



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, October 4, 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

[18-0916](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of September 20, 2018

[18-0917](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-0918](#)

Attachments: [View Report](#)

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

[18-0919](#)

Attachments: [View Report](#)

[View Report](#)

4.1 Subject: Settlement Agreement - Michaela A. Morales V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Michaela A. Morales V. City Of Oakland, Et Al., Alameda County Superior Court Case No. Rg15762482, In The Amount Of Ninety-Three Thousand, Seven Hundred Fifty Dollars And No Cents (\$93,750.00) As A Result Of A Trip And Fall Incident On August 7, 2013 (Department Of Transportation - Dangerous Condition); On The October 16, 2018 City Council Agenda
18-0975

4.2 Subject: Ordinance Repealing In Its Entirety Ordinance No. 10342
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Repealing In Its Entirety Ordinance No. 10342 (Approved May 10, 1983), As Amended By Ordinance No. 10389 (Approved October 18, 1983), That Enacted Oakland Municipal Code Title 9, Chapter 9.08, Section 9.08.250, Loitering About Property Owned By The Housing Authority Of The City, Which Provides That Persons Who Loiter, Prowl Or Wander On Oakland Housing Authority Property Without Lawful Business And Who Fail To Leave Upon The Request Of A Peace Officer May Be Cited For An Infraction; On The October 16, 2018 City Council Agenda
18-0978

4.3 Subject: Claim Of Simone And Micah Koga
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorized And Directing The City Attorney To Compromise And Settle The Claim Of Simone And Micah Koga, In The Amount Of Forty One Thousand Three Hundred Fifty One Dollars And 97/100 Cents (\$41,351.97) (Public Works - Failed Storm Drain); On The October 16, 2018 City Council Agenda
18-0976

- 4.4** Subject: Claim Of Martin And Jennifer Clevinger
From: Office Of The City Attorney
Recommendation: Adopt Resolution Authorized And Directing The City Attorney To Compromise And Settle The Claim Of Martin And Jennifer Clevinger, In The Amount Of Sixty Seven Thousand Eight Hundred Four Dollars And 49/100 Cents (\$67,804.49) (Public Works - Failed Storm Pipe); On The October 16, 2018 City Council Agenda
18-0977
- 4.5** Subject: Resolution Urging Registrar Of Voters Regarding RCV
From: Councilmember Kalb
Recommendation: Adopt A Resolution Urging The Alameda County Registrar Of Voters To Implement Comprehensive Ranked Choice Voting Reporting; On The October 16, 2018 City Council Agenda As A Non Consent Item
18-0979
- 4.6** Subject: 2018-2019 Winter Shelter Strategy
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Take The Following Actions To Provide Emergency Year Round And Winter Shelter For The Period Of October 15, 2018 Through October 14, 2019: 1) Accept And Appropriate Up To \$130,000 From Alameda County And Up To \$30,000 From The City Of Emeryville For The Provision Of Emergency Year Round And Winter Shelter; 2) Enter Into A Grant Agreement With The Society Of Saint Vincent De Paul (SVDP) For An Amount Not To Exceed Two Hundred Ten Thousand Seven Hundred And Fifty Eight Dollars (\$210,758) To Operate A Year Round Emergency Shelter For Unsheltered Persons For A Grant Term Commencing On October 15, 2018 And Ending October 14, 2019; And; 3)-Amend The Grant Agreement With SVDP To Increase The Grant Amount Up To One Million Dollars (\$1,000,000) For The Provision Of Additional Emergency Shelter Services Without Returning To Council; 4) Amend The Grant Agreements With The Following Agencies In The Following Amounts: St. Mary's Center In An Amount Not To Exceed \$30,000; East Oakland Community Project (EOCP) In An Amount Not To Exceed \$30,000 For The Provision Of Winter Shelter Beds; And 5) Accept And Appropriate Any Additional Emergency Or Winter Relief Funds From Alameda County, The City Of Emeryville, And Any Other Sources During The Period Of October 15, 2018 Through October 14, 2019 And Amend The Grant Agreements Above To Increase The Grant Amounts, Without Returning To Council; On The October 16, 2018 City Council Agenda
18-0960

4.7 Subject: Salary Ordinance Amendment For Various Classifications
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classifications Of Transportation Planner I, Transportation Planner II, Transportation Planner III, And Police Communications Dispatcher, Senior; To Add The Part-Time Classification Of Head Start/Early Head Start Assistant Instructor, PT; To Add The Permanent Part-Time Equivalent Classification Of Fire Communications Dispatcher, PPT; To Amend The Title Of Open Government Coordinator To Open Government & Legal Services Coordinator; To Amend The Title Of Cook III To Cook, Supervising; To Amend The Title Of Litter/Nuisance Enforcement Officer To Environmental Enforcement Officer; To Amend The Title Of Assistant Director, Public Works Agency To Assistant Director, Public Works; To Amend The Representation Unit Of The Classification Of Budget Administrator, Assistant From U31 To UP1; And To Delete The Title Of Engineer, Transportation Assistant.; On The October 23, 2018 Finance And Management Committee Agenda
18-0968

4.8 Subject: Salary Ordinance Amendment To Add Assistant Director, Planning & Building
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation

1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Assistant Director, Planning And Building From The Operation Of Civil Service And;
18-0967

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Title Of Assistant Director, Planning And Building; On The October 23, 2018 Finance And Management Committee Agenda
18-0981

4.9 Subject: Residential Hotel Regulations
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance (1) Amending The Oakland Planning Code To Adopt A New Section 17.153 Regulating The Demolition, Conversion and Rehabilitation Of Residential Hotels And Making Related And Conforming Amendments To Other Planning Code Sections, And (2) Finding That The Actions Authorized By This Ordinance Were Both The Subject Of Adequate Previous Analysis Under The California Environmental Quality Act ("CEQA") And Are Exempt From CEQA Pursuant To CEQA Guidelines Section 15061(b)(3) And 15183; And
18-0963

2) An Ordinance (1) Amending The Oakland Municipal Code To Establish Citywide Residential Hotel Demolition And Conversion Impact Fee And Make Related And Conforming Amendments, (2) Amending The Master Fee Schedule (Ordinance No. 13497 C.M.S., As Amended) To Include The Residential Hotel Conversion and Demolition Impact Fees, And (3) Finding That The Actions Authorized By This Ordinance Were Both The Subject Of Adequate Previous Analysis Under The California Environmental Quality Act ("CEQA") And Are Exempt From CEQA Pursuant To CEQA Guidelines Section 15061(b)(3) And 15183; On The October 23, 2018 Community And Economic Development Committee Agenda And As A Public Hearing On The October 30, 2018 Special City Council Meeting

18-0965

- 4.10** Subject: Mills Act Contracts
From: Planning And Building Department
Recommendation: Adopt A Resolution, As Recommended By The Landmarks Preservation Advisory Board, Approving Nine (9) Mills Act Contracts Between The City Of Oakland And The Properties At 4690 Tompkins Avenue (Estimated \$42,825/Year Property Tax Reduction), 528 28th Street (Estimated \$5,664/Year Property Tax Reduction), 260 Park View Terrace (Estimated \$9,083/Year Property Tax Reduction), 1255 Trestle Glen Road (Estimated \$14,239/Year Property Tax Reduction), 581 Vernon Street (Estimated \$3,075/Year Property Tax Reduction), 5701 International Blvd. (Estimated \$15,835/Year Property Tax Reduction), 677 Longridge Road (Estimated \$9,536/Year Property Tax Reduction), 1419 12th Street (Estimated \$4,432/Year Property Tax Reduction), 2440 10th Avenue (Estimated \$11,690/Year Property Tax Reduction), Pursuant To Ordinance No. 12987 C.M.S., To Provide Property Tax Reductions In Exchange For Owners' Agreement To Repair And Maintain Historic Properties In Accordance With Submitted Work Programs; On The October 23, 2018 Community And Economic Development Committee Agenda

18-0958

- 4.11** Subject: Amending The Oakland Municipal Code, Chapter 5.04, Section 5.04.420
From: Councilmember Gallo
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code, Chapter 5.04, Section 5.04.420, Excluding From The Business Tax On Rental Of Residential Property: (1) Rental Of No More Than Three Bedrooms In An Owner Occupied Residence, Duplex And/Or In-Law Unit; Or (2) Rental Under A Tenant-Based Assistance Program Pursuant To Section 8 Of The U.S. Housing Act Of 1937.; On The October 23, 2018 Community And Economic Development Committee Agenda

18-0973

- 4.12** Subject: Education Partnership Committee Dates
 From: Councilmember McElhaney
 Recommendation: Request To Cancel The Regularly Scheduled Life Enrichment Committees Of 10/23/18, 12/11/18, And In The Next Year Establish The Dates Of 3/12/19, And 6/11/19 As Education Partnership Committee Meetings
18-0971
- 4.13** Subject: Informational Presentation On Head Start Program
 From: Councilmember McElhaney
 Recommendation: Receive An Informational Report From The City Administrator On The Head Start Program Including An Overview Of Recent Program Changes, Metrics On Recent Performance And The Vision For Improving The Future Of The Program; On The October 23, 2018 Education Partnership Committee Agenda
18-0969
- 4.14** Subject: Presentation From OUSD Superintendent
 From: Councilmember McElhaney
 Recommendation: Receive An Oral Presentation From The Superintendent Of The Oakland Unified School District On Long-Term Strategies To Improve Academic And Financial Performance; On The October 23, 2018 Education Partnership Committee Agenda
18-0970
- 4.15** Subject: Encourage The Development Of Transit-Oriented And Affordable Housing
 From: Councilmember Kaplan
 Recommendation:

[OLD TITLE]

Adopt An Ordinance To Allow For Increased Housing Units (Raising Height And Density Limits, Reducing Parking Requirements) In Specified Transit-Oriented Locations When Affordable And Workforce Housing Conditions Are Met, To Increase The Transit-Accessible Housing Supply For All Income Levels In Oakland

[NEW TITLE]

Adopt A Resolution Requesting The Planning Commission To Consider Incentives To Encourage Transit-Oriented Housing, Including Affordable Housing, In The City Of Oakland, Such As Allowing Greater Height And Density And Reduced Parking Requirements On Transit Corridors, And To Forward Its Recommendations For Action To The City Council; On The November 13, 2018 Community And Economic Development Committee Agenda
18-0879

Legislative History

9/13/18	*Rules & Legislation Committee	No Action Taken
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9/27/18

*Rules & Legislation
Committee

No Action Taken

The Committee delayed the scheduling of this item until next week.

- 4.16** Subject: Award FY 2018-19 Cultural Funding Grant to Karen Smith
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter A Cultural Services Grant Agreement With Karen Smith To Provide Cultural Services in Arts And Cultural Services In Oakland During Fiscal Year 2018-19, In A Total Amount Not To Exceed \$4,999; On The October 23, 2018 Life Enrichment Committee Agenda
18-0966
- 4.17** Subject: Services Agreement To Provide After-School Meals At OPYRD And OPL Sites
From: Human Services Department
Recommendation: Adopt A Resolution Waiving The Request For Proposals/Qualifications Requirements, And Authorizing The City Administrator To Allocate Sugar-Sweetened Beverage Distribution Tax Revenues To Enter Into A Professional Services Agreement With Revolution Foods In An Amount Not To Exceed \$902,658 To Provide After-School Meals And Snacks At Oakland Parks, Recreation And Youth Development And Oakland Public Library Sites From November 1, 2018 Through June 14, 2019; On The October 23, 2018 Life Enrichment Committee Agenda
18-0962
- 4.18** Subject: OFCY FY 2019-2022 Strategic Investment Plan
From: Human Services Department
Recommendation: Adopt A Resolution Approving The 2019-2022 Strategic Investment Plan Of The Oakland Fund For Children And Youth; On The October 23, 2018 Life Enrichment Committee Agenda
18-0961
- 4.19** Subject: 2018-2019 BACS Grant Agreement
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Bay Area Community Services (BACS) For An Amount Not To Exceed Eight Hundred Thousand Dollars (\$800,000) To Operate An Interim Housing Program For Unsheltered Persons At The City-Owned Property Located At 641 West Grand Avenue For A Grant Term Commencing On November 1, 2018 And Ending October 31, 2019; And Amend The Grant Agreement To Increase The Grant Amount Up To Two Million Five Hundred Thousand Dollars (\$2,500,000) For The Provision Of Additional Interim Housing Services Provided At The Property Without Returning To Council; On The October 23, 2018 Life Enrichment Committee Agenda
18-0959

4.20 Subject: The Oakland Sanctuary City Ordinance
 From: City Administrator Office
 Recommendation: Adopt An Ordinance Amending Resolution Numbers 63950, 80584 And 86498 C.M.S. In Order To Strengthen The Sanctuary City Policy Of The City Of Oakland Not To Cooperate With Or Provide Support For Federal Immigration Agencies, Based Upon Resolution 87036 C.M.S.; On The October 23, 2018 Public Safety Committee Agenda

18-0972

4.21 Subject: Peralta College Policing Services
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Oakland Police Department (OPD) And The Alameda County Sheriff's Office (ACSO) Regarding Law Enforcement Responsibilities On Properties Owned, Operated, Controlled Or Administered By The Peralta Community College District (PCCD) In The City Of Oakland.: On The October 23, 2018 Public Safety Committee Agenda

18-0964

4.22 Subject: Ceasefire Impact Evaluation
 From: Oakland Police Department
 Recommendation: Receive An Informational Report On The Ceasefire Impact Evaluation; As Soon As Possible On The Public Safety Committee Agenda

[18-0859](#)

Attachments: [View Report](#)

Legislative History

9/13/18	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
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4.23 Subject: Resolution Opposing Proposition 6
 From: Councilmember Kaplan
 Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland In Opposition Of Proposition 6: Voter Approval For Future Gas And Vehicle Taxes And 2017 Tax Repeal Initiative; On The October 18, 2018 Rules And Legislation Committee Agenda

18-0949

5 A Review Of The Draft Agendas For The City Council Meeting Of October 16, 2018 And The Rules And Legislation Committee Of October 18, 2018

[18-0920](#)

Attachments: [View Report](#)

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.