



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, April 26, 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

[18-0353](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of April 12, 2018

[18-0354](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-0355](#)

Attachments: [View Report](#)

[View Supplemental Report 4-20-2018](#)

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

[18-0356](#)

Attachments: [View Report](#)

4.1 Subject: Amending The Master Fee Schedule

From: Revenue Management Bureau

Recommendation: Adopt An Ordinance Amending Ordinance No. 13448 C.M.S. (The Fiscal Year 2017-18 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland, Referenced Herein; On The May 8, 2018 Finance And Management Committee Agenda

18-0448

4.2 [OLD TITLE]

Subject: Ballot Measure To Amend The Business Tax On Non-Medical Cannabis
 From: Councilmember Kalb
 Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The November 6, 2018 Statewide General Election, A Proposed Ordinance Amending The 2010 Voter Approved Ordinance, Measure V, Section 6, "Council Amendments" To Authorize The City Council To Amend The Business Tax On Non-Medical Cannabis Contained In Oakland Municipal Code Section 5.04.481 In Any Manner That Does Not Increase The Tax Rate; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 6, 2018 Statewide General Election; On The May 8, 2018 Finance And Management And May 10, 2018 Rules And Legislation Committee Agenda

[NEW TITLE]

Subject: Ballot Measure To Authorize The City Council To Amend The Business Tax On Non-Medical Cannabis
 From: Councilmember Kalb And Councilmember Kaplan
 Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The Statewide General Election On November 6, 2018, A Proposed Ordinance (1) Amending The 2010 Voter Approved Ordinance, Measure V, Section 6, "Council Amendments" To Authorize The City Council To Amend The Business Tax On Non-Medical Cannabis Contained In Oakland Municipal Code Section 5.04.481 In Any Manner That Does Not Increase The Tax Rate; (2) Amending Sections 5.04.480 And 5.04.481 To Allow Cannabis Manufacturing Businesses To Make Deductions From Gross Receipts In The Manner Applicable To Manufacturing Businesses Subject To Section 5.04.590; And, (3) Amending Sections 5.04.080, 5.04.110, And 5.04.120, To Allow Cannabis Business To Elect To Remit Business Taxes On A Quarterly Basis; And, Directing The City Clerk To Fix The Date For Submission Of Arguments, Provide For Notice And Publication In Accordance With The November 6, 2018 Statewide General Election, And Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 Statewide General Election; ; On The May 22, 2018 Finance And Management And May 24, 2018 Rules And Legislation Committee Agenda
18-0322

Legislative History

3/29/18	*Rules & Legislation Committee <i>This item was also scheduled to the May 10, 2018 Rules and Legislation Committee Agenda</i>	Scheduled to the *Finance & Management Committee
---------	--	--

- 4.3** Subject: 7th Street WOTV Phase II
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing the City Administrator To Award A Construction Contract To Gruendl Inc. Doing Business As (DBA) Ray's Electric, The Lowest Responsive, Responsible Bidder, In Accordance With Project Plans And Specifications And Contractor's Bid For The Construction of 7th Street West Oakland Transit Village (WOTV) Phase II Streetscape Project (Project No. 1001035) In The Amount Of Three Million Five Hundred Thirty Five Thousand Nine Hundred And Ten Dollars (\$3,535,910.00); On The May 8, 2018 Public Works Committee Agenda
18-0453
- 4.4** Subject: Derby Avenue Parcel DDA And Land Sale
From: Economic & Workforce Development
Recommendation: Adopt An Ordinance Authorizing The City Administrator Or Designee, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement (DDA) And Related Documents Between The City Of Oakland And Pacific West Communities, Inc., Or A Related Entity, On Terms And Conditions Described Herein, For The Sale Of The Derby Avenue Parcel (APN 025-0720-002-01) At The Appraised Fair Market Value Of \$450,000 For The Development Of An Aspire Public Charter School; On The May 8, 2018 Community And Economic Development Committee Agenda
18-0452
- 4.5** Subject: Lake Merritt-Uptown Community Benefit District 2018
From: Economic And Workforce Development
Recommendation: Adopt Following Pieces Of Legislation:
- 1) A Resolution Of Intention (1) To Form The Lake Merritt-Uptown Community Benefit District 2018 ("LCBD 2018"); (2) Granting Preliminary Approval Of The LCBD 2018 Management Plan ; (3) Directing Filing Of The Proposed LCBD 2018 Assessment District Boundary Description; (4) Directing Distribution Of A Ballot To All Affected Property Owners Whereby They Can Vote "In Favor Of" Or "Against" The Proposed LCBD 2018 And Assessment To Determine Whether A Majority Protest Exists; And (5) Scheduling A Public Hearing For July 17, 2018; And
18-0440

2) A Resolution Authorizing The City Administrator (1) To Sign The Ballot In Favor Of The Formation Of The Lake Merritt-Uptown Community Benefit District 2018 (“LCBD 2018”); And (2) To Pay A Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$70,995.21 For Seven (7) City-Owned Properties On Which Assessments Are To Be Levied (1731 Franklin APN 008 062300601; 274 19th St APN 008 063500100; 2025 Broadway APN 008 064900500; Grand Ave APN 008 065500600; 200 Grand Ave APN 010 076800400; 2500 Broadway APN 008 067300100; 1911 Telegraph APN 008 071605800), If The LCBD 2018 Is Established; And

18-0441

3) An Oakland Redevelopment Successor Agency (ORSA) Governing Body Resolution (1) Authorizing The Agency Administrator To Sign The Ballot In Favor Of The Formation Of The Lake Merritt-Uptown Community Benefit District 2018 (“LCBD 2018”); And (2) To Pay A Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$1,270.27 For One (1) Oakland Redevelopment Successor Agency-Owned Property (490 Thomas L. Berkley Way APN 008 064900900) If The LCBD 2018 Is Established; On The May 8, 2018 Community And Economic Development Committee Agenda

18-0443

4.6 Subject: Downtown Oakland Community Benefit District 2018
From: Economic And Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Intention (1) To Form The Downtown Oakland Community Benefit District 2018 (“Dcbd 2018”); (2) Granting Preliminary Approval Of The Dcbd 2018 Management Plan ; (3) Directing Filing Of The Proposed Dcbd 2018 Assessment District Boundary Description; (4) Directing Distribution Of A Ballot To All Affected Property Owners Whereby They Can Vote “In Favor Of” Or “Against” The Proposed Dcbd 2018 And Assessment To Determine Whether A Majority Protest Exists; And (5) Scheduling A Public Hearing For July 17, 2018; And

18-0444

2) Adopt A Resolution Authorizing The City Administrator (1) To Sign The Ballot In Favor Of The Formation Of The Downtown Oakland Community Benefit District 2018 (“Dcbd 2018”); And (2) To Pay A Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$201,537.52 For Twelve (12) City-Owned Properties On Which Assessments Are To Be Levied (1327 Broadway Apn 002 009704500; 250 Frank H Ogawa Plz Apn 003 006500902; City Hall Plz Apn 003 006700200; 1 Frank H Ogawa Plz Apn 003 006700300; 1414 Clay St (Garage) Apn 003 006700400; 150 Frank H Ogawa Plz Apn 008 061900801; 524 16th St Apn 008 062000903; 540 17th St (Oakland Ice Center) Apn 008 064100805; 620 Washington St Apn 001 019900100; Clay St Apn 002 009800100; 11th St (T 5/6 Development Site) Apn 002 009703900; 11th St (T 5/6 Development Site) Apn 002 009704000) If The Dcbd 2018 Is Established; And

18-0445

3) An Oakland Redevelopment Successor Agency (Orsa) Governing Body Resolution (1) Authorizing The Agency Administrator To Sign The Ballot In Favor Of The Formation Of The Downtown Oakland Community Benefit District 2018 (“Dcbd 2018”); And (2) To Pay A Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$2,773.84 For One Oakland Redevelopment Successor Agency-Owned Property (989 Franklin Aptn 002-010-100-100) On Which Assessments Are To Be Levied If The Dcbd 2018 Is Established; On The May 8, 2018 Community And Economic Development Committee Agenda

18-0446

4.7 Subject: Amendments To Public Art Fee Ordinance
From: Councilmember McElhaney And President Pro Tempore Guillén
Recommendation: Adopt An Ordinance Amending Chapter 15.78 Of The Oakland Municipal Code To (A) Create An Application Process To Evaluate Alternative Proposals To Satisfy The Public Art Requirement And (B) Permit In-lieu Contributions To Nearby City Owned Art And/Or Cultural Facilities Contingent On Council Approval To Satisfy The Public Art Requirement

[18-0382](#)

Attachments: [View Report](#)

Legislative History

4/12/18	*Rules & Legislation Committee <i>President Pro Tem Guillen request to be a co author to this item.</i>	Scheduled to the *Community & Economic Development Committee
4/24/18	*Community & Economic Development Committee <i>There were 7 speakers for this item</i>	Withdrawn with No New Date

The Committee directed staff to re-schedule this item at Rules Committee

4.8 Subject: Informational Report on Love Life Implementation
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Implementation Of The New Welcome To The City Of Oakland Street Signs With The “Love Life” Motto; On The May 8, 2018 Life Enrichment Committee Agenda

18-0439

4.9 Subject: Oakland Police Department Hiring Changes Informational Report And Resolution

From: Councilmember Kaplan

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Informational Report From The Oakland Police Department And The City Administration Regarding Whether The Police Recruiting And Hiring Changes Proposed In Prior Recommendations (See File #15-1214) Have Been Implemented; And

18-0454

2) A Resolution Directing The Implementation Of Changes To Remedy The Under-Representation Of Women, Oaklanders, And African Americans In The Oakland Police Department; On The June 12, Public Safety Committee Agenda
18-0455

4.10 Subject: Resolution In Support Of AB 1771 - Regional Housing Needs
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1771 (Bloom) That Would Amend The Council Of Governments Methodology For Distributing Regional Housing Need, Including Requiring Furtherance Of Existing Statutory Goals, Such As Promoting Socioeconomic; On The May 10, 2018 Rules And Legislation Committee Agenda
18-0449

4.11 Subject: Resolution In Support Of SB 918 - Homeless Youth Act Of 2018
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 918 (Wiener) That Would Create The Office Of Homeless Youth, Set Its Goals To Prevent And End Youth Homelessness In California, And Establish \$60 Million In Grants Administered By The Office; On The May 10, 2018 Rules And Legislation Committee Agenda
18-0450

4.12 Subject: Resolution in Support of SB 1227 - Housing Our Students
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 1227 (Skinner) That Would Establish A 35% Density Bonus For Housing Development Projects Exclusively For Use By Students; On The May 10, 2018 Rules And Legislation Committee Agenda
18-0451

5 A Review Of The Council Committees' Actions From April 24, 2018 And Determination Of Scheduling To The City Council Meeting Of May 1, 2018
[18-0357](#)

Attachments: [View Report](#)

6 A Review Of The Draft Agendas For The Council Committee Meetings Of May 8, 2018 And The Rules And Legislation Committee Of May 10, 2018
[18-0358](#)

Attachments: [View Report](#)

7 The item regarding a "Resolution In Support Of SB 822 - Restoring Net Neutrality In California" was moved at the April 19, 2018 Rules And Legislation to the May 3, 2018 Rules And Legislation Committee

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.