



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, September 12, 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

[18-2119](#)

Attachments: [View Report](#)

2 Approval Of The Draft Minutes From The Committee Meeting Of July 11, 2019

[18-2120](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[18-2121](#)

Attachments: [View Report](#)

[View Supplemental Report 9/6/2019](#)

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

[18-2122](#)

Attachments: [View Report](#)

4.1 Subject: Vacant Property Tax Implementation Ordinance & Administration
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Title 4, Chapter 4.56 To Clarify And Further Define Various Sections Of The Oakland Vacant Property Tax And Establish A Method To Identify Vacant Property; And

18-2201

2) A Resolution Authorizing The City Administrator, Or Designee, To Negotiate And Execute The First Amendment To The Agreement With SCI Consulting Group For The Implementation, Administration And Management Of The Vacant Property Tax For A Term Of Three Years Ending December 31, 2022 With Two One-Year Options To Renew, At The City's Complete Discretion, The Agreement Through December 31, 2024 For A Not-To-Exceed Compensation Of \$1,270,000 For All Five Years; On The September 24, 2019 Finance And Management Committee Agenda

18-2202

4.2 Subject: Business Tax Refunds Audit Fy 2017-18
From: Office Of The City Auditor

Recommendation: Receive An Informational Report From The City Auditor On The Business Tax Refunds Audit FY 2017-18; On The September 24, 2019 Finance And Management Committee Agenda

18-2210

4.3 Subject: Major Encroachment Permit At 1700 Webster Street.
From: Transportation Department

Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 1700 Webster, LLC, An Oregon Limited Liability Company, To Allow Portions Of The Existing Foundation Below Grade At 1700 Webster Street To Encroach Into The Public Right-Of-Way On Webster Street, Major Encroachment Permit ENMJ19059.; On The September 24, 2019 Public Works Committee Agenda

18-2192

- 4.4** Subject: Professional Services Agreement With Harrison Engineering Inc. Amendment
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,
To: 1) Waive The Competitive Request For Proposal (RFP) Requirements For An
Amendment To Professional Services Agreement With Harrison Engineering Inc., And 2)
Negotiate And Execute An Amendment To Professional Services Agreement Between
The City Of Oakland And Harrison Engineering Inc. In An Amount Not-To-Exceed Sixty
Thousand Dollars (\$60,000) For Additional Design Services For Project No. 1003204,
Market Street And San Pablo Avenue Project Funded By Highway Safety Improvement
Program (HSIP) Cycle 7 Grant, Measure B And Measure KK, And In Accordance With
Federal Consultant Selection Process; On The September 24, 2019 Public Works
Committee Agenda
18-2193
- 4.5** Subject: Broadway Bus Lanes
From: Transportation Department
Recommendation: Adopt A Resolution Supporting Transit Travel Time Improvements
Through Dedicated Transit Only Lanes On Broadway From 11th Street To 20th Street,
Adopting California Environmental Quality Act Exemption Findings, And Authorizing The
City Administrator Or Designee To Receive Allocated Funds From Alameda County
Transportation Commission For The Study And Operations Of The Broadway Shuttle; And
For The Design And Construction Of Pavement Rehabilitation, Transit Only Lanes, And
Pedestrian Safety Improvements On Broadway Between 11th Street And 20th Street; On
The September 24, 2019 Public Works Committee Agenda
18-2194
- 4.6** Subject: Youth Ventures Joint Powers Authority
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An
Agreement With The Youth Ventures Joint Powers Authority (JPA), Through Its Fiscal
Agent Marcus A. Foster Educational Institute, In The Amount Of \$150,000 For Fiscal Year
2019-2020 With An Option To Renew In The Same Amount For Fiscal Year 2020-2021,
For The City Of Oakland's Annual Contribution To The JPA.; On The September 24, 2019
Life Enrichment Committee Agenda
18-2197

4.7 Subject: Additional Emergency Shelter Beds For Families And Maintaining Anti-Displacement Efforts

From: Human Services Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Informational Report On How \$1,200,000 In The FY2019-20 Budget Will Be Spent Between The Human Services Department And The Housing And Community Development Department For Anti Displacement Activities And To Improve Housing Security; And

18-2199

2) A Resolution Authorizing The City Administrator To: (1) Enter Into A Grant Agreement With East Oakland Community Project (EOCP) In An Amount Not To Exceed \$1,750,000 To Provide Shelter Services To Homeless Families In Northern Alameda County During The Period Of July 1, 2019 Through June 30, 2020; And (2) Amend The Grant Agreement With Building Futures With Women And Children (BFWC) Previously Authorized By Resolution No.86856 To Increase The Grant Amount By Up To \$50,000 To Provide Shelter Services To Homeless Families In Northern Alameda County During The Period Of July 1, 2019 Through June 30, 2020; And (3) Transfer \$1,000,000 In Fund 1870 Affordable Housing Trust Fund Anti-Displacement Project 1004815 From The Housing And Community Development Department To The Human Services Department; And (4) Accept And Appropriate Any Additional Family Shelter Services Funds That May Become Available From Alameda County, The State Of California, The City Of Emeryville, The City Of Berkeley And Any Other Sources During The Period Of July 1, 2019 Through June 30, 2020 Without Returning To Council; And (5) Amend The Above Grant Agreements Based On Additional Family Shelter Services Funds That May Become Available From Any Of The Above Sources To Increase The Grant Amounts For Additional Family Shelter Services Efforts Within The Grant Term Of July 1, 2019 Through June 30, 20120 Without Returning To Council; On The September 24, 2019 Life Enrichment Committee Agenda

18-2200

4.8 Subject: Marcus Foster And JPA Grant

From: Councilmember Taylor

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Funds From The Marcus Foster And Joint Powers Authority (JPA) Grant; On The September 24, 2019 Life Enrichment Committee Agenda

18-2213

4.9 Subject: Oakland Unite DVP Evaluations

From: Councilmember Taylor

Recommendation: Receive An Informational Report From The Department Of Human Services On Oakland Unite's Department Of Violence Prevention (DVP) Evaluations; On The September 24, 2019 Life Enrichment Committee Agenda

18-2219

- 4.10** Subject: HSD/HCD \$1.2 Homeless Funding Allocation
From: Councilmember Taylor
Recommendation: Receive An Informational Report From The Department Of Human Services On The \$1.2 Homeless Funding Allocation From The California Department Of Housing And Community Development (HCD) And Family Shelter Authorization; On The September 24, 2019 Life Enrichment Committee Agenda
18-2225
- 4.11** Subject: Winter Shelter Authorization
From: Councilmember Taylor
Recommendation: Receive An Informational Report From The Department Of Human Services On The Winter Shelter Authorization ; On The October 22, 2019 Life Enrichment Committee Agenda
18-2217
- 4.12** Subject: PATH Plan
From: Councilmember Taylor
Recommendation: Receive An Informational Report From The Department Of Human Services On The Permanent Access To Housing (PATH) Plan; On The October 22, 2019 Life Enrichment Committee Agenda
18-2223
- 4.13** Subject: HEAP Funds Allocation
From: Councilmember Taylor
Recommendation: Receive An Informational Report From The Department Of Human Services On The State Of California Homeless Emergency Aid Program (HEAP) Funds Allocation; On The October 22, 2019 Life Enrichment Committee Agenda
18-2224
- 4.14** Subject: OFCY Evaluation Report
From: Councilmember Taylor
Recommendation: Receive An Informational Report From The Department Of Human Services On The Oakland Fund For Children And Youth (OFCY) Evaluation; On The November 12, 2019 Life Enrichment Committee Agenda
18-2216
- 4.15** Subject: OU Youth And CSEC Strategy Evaluations
From: Councilmember Taylor
Recommendation: Receive An Informational Report From The Department Of Human Services On Oakland Unite's (OU) Youth And Commercial Sexual Exploited Children (CSEC) Strategy Evaluations; On The November 12, 2019 Life Enrichment Committee Agenda
18-2218

4.16 Subject: AC-OCAP Annual Report And CSBG Resolution
From: Councilmember Taylor
Recommendation: Adopt The Following Pieces Of Legislation;

1) Receive The Alameda County-Oakland Community Action Annual Report; And
18-2214

2) A Resolution Authorizing The City Administrator, Or Designee To Accept And Allocate Funds From The Community Services Block Grant (CSBG) For 2019 From The California Department Of Community Services And Development (CSD); On The December 3, 2019 Life Enrichment Committee Agenda
18-2215

4.17 Subject: Information On Impact Fees
From: Council President Kaplan
Recommendation: Receive An Informational Report On The Affordable Housing, Transportation, Capital Improvements, And Jobs/Housing Impact Fees And Any Other Fees Not Listed With The Following Information: 1) Current Fund Balance, Revenue, Expenditures, Projected Revenue Per Year In Each Fee Category To Date; 2) For Each Fee Category-Encumbered Amounts Of Fees, Destination Fund, Designated Projects, Remainder Amount; 3) Number And Listing Of Projects Seeking To Provide Housing Onsite And AMI Levels; 4) Projects With Vesting Tentative Maps Or Development Agreements Prior To Sept 1, 2016; And 5) An Accounting Of All The Building Permits Issued, Since The Inception Of Impact Fees With Break Down By Fee Zone; On The October 22, 2019 Community And Economic Development Committee
[18-2061](#)

Legislative History

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|---------|---|--|
| 6/27/19 | *Rules & Legislation Committee | Scheduled to the *Community & Economic Development Committee |
| 9/10/19 | *Community & Economic Development Committee | * Withdrawn and Rescheduled to the *Community & Economic Development Committee |

4.18 Subject: Affordable Housing Impact Fees
From: Council President Kaplan
Recommendation: Adopt A Resolution Requesting The City Administrator And His Or Her Designee To Release Affordable Housing Impact Fees In The Affordable Housing Trust Fund And Committed Receivables Immediately, Provide A Schedule Of Receivables To The Public, To Issue A Notice Of Funds Availability (Nofa) For Housing Development Funds Not Later Than November 2019, And Upon Council Approval Of Funding Awards, Provide Letters Of Commitment Conditioned On Receipt Of The Anticipated Revenue; On The October 8, 2019 Community And Economic Development Committee Agenda
18-2212

4.19 Subject: Measurer KK Affordable Housing Programs
From: Housing And Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) Receive An Informational Report On The Use Of Measure KK Affordable Housing Program Funds And Revisions To The Site Acquisition Program, Now Named The Acquisition And Conversion To Affordable Housing (ACAH) Program Which Includes The Permanent Affordability Program; And

18-2220

2) A Resolution Authorizing The City Administrator Or Her Designee To: A. Make ACAH Loans From Bond Proceeds Without Returning To Council; And B. Reallocate Funding From Projects Currently Scheduled To Be Funded By The First Tranche Of Measure KK Funds (Fund 5331), Notwithstanding Any Previous Action By The City Council, To Any New Projects Initiated Pursuant To Programs Authorized To Receive Funding From Measure KK Bonds, Including But Not Limited To Projects Initiated Pursuant To The ACAH Program, To The Extent Necessary To Maximize Spend Down Of Outstanding Bond Funds And Ensure Cost Efficiency; On The September 24, 2019 Community And Economic Development Committee Agenda

18-2222

4.20 Subject: 500 Kirkham DDA Amendment
From: Economic Workforce And Development Department
Recommendation: Adopt An Ordinance To Amend Ordinance No. 13368 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And 500 Kirkham, LLC To (1) (A) Change The Project Definition To Allow Development Consisting Of Three Buildings And 1,032 Residential Units, (B) Adjust The Affordable Housing Requirement To Include 85 Very Low Income Units On-Site And A \$7.1 Million Payment To The Affordable Housing Trust Fund, (C) Allow The Project Schedule To Be Extended Annually For Up To Ten Years If Payment Of Extension Fees Are Made According To The Extension Schedule Shown In Exhibit A, And (D) Require Evidence Of A Funding Commitment For The West Oakland Shuttle, And (2) Make The Determination That An Addendum Pursuant To California Environment Quality Act (CEQA) Guidelines Section 15164 Is Appropriate And Alternatively, The Project Is Exempt From CEQA Pursuant To CEQA Guidelines Sections 15168, 15183, And 15183.3; On The September 24, 2019 Community And Economic Development Committee Agenda

18-2203

- 4.21** Subject: On-Call Historic Preservation Planning Services
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award, Negotiate, And Execute A Professional Services Agreement With Environmental Science Associates (ESA) For A Not To Exceed Amount Of \$500,000 And Not To Exceed Term Of Five Years; On The September 24, 2019 Community And Economic Development Committee Agenda
18-2195
- 4.22** Subject: 2018/19 Consolidated Annual Performance & Evaluation Report
From: Housing And Community Development Department
Recommendation: Approve The City's Consolidated Annual Performance And Evaluation Report For Fiscal Year 2018/-2019 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grant Programs To Be Submitted To The United States Department Of Housing & Urban Development; On The September 24, 2019 Community And Economic Development Committee Agenda And As A Public Hearing On The October 1, 2019 City Council Agenda
18-2198
- 4.23** Subject: FY 2019-20 OPD Traffic Safety Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) Dollars From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2019-2020 Selective Traffic Enforcement Program (STEP), To Be Administered By The Oakland Police Department (OPD); And To Authorize The General Purpose Services Fund To Contribute Seventy One Thousand Two Hundred Twenty Two Dollars (\$71,222) To Cover The Related Central Services Overhead Charges; On The September 24, 2019 Public Safety Committee Agenda
18-2196
- 4.24** Subject: Emergency Closure Of Bond Street Encampment
From: Councilmember Gallo
Recommendation: Adopt A Resolution Requesting The City Administrator, Or Designee, To Close The Bond Street Encampment Behind Oakland Charter Academy, Residents Homes And Surrounding Businesses Due To Serious And Continual Criminal Activity, Illegal Dumping, Health And Fire Hazards That Violates California's Penal Code Section 626 And The Safe Routes To Schools Assessment From Alameda County; On The October 8, 2019 Public Safety Committee Agenda
18-2221

4.25 Subject: Police Commission Ballot Measure Revise
From: Council President Kaplan
Recommendation: Receive An Informational Report On The Proposed Resolution On The City Council's Own Motion Submitting To The Voters At The March 3, 2020 Election A Proposed Amendment To The City Charter, Oakland Municipal Code Section 604, To Enhance The Independence Of The Oakland Police Commission, And Directing The City Clerk To Take Any And All Actions Necessary Under The Law To Prepare For And Conduct An Election; On The October 22, 2019 Public Safety Committee Agenda
18-2228

4.26 Subject: Adopt Police Commission Ballot Measure Revise
From: Council President Kaplan
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The March 3, 2020 Election A Proposed Amendment To The City Charter, Oakland Municipal Code Section 604, To Enhance The Independence Of The Oakland Police Commission, And Directing The City Clerk To Take Any And All Actions Necessary Under The Law To Prepare For And Conduct An Election; On The November 7, 2019 Rules And Legislation Committee
18-2211

4.27 Subject: Ballot Measure Informational Update And Council Resolution For Next Steps
From: Council President Kaplan
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Informational Report From The Administration On The Status Of Development Of Ballot Measures For The 2020 Ballot, Including; All Polling Questions And Results For Polls Already Conducted, A Schedule Of Planned Next Steps, And A Financial Report Showing Funding Amounts Allocated To Polling And Consultants, Including The Total Amount That Has Been Expended Or Allocated, Amounts Remaining, The Process For Selecting The Consultant And Pollster; And
18-2226

2) A City Council Resolution Adopting Next Steps For Ballot Measure Consideration, And Polling: On The September 26, 2019 Rules And Legislation Committee Agenda
18-2227

4.28 Subject: Councilmembers Taylor And Gibson McElhaney Travel Reimbursement
From: Councilmember Taylor
Recommendation: Adopt A Resolution Authorizing Reimbursement For Councilmembers Loren Taylor and Lynette Gibson McElhaney's Costs Of Approximately \$8,135 From The Council Contingency Fund For Travel To Washington, DC For Attendance At The Annual Legislative Conference Of The Congressional Black Caucus From September 11-15, 2019; On The October 1, 2019 City Council Agenda
18-2229

- 5 A Review Of The Council Committees' Actions From The Meetings Of September 10, 2019 And Determination Of Scheduling To The City Council Meeting Of September 17, 2019

[18-2123](#)

Attachments: [View Report](#)

- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of September 24, 2019 And The Rules And Legislation Committee Of September 26, 2019

[18-2124](#)

Attachments: [View Report](#)

- 7 Subject: Potential Ballot Measures For The March 3, 2020 Election
From: Council President Kaplan
Recommendation: Receive An Informational Report And Discussion Of Potential Ballot Measures For The March 3, 2020 Election, Including, But Not Limited To, A Potential Park, Open Space, Fire Safety Measure, As A Special Parcel Tax, And A Police Commission Charter Change

[18-2094](#)

Attachments: [View Report](#)

[View City Administrator Report](#)

Legislative History

7/11/19

*Rules & Legislation
Committee

Scheduled to the *Rules & 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

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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.**