



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 4, 2019

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:

Council President Rebecca Kaplan, At-Large; President Pro Tempore Dan Kalb, District 1; Lynette McElhaney, District 3; Chairperson: Sheng Thao, District 4

1 Determinations Of Closed Session

[18-1547](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of March 14, 2019

[18-1548](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-1549](#)

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

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

[18-1550](#)

Attachments: [View Report](#)

4.1 Subject: National Victims' Rights Week

From: Councilmember Thao

Recommendation: Adopt A Resolution Proclaiming April 7-13, 2019 To Be Alameda County Victims' Rights Week And Reaffirms The Commitment To Respect And Enforce Victims' Rights And Addressing Their Needs During Victims' Rights Weeks And Throughout The Year; On The April 16, 2019 City Council Agenda As A Consent Item

18-1609

4.2 Subject: Appointing Councilmember Thao To The Chabot Space & Science Center JPA

From: Council President Kaplan

Recommendation: Adopt A Resolution Appointing Councilmember Sheng Thao As The Elected Member Of The Oakland City Council To The Chabot Space & Science Center Joint Powers Authority Board Of Directors To Complete The Term Previously Held By Former Councilmember Annie Campbell Washington; On The April 16, 2019 City Council Agenda As A Consent Item

18-1610

4.3 Subject: Declaration Of A Local Emergency On Homelessness

From: Council President Kaplan

Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness Crisis; On The April 16, 2019 City Council Agenda As A Consent Item

18-1611

4.4 Subject: Settlement Agreement - Aaron Minyard 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 Aaron Minyard V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG18893200, In The Amount Of One Hundred Eighty Thousand Dollars And No Cents (\$180,000.00) (Oakland Police Department - Vehicle Collision); On The April 16, 2019 City Council Agenda

18-1618

- 4.5** Subject: Municipal Clerk's Week
From: Council President Kaplan
Recommendation: Adopt A Resolution Declaring May 5, 2019 Through May 11, 2019 Municipal Clerk's Week In The City Of Oakland And Celebrating The 50th Anniversary Of Municipal Clerk's Week; On The May 7, 2019 City Council Agenda As A Ceremonial Item
18-1614
- 4.6** Subject: Housing, Residential Rent And Relocation Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Rose Auguste, As Tenant Representative, Corean Todd, As An Alternate Tenant Representative, Ardis Graham, As A Neutral Representative And Reappointment Of Benjamin Scott As An Alternative Landlord Representative To The Housing, Residential Rent And Relocation Board; On The April 18, 2019 Rules And Legislation Committee Agenda
18-1615
- 4.7** Subject: City Planning Commission Reappointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Clark Manus And Thomas Limon To The Oakland Planning Commission; On The April 18, 2019 Rules And Legislation Committee Agenda
18-1616
- 4.8** Subject: Assembly Bill 392
From: Councilmember Fortunato Bas
Recommendation: Adopt A Resolution In Support Of Assembly Bill 392, The California Act To Save Lives: Introduced By Assembly Members Shirley Weber And Kevin McCarty; On The April 18, 2019 Rules And Legislation Committee Agenda
18-1640
- 4.9** Subject: Amending The FY 2019-20 Master Fee Schedule
From: Finance Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13497 C.M.S. (The Fiscal Year (FY) 2018-19 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 April 23, 2019 Finance And Management Committee Agenda And On The May 7, 2019 City Council Agenda As A Public Hearing
18-1637

4.10 Subject: Major Encroachment Permit At 392 11th Street
 From: Transportation Department
 Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To NDO Group, LLC, To Allow Portions Of Existing Basement And Sidewalk Vault At 392 11th Street To Encroach Into The Public Right-Of-Way Along Franklin Street And 11th Street, Major Encroachment Permit ENMJ17061; On The April 23, 2019 Public Works Committee Agenda
[17-0388](#)

Attachments: [View Report](#)

Legislative History

11/16/17	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
1/9/18	*Public Works Committee <i>There was 1 speaker on this item.</i>	Continued to the *Public Works Committee
1/29/19	*Special Public Works Committee	Scheduled to the *Special Public Works Committee
3/5/19	*Special Public Works Committee	* Withdrawn and Rescheduled to the *Public Works Committee

4.11 Subject: Uptown Bike Station
 From: Transportation Department
 Recommendation: Adopt A Resolution Authorizing An Amendment And Extension Of A Cooperative Agreement With The Bay Area Rapid Transit District (BART) For Support Of The Operations And Management Of The Uptown Bike Station And Approving A Contribution In An Amount Not To Exceed One Hundred Sixty-Five Thousand Dollars (\$165,000.00); On The April 23, 2019 Public Works Committee Agenda
18-1585

4.12 Subject: Informational Report On The Alameda County Illegal Dumping Pilot Program
 From: Councilmember Thao
 Recommendation: Receive An Informational Report On The Alameda County Illegal Dumping Pilot Program; On The April 23, 2019 Public Works Committee Agenda
18-1608

- 4.13** Subject: Clean Lake Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Two-Year Agreement, From July 1, 2019 To June 30, 2021, With The Lake Merritt Institute For Professional Services To Provide Cleanup, Maintenance, Monitoring, Volunteer Coordination, Technical Assistance, And Public Outreach Related To Lake Merritt, And Appropriate An Amount Not To Exceed Three Hundred Ninety Thousand Dollars (\$390,000.00), With An Option To Extend The Contract For Two Additional Years, Through June 30, 2023, In An Amount Not To Exceed Three Hundred Ninety Thousand Dollars (\$390,000.00), Based On Satisfactory Contractor Performance; On The April 23, 2019 Public Works Committee Agenda
18-1619
- 4.14** Subject: Construction Award For Brookfield Head Start Renovation
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Award A Contract In The Amount Of Six Hundred Nineteen Thousand Dollars (\$619,000.00) To Saboo, Inc., The Lowest Responsive And Responsible Bidder, For The Construction Of The Brookfield Head Start Renovation Project (Project No. 1003442), In Accordance With The Project Plans And Specifications And Contractor's Bid; And 2) Approve And Reallocate Funds In The Amount Of Four Hundred Thirty Five Thousand Dollars (\$435,000.00) From Head Start Playground Replacement Project (No. 1003444) - Measure KK Bond Fund (5330) To The Brookfield Head Start Renovation Project For Construction And Project Contingency; On The April 23, 2019 Public Works Committee Agenda
18-1620
- 4.15** Subject: Team Oakland Youth Employment Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Two-Year Agreement, From July 1, 2019 To June 30, 2021 With Youth Employment Partnership (YEP) To Implement The Team Oakland Program, And Appropriate An Amount Not To Exceed Six Hundred Fifty Thousand Dollars (\$650,000.00), With An Option To Extend The Contract For Two Additional Years, Through June 30, 2023, In An Amount Not To Exceed Six Hundred Fifty Thousand Dollars (\$650,000.00), Based On Satisfactory Contractor Performance; On The April 23, 2019 Public Works Committee Agenda
18-1622

- 4.16** Subject: Major Encroachment Permit At 2801 Linden Street
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To BTBSOR, LLC, To Allow A Portion Of Existing Building And Awning At 2801 Linden Street To Encroach Into The Public Right-Of-Way Along Linden Street And 28th Street, Major Encroachment Permit ENMJ19053; On The April 23, 2019 Public Works Committee Agenda
18-1624
- 4.17** Subject: Manzanita Head Start Renovation Construction Contract
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Reject All Bids, Waive Further Advertising And Competitive Bidding, And Authorize The City Administrator, Or Designee, To Award A Construction Contract Without Return To Council For An Amount Not To Exceed Five Hundred And Fifty Thousand Dollars (\$550,000.00) In The Open Market For The Construction Of The Manzanita Recreation Center Head Start Renovation (Project No. 1003445), In Accord With The Project Plans And Specifications; And 2) Approve And Reallocate Additional Funds Of One Hundred Fifty Thousand Dollars (\$150,000.00) From The Head Start Facility Renovation At Arroyo Viejo Recreation Center Project (No. 1003443), Measure KK Bond Remaining Funds (Fund No. 5330), To The Manzanita Head Start Renovation Project (Project No. 1003445) For Construction And Project Contingency; On The April 23, 2019 Public Works Committee Agenda
18-1625
- 4.18** Subject: Rehabilitation Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For Sanitary Sewer Rehabilitation Sub-Basin 80-101 (Project No. 1004342) And With Contractor's Bid In The Amount Of Three Million Three Hundred Seventy-Nine Thousand Two Hundred Forty Dollars (\$3,379,240.00); On The April 23, 2019 Public Works Committee Agenda
18-1626
- 4.19** Subject: RMRA
From: Transportation Department
Recommendation: Adopt A Resolution Adopting A List Of Projects To Be Implemented With Road Maintenance And Rehabilitation Account Funds In Fiscal Years (FY) 2019-20; On The April 23, 2019 Public Works Committee Agenda
18-1631

4.20 Subject: Neonicotinoid Resolution To Protect Pollinators
From: President Pro Tempore Dan Kalb
Recommendation: Adopt A Resolution: (1) Establishing The City Of Oakland's (City) Policy Prohibiting The City's Use Of Neonicotinoid Pesticides (Neonicotinoids) In Order To Protect Honey Bees And Other Pollinators; (2) Urging The Adoption Of State And Federal Restrictions On Neonicotinoids; And (3) Urging Retailers Operating In The City Of Oakland To Not Sell Neonicotinoids; On The May 14, 2019 Public Works Committee Agenda
18-1638

4.21 [OLD TITLE]
Subject: Naming Of A City Of Oakland Official Bird
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Creating An Ad Hoc Advisory Committee To Recommend The Naming Of An Official Bird For The City Of Oakland

[NEW TITLE]
Subject: Official Bird Of The City Resolution
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Naming The Black-Crowned Night Heron The Official Bird Of The City Of Oakland; On The May 14, 2018 Public Works Committee Agenda
[18-0060](#)

Legislative History

1/18/18	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
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4.22 Subject: Rent Adjustment Program/Owner Move In Evictions
From: Vice Mayor Larry Reid
Recommendation: Receive An Informational Report On The Progress Of Outreach And Implementation (Including Violations And Fines Levied) Against Landlords For Illegal Move In Evictions As Adopted In March Of 2017 (O.M.C. 8.22.360.A.8 or A.9); On The May 14, 2019 Community And Economic Development Committee Agenda
18-1617

4.23 Subject: Elimination Of Rent Ordinance For Owner-Occupied Duplexes And Triplexes
From: President Pro Tempore Kalb And Councilmember Gallo
Recommendation: Adopt An Ordinance Amending (1) The Rent Adjustment Ordinance (O.M.C. 8.22.020 Et SEQ) To Eliminate Exemptions For Owner-Occupied Duplexes And Triplexes And Allow A Limited Transitional Rent Increase For Newly Covered Units And (2) The Tenant Protection Ordinance (O.M.C. 8.22.600 Et SEQ) To Eliminate Exemptions For Owner-Occupied Duplexes And Triplexes; On The April 23, 2019 Community And Economic Development Committee Agenda
18-1636

- 4.24** Subject: Sugar-Sweetened Beverage Community Advisory Recommendations
From: Council President Kaplan
Recommendation: Adopt The Following Pieces Of Legislation;
- 1) An Informational Report On The Recommendations Of The Sugar-Sweetened Beverage Community Advisory Board; And
18-1554
- 2) A Resolution Adopting The Funding Allocation Plan Of The Sugar-Sweetened Beverage Community Advisory Board For Fiscal Year 2018-2019 And Authorizing The City Administrator To Allocate Funds From Fiscal Year 2018-2019 Sugar-Sweetened Beverage Tax Revenues; And (3) Direction To The City Administrator To Submit Their Soda Tax Funding Requests For Fiscal Years 2019-2021 To The Soda Tax Board, And Then To Bring Them To Council In May 2019; On The April 23, 2019 Life Enrichment Committee Agenda
18-1627
- 4.25** Subject: Sugar Sweetened Beverage Tax Community Grants
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements With Various Non-Profit And Public Agencies To Provide Services To Reduce The Consumption Of Sugar Sweetened Beverages In A Total Amount Not To Exceed \$2,000,000 For Fiscal Year 2019-2020; On The April 23, 2019 Life Enrichment Committee Agenda
18-1639
- 4.26** Subject: The Square One Village Model As A Viable Model For The City Of Oakland
From: Council President Kaplan
Recommendation: Receive An Informational Report From City Staff On The Square One Village Model As Instituted In Partnership With The City Of Eugene, Oregon And Whether This Is A Viable Model For The City Of Oakland To Pursue In It's Solutions To Homelessness; On The April 23, 2019 Life Enrichment Committee Agenda
18-1612
- 4.27** Subject: Summer Youth Employment Program 2019 Funding Recommendation
From: Economic Workforce And Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit Organizations To Provide Summer Youth Employment Services In An Amount Not To Exceed \$500,000 For Fiscal Year 2019-2020, With An Option To Approve One-Year Grant Renewals In Fiscal Years 2020-2021 And 2021-2022 Pending Council Approval; On The April 23, 2019 Life Enrichment Committee Agenda
18-1629

4.28 Subject: FY 2018-19 Cultural Funding Grants, Round Two
 From: Economic Workforce Development
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Eight Grant Agreements With Eight Oakland-Based Nonprofit Organizations Providing Arts And Cultural Services In Oakland, As Part Of The Pilot Grant Program "Neighborhood Voices: Belonging In Oakland," During Fiscal Year 2018-19, In A Total Amount Not To Exceed \$80,000; On The April 23, 2019 Life Enrichment Committee Agenda
18-1635

4.29 Subject: Additional Date Collection For Gun Tracing Reports
 From: Council President Kaplan
 Recommendation: Receive An Informational Report And Update From The Oakland Police Department (OPD) Regarding Gun Crime Prevention And Gun Tracing Data Including:1) Total Number Of Firearms Recovered & Traced By Year; 2) Recovery By Year And Weapon Type; 3) Recovery By Year And Crime; 4) Recovery By Year & Caliber; 5) Recovery By State Of Origin; 6) Recovery By Time From Purchase Date To Use In Crime; 7) Recovery By Age Of Possessor; 8) Short Time-To-Crime (Less Than 3 Years Between Sale By Licensed Dealer And Recovery) By Where The Guns Were Purchased (County And State, As Much As Possible); 9) Update On Shotspotter; And 10) How Many Of The Guns Had Been Stolen From A Prior Owner, Was Owner Tracked Down And Was The Gun Left Unsecured By Prior Owner, And Were They Penalized And How Are We Overall Enforcing Oakland Laws On Gun Storage In Homes And Vehicles; On The April 23, 2019 Public Safety Committee Agenda
[18-1371](#)

Legislative History

1/31/19	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
3/14/19	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee

4.30 Subject: OPD-U.S. Department Of Veterans Affairs Agreement
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into An Agreement Between The Oakland Police Department (OPD) And The United States Department Of Veterans Affairs (VA) To Define Law Enforcement Responsibilities On VA Properties; On The April 23, 2019 Public Safety Committee Agenda
18-1628

- 4.31** Subject: FY 2017/2018 Justice Assistance Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year 2017 And 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Funds In The Amounts Of Five Hundred Thirty-Five Thousand, Three Hundred Twenty-Four Dollars (\$535,324) For October 1, 2016 Through September 30, 2020, And Four Hundred Seventy-Three Thousand Nine Hundred Ninety-Two Dollars (\$473,992) For October 1, 2017 Through September 30, 2021 To Upgrade Equipment And Technology And Fund Department-Wide Training; On The April 23, 2019 Public Safety Committee Agenda
18-1630
- 4.32** Subject: Citizens Options For Public Safety Grant Fiscal Year 2018
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year (FY) 2018 State Of California "Citizens Options For Public Safety" (State COPS Grant XXI) Allocation In The Amount Of Six Hundred Fifty-One Thousand Seven Hundred Forty-Three Dollars (\$651,743) Plus Accrued Interest Earnings, To Purchase A Mobile Command Vehicle, Training Helicopter, And Officer Trauma Plate Packs; On The April 23, 2019 Public Safety Committee Agenda
18-1634
- 4.33** Subject: 2019 Education Partnership Committee Schedule
From: Councilmember Fortunato Bas
Recommendation: Accept The Schedule For The 2019 Meetings Of The Education Partnership Committee: Monday, May 20 At 5:30pm, Tuesday, June 11 At 4pm (This Will Replace Council's Life Enrichment Meeting), Monday, Sept. 16 At 5:30pm, Monday, Oct. 21 At 5:30pm, Monday, Nov. 18 At 5:30pm, Monday, And Dec. 9 At 5:30pm
18-1613
- 4.34** Subject: Schedule Of FY 2019-21 Budget Hearings
From: Finance Department
Recommendation: Accept The Scheduling Of May 7, 2019 (Tuesday), 4:00 Pm-Special Budget Meeting - Mayor's Proposed Budget Presentation; June 10, 2019 (Monday), 5:30 Pm-Special Budget Meeting - Council President's Proposed Amendments; June 18, 2019 (Tuesday), 4:00 Pm-Special Budget Meeting And June 24, 2019 (Monday), 5:30 Pm-Special Budget Meeting (If Needed)
18-1633
- 5** A Review Of The Draft Agendas For The City Council Meeting Of April 16, 2019 And The Rules And Legislation Committee Of April 18, 2019
[18-1551](#)

Attachments: [View Report](#)

6 Subject: Resolution Supporting SB 233 Authored By Senator Wiener
 From: Councilmember Gallo And Council President Kaplan
 Recommendation: Adopt A Resolution Supporting California State Senate Bill Number 233, Authored By Senator Scott Wiener And Coauthored By Assembly Members Bill Quirk And Laura Friedman, Which Would Prohibit The Arrest Of Sex Workers When They Report Sexual Assault, Human Trafficking, Stalking, Robbery, Assault, Kidnapping, Threats, Blackmail, Extortion, Burglary Or Other Violent Crimes Against Them
[18-1533](#)

Attachments: [View Report](#)

Legislative History

3/14/19	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
<i>Council President Kaplan requested to be added as a co-author</i>		

7 Subject: Support For Assembly Bill 410 (Assembly Member Nazarian) Sideshow Activity
 From: Vice Mayor Reid
 Recommendation: Adopt A Resolution Supporting Assembly Bill 410 Motor Vehicle Sideshows (Assembly Member Adrin Nazarian)
[18-1557](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

8 Subject: Resolution In Support Of Medicare For All Act 2019
 From: Council President Kaplan
 Recommendation: Adopt A Resolution In Support Of House Resolution 1384, Medicare For All Act 2019
[18-1555](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

9 Subject: Resolution In Support Of Public Banking Act, AB 857
 From: Council President Kaplan
 Recommendation: Adopt A Resolution In Support Of Public Banking Act, AB 857
[18-1556](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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*** 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.**