of Issuance; On The April 10, 2018 Finance And Management Committee Agenda  
**18-0285**

- 4.6** Subject: Sugar-Sweetened Beverage Tax Management & Enhancement Services  
From: Finance Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend And Extend The Original Agreement With MuniServices, Llc For An Additional Fixed Five-Year Term, With Two One-Year Options, For The Revenue Management And Enhancement Services Of The Sugar-Sweetened Beverage Distribution Tax At The Compensation Rate Of Two Percent (2%) Of The Tax Proceeds Collected And Remitted To The City And Appropriate An Additional \$70,000 For The Administration And Management Of The Tax For The Current Fiscal Year 2017-18; On The April 10, 2018 Finance And Management Committee Agenda  
**18-0282**
- 4.7** Subject: Amending The City Of Oakland Consolidated Fiscal Policy  
From: Finance Department  
Recommendation: Adopt An Ordinance Amending The City Of Oakland Consolidated Fiscal Policy; On The April 10, 2018 Finance And Management Committee Agenda  
**18-0281**
- 4.8** Subject: PRFRS Investment Portfolio  
From: Finance Department  
Recommendation: Receive An Informational Report On The Oakland Police And Fire Retirement System's Investment Portfolio As Of December 31, 2017; On The April 10, 2018 Finance And Management Committee Agenda  
**18-0283**
- 4.9** Subject: Oakland Redevelopment Successor Agency (ORSA) Audit Report  
From: Finance Department  
Recommendation: Receive The Oakland Redevelopment Successor Agency (ORSA) Audit Report For The Year Ended June 30, 2017; On The April 10, 2018 Finance And Management Committee Agenda  
**18-0301**
- 4.10** Subject: Oakland Children's Initiative Of 2018  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The November 6, 2018 State-Wide Election, A Proposed Ordinance To Adopt A Special Parcel Tax To Improve Preschool, Elementary, High School, And College Success And Career Readiness By Expanding Access To And Quality Of Preschool, As Well As Increase High School And College Graduation Rates; On The April 10, 2018 Finance And Management And Life Enrichment Committee Agenda  
**18-0303**

- 4.11** Subject: Major Encroachment Permit At 2850 Hannah Street  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Hannah Park, LP To Allow Portions Of The New Building Above Grade At 2850 Hannah Street To Encroach Into The Public Right-Of-Way Along Hannah Street, Major Encroachment Permit ENMJ18054; On The April 10, 2018 Public Work Committee Agenda  
**18-0279**
- 4.12** Subject: Major Encroachment Permit At 722 Clay Street  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 722-730 Clay Street LLC, To Allow Wheelchair Accessible Ramp, Steps, Handrail, And Existing Basement Access For Remodeled Building At 722 Clay Street To Encroach Into The Public Right-Of-Way Along 722 Clay Street, Major Encroachment Permit ENMJ17068; On The April 10, 2018 Public Works Committee Meeting Agenda  
**18-0278**
- 4.13** Subject: Major Encroachment Permit At 350 4th Street And 410 Webster Street.  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 350 Fourth Street, LLC To Allow Bay Windows And Awnings For Existing Building At 350 4th Street And Balconies For New Building At 410 Webster Street To Encroach Into The Public Right-Of-Way Along 4th Street And Webster Street, Major Encroachment Permit ENMJ17069; April 10, 2018 Public Works Committee Agenda  
**18-0277**
- 4.14** Subject: Major Encroachment Permit At 226 13th Street  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Nash-Holland 14th & Alice Investors, LLC, To Allow Portions Of The New Building Above Grade At 226 13th Street To Encroach Into The Public Right-Of-Way On 13th Street, Jackson Street, 14th Street And Alice Street, Major Encroachment Permit ENMJ17066 On The April 10, 2018 Public Works Committee Agenda  
**18-0271**

- 4.15** Subject: Update Authorities For Executing Funding Agreements With Caltrans  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Assistant City Administrator, Deputy City Administrator, Transportation Department Director, Assistant Transportation Department Director, And/Or Public Works Agency Director To Execute Funding Agreements With The California Department Of Transportation For Transportation Infrastructure And/Or Planning Grants; On The April 10, 2018 Public Works Committee Agenda  
**18-0269**
- 4.16** Subject: Sale Of Girvin Drive To Mohsen Abaie  
From: Economic Workforce Development  
Recommendation: Adopt An Ordinance Authorizing The City Administrator Or Designee To Negotiate And Execute A Purchase And Sale Agreement And Related Documents Between The City Of Oakland And Mohsen Abaie For The Sale Of The Girvin Drive Parcel For Not Less Than One Hundred Thirty Thousand Dollars (\$130,000), Including The Material Business Terms Described Below And Otherwise In A Form And Substance Acceptable To The City Administrator (The "Purchase And Sale Agreement"); On The April 10, 2018 Community And Economic Development Committee Agenda  
**18-0294**
- 4.17** Subject: Oakland Tourism Business Improvement District 2018  
From: Economic And Workforce Development  
Recommendation: Adopt A Resolution Of Intention To Establish The Oakland Tourism Business Improvement District 2018 (OTBID 2018) And Scheduling A Related Public Meeting For May 15, 2018 And A Related Public Hearing For June 19, 2018 And Giving Notice Thereof; On The April 10, 2018 Community And Economic Development Committee Agenda And As A Public Hearing On The May 15, 2018 And June 19, 2018 City Council Meeting  
**18-0288**
- 4.18** Subject: SRO Purchase - 641 West Grand Avenue  
From: Housing And Community Development Department  
Recommendation: Adopt An Ordinance Authorizing The Purchase Of A 70 Unit Single Room Occupancy Residential Hotel Located At 641 West Grand Avenue For \$7,000,000 For Use As Transitional Housing, Allocating An Additional Amount Not To Exceed \$20,000 For Associated Closing Costs And Fees, And Making California Environmental Quality Act (CEQA) Findings; On The April 10, 2018 Community And Economic Development Committee Agenda  
**18-0280**

**4.19** Subject: Substitution of Co-Developer at 7th & Campbell (OAW/MBS)  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Amending City Council Resolution No. 87019 C.M.S. To Change Oakland & The World Enterprise's Designated Co-Developer to McCormack Baron Salazar, Or An Affiliated Entity, For The 7th And Campbell Development Project: On The April 10, 2018 Community And Economic Development Committee Agenda  
**18-0300**

**4.20** Subject: The Affordable Housing And Sustainable Communities Program  
From: Housing Community And Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No. 85414 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Camino 23 Project At 1233-1253 23rd Avenue And 2285 International Boulevard, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And  
**18-0268**

2) A Resolution Amending Resolution No. 86798 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Coliseum Connections Project At 801-844 71st Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And  
**18-0270**

3) A Resolution Amending Resolution No. 86217 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Lakehouse Commons Project At E 12th And Lake Merrit Boulevard, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements; And  
**18-0272**

4) A Resolution Amending Resolution No. 86216 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Empyrean & Harrison Hotel At 1300 Webster Street And 1415 Harrison Street, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements; And

**18-0273**

5) A Resolution Amending Resolution No. 86995 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Coliseum Place Project At 905 72nd Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And

**18-0274**

6) A Resolution Amending Resolution No. 86993 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The 7th And Campbell Project At 1664-1676 7th Street, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements; And

**18-0275**

7) A Resolution Amending Resolution No. 86994 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The 3268 San Pablo Project At 3268 San Pablo Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements; On The April 10, 2018 Community And Economic Development Committee Agenda

**18-0276**

**4.21** Subject: Substitution Of Co-Developer At 7th & Campbell (OAW/MBS)  
From: Housing And Community Development Services  
Recommendation: Adopt A Resolution Amending City Council Resolution No. 87019 C.M.S. To Change Oakland & The World Enterprise's Designated Co-Developer To McCormack Baron Salazar, Or An Affiliated Entity, For The 7th And Campbell Development Project; On The April 10, 2018 Community And Economic Development Committee Agenda

**18-0267**



- 4.22** Subject: OFCY 2016-2017 Year End Evaluation Reports  
From: Human Services Department  
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth (OFCY) Final Evaluation Reports For Fiscal Year 2016-2017; On The April 10, 2018 Life Enrichment Committee Agenda  
**18-0297**
- 4.23** Subject: Reallocation Of FY 2017-18 General Purpose Funds To All Head Start Funds  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Reallocate Existing General Purpose Fund Appropriations For Central Services Overhead Offsets For Fiscal Year 2017-18 To All Head Start Program Specific Funds To Align With City's Fiscal Policies; On The April 10, 2018 Life Enrichment Committee Agenda  
**18-0293**
- 4.24** Subject: FY 2018-2019 Oakland Path Rehousing Initiative (OPRI)  
From: Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With The Oakland Housing Authority (OHA) And Accept Funds In The Amount Of \$1,926,218 For Fiscal Year 2018-2019 To Continue Implementing The Oakland Path Re- Housing Initiative (OPRI); And 2) Enter Into Grant Agreements With Abode Services In An Amount Not To Exceed \$1,645,168 And First Place For Youth In An Amount Not To Exceed \$281,050 For The Provision Of Permanent Housing And Support Services Under Opri For Fiscal Year 2018-2019; And 3) Accept And Appropriate Additional Funds That Become Available From OHA Within The Grant Term; And Amend The Grant Agreements To Adjust The Grant Amounts Without Returning To Council; On The April 10, 2018 Life Enrichment Committee Agenda  
**18-0289**
- 4.25** Subject: Public Access Channel  
From: City Administrator's Office  
Recommendation: Receive An Informational Report On Creating A Public Access Channel For Oakland: On The April 10, 2018 Life Enrichment Committee Agenda  
**18-0266**

**4.26** Subject: Surveillance And Community Safety Ordinance  
 From: Office Of The City Administrator  
 Recommendation: Adopt A Surveillance And Community Safety Ordinance Which Prescribes The Rules For The Acquisition And Use Of Surveillance Equipment And Technology, Establishes Oversight, Auditing And Reporting Requirements, And Imposes Penalties For Violations  
 [OLD TITLE]

Adopt An Ordinance Adding Chapter 9.64 To The Oakland Municipal Code Establishing Rules For The City's Acquisition And Use Of Surveillance Equipment; On The April 10, 2018 Public Safety Committee Agenda  
 [NEW TITLE]

[16-1028](#)

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

**Legislative History**

4/27/17	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
5/9/17	*Public Safety Committee	Approved as Amended the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

*Committee accepted the following Amendment to section 9.64.060;  
 "It shall be unlawful for the City to enter into any surveillance-related contract or other agreement that conflicts with the provisions of this Ordinance, and any conflicting provisions in such future contracts or agreements, including but not limited to non-disclosure agreements, shall be deemed void and legally unenforceable.  
 To the extent permitted by law, the City shall publicly disclose all of its existing and future surveillance-related contracts, including any and all related non-disclosure agreements, if any, regardless of any contract terms to the contrary. In addition, the City shall publicly disclose its existing and future employee labor agreements/memorandums of understanding."*

*There were 26 speakers on this item.*

11/2/17	*Rules & Legislation Committee	Withdrawn with No New Date
---------	--------------------------------	----------------------------

**4.27** Subject: Citizens Options For Safety Grant XX  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, to Accept and Appropriate The FY2017 State Of California "Citizens Options For Public Safety" (State COPS Grant XX) Allocation In The Amount Of Six Hundred Fifty-One Thousand Eight Hundred Ninety-Five Dollars (\$651,895) Plus Accrued Interest Earnings, To Fund Helicopter Maintenance, Vehicle Fleet Improvements, Citizens' Police Academies, And To Improve The Police Administration Building Interview Rooms; On The April 10, 2018 Public Safety Committee Agenda  
**18-0299**

**4.28** Subject: Oakland Small Business Week, April 29-May 5, 2018  
From: Councilmember Gallo  
Recommendation: : Adopt A Resolution Recognizing Oakland Entrepreneurs In Celebration Of Oakland Small Business Week, April 29-May 5, 2018; On The May 1, 2018 City Council Agenda As A Ceremonial Item  
**18-0302**

**5** A Review Of The Cancelled Agendas For The Week of April 2, 2018 Due to Council Spring Recess  
[18-0304](#)

Attachments: [View Report](#)

**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**

**Phone: (510) 238-6406**

**Fax: (510) 238-6699**

**Recorded Agenda: (510) 238-2386**

**Telecommunications Display Device: (510) 238-3254**

**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.**