



# City of Oakland

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City  
Clerk

## Meeting Minutes - DRAFT \*Rules & Legislation Committee

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

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

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Thursday, November 29, 2018

10:45 AM

City Council Chamber, 3rd Floor

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***The Oakland City Council Rules And Legislation Committee convened at 11:14 PM,  
with Council President Reid presiding as Chairperson.***

### Roll Call / Call To Order

**Present** 4 - Lynette McElhaney, Abel J. Guillén, Laurence E. Reid, and Annie Campbell  
Washington

#### 1 Determinations Of Closed Session

[18-1127](#)

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

***There will be a Closed Session Commencing at 10 A.M. on December 11, 2018 in  
Hearing Room 4.***

**A motion was made by Abel J. Guillén, seconded by Lynette McElhaney, that this  
matter be Accepted. The motion carried by the following vote:**

**Aye:** 4 - McElhaney, Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of October 18, 2018

[18-1128](#)

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

***No Changes Were Made***

**A motion was made by Annie Campbell Washington, seconded by Abel J.  
Guillén, that this matter be Accepted. The motion carried by the following vote:**

**Aye:** 4 - McElhaney, Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

3 Determination Of Schedule Of Outstanding Committee Items  
[18-1129](#)

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

*There was 1 speaker on this item.*

A motion was made by Abel J. Guillén, seconded by Lynette McElhaney, that this matter be Accepted. The motion carried by the following vote:

**Aye:** 4 - McElhaney, Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)  
[18-1130](#)

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

*There were 4 speakers on this item.*

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Accepted. The motion carried by the following vote:

**Aye:** 4 - McElhaney, Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

4.1 Subject: Receive A Report On The Public Lands Policy Process And Analysis  
From: Councilmember Guillén And Kaplan  
Recommendation: Approve A Report And Recommendation On The Public Lands Policy Process And Analysis To Inform Council Direction To Prepare Legislation To Implement A City Public Lands Policy And/Or Strategy  
[18-0522](#)

**Attachments:** [View Report Guillen And Kaplan Report](#)

[View Report](#)

[View Report Attachments A-G](#)

[View Supplemental Report 6-15-2018](#)

[View Supplemental Report Attachments A - B](#)

[View Supplemental Report 6-22-2018](#)

[View Supplemental Presentation 6-22-2018](#)

[View Supplemental Report 7-13-2018](#)

**This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**4.2** Subject: Resolution Setting Forth Oakland’s Public Lands Policy Framework  
From: President Pro Tem Guillén And Councilmember Kaplan  
Recommendation: Adopt A Resolution Setting Forth Oakland’s Public Lands Policy Framework And Directing Staff To Return To Council With An Ordinance To Codify These Policies  
[18-1137](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 12/7/2018](#)  
[87483 CMS](#)

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**4.3** Subject: 12th Street Remainder DDA Amendment  
From: Economic And Workforce Development Department  
Recommendation Adopt An Ordinance To Amend Ordinance 13382 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And The Development Team Composed Of Lakehouse Commons, LLC And Lakehouse Commons Affordable Housing, LP To (1) Extend The Closing Date And Related Outstanding Performance Benchmarks And (2) Increase City Seller Financing To Include Fifty Percent Of The Land Sales Price Attributable To The Market Rate Project  
[18-1179](#)

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

**This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/4/2018**

**4.4** Subject: Reallocate Salary Savings For Supplemental Fire Code Plan Review  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Amending Resolution Number 87041 C.M.S. To Authorize The City Administrator, Or Designee, To Reallocate Salary Savings In The City Of Oakland’s Fire Prevention Bureau During Fiscal Year 2018-2019 To Fund The Existing Professional Service Agreements For On-Call Fire Code Plan Review Services With 4leaf, Inc., West Coast Code Consultants, CSG Consultants, Inc., And TRB And Associates, Inc  
[18-1178](#)

**Attachments:** [View Report](#)  
[87457 CMS](#)

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 12/4/2018**

**4.5** Subject: AC-OCAP Annual Report And 2019 CSBG Resolution  
From: Human Services Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) Receive An Informational Report From The Alameda County-Oakland Community Action Partnership (AC-OCAP) Annual Report; And  
[18-1180](#)

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

**This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

2) A Resolution: 1. Authorizing The City Administrator To Accept A Renewal Grant In The Amount Of \$1,354,323 In Antipoverty Community Services Block Grant (CSBG) Funds For 2019 From The California Department Of Community Services And Development (CSD), And Amend The Appropriation In The FY2018-19 Amended Midcycle Budget; 2. Authorizing The City Administrator To Accept Additional Grant Funds From CSD For The Same Purpose Within The 2019 Term, Without Returning To Council; And 3. Authorizing A Contribution From The General Purpose Fund In An Amount Equivalent To The Department's Central Services Overhead Charges Estimated At \$98,980  
[18-1181](#)

**Attachments:** [View Report](#)  
[87447 CMS](#)

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**4.6** Subject: Resolution Honoring Martin Tovar  
From: President Pro Tempore Abel Guillén  
Recommendation: Adopt A Resolution Honoring Martin Tovar For Exemplary Service To The City Of Oakland  
[18-1182](#)

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**4.7** Subject: Amending SAMHSA Oakland ReCAST Grant Resolution  
From: Human Services Department  
Recommendation: Adopt A Resolution Amending Resolution No. 86999 C.M.S., Which Authorized The City Administrator Under The Federal Health And Human Services Substance Abuse And Mental Health Administration (SAMHSA) Recast Grant To Enter Into Grants And Professional Service Agreements From September 30, 2017 Through September 29, 2021, To Authorize The City Administrator To Amend The Grant Agreements To Increase Or Adjust The Amounts So Long As The Total Does Not Exceed SAMHSA Recast Grant Funding

[18-1183](#)

**Attachments:** [View Report](#)  
[87448 CMS](#)

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**4.8** Subject: Appointment To Lead Poisoning Prevention Board  
From: President Reid  
Recommendation: Adopt A Resolution Appointing Councilmember Lynette Gibson McElhaney To The Board Of Trustees Of The Lead Poisoning Prevention Program Joint Powers Authority And Director William Ghilchrist As The Official Alternate For Councilmember McElhaney For Terms Commencing January 1st, 2019 And Ending December 31st, 2020

[18-1184](#)

**Attachments:** [View Report](#)  
[87449 CMS](#)

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**4.9** Subject: Settlement- S.P.W v. City of Oakland  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of S.P.W. V. City Of Oakland, Et Al, U.S. District Court, Northern District Of California Case No. C-17-6884-Sk, In The Amount Of Sixty Thousand And No Cents (\$60,000.00) As A Result Of A Civil Rights Violation On November 16, 2016 (Oakland Police Department - Civil Rights Violation)

[18-1185](#)

**Attachments:** [View Report](#)  
[87450 CMS](#)

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**CHANGES MADE TO THE DECEMBER 4, 2018 FINANCE AND MANAGEMENT**

Subject: Status Of Required Audits  
From: Department Of Transportation  
Recommendation: Receive An Informational Report From The City Auditor On The Status Of Required Audits: DOT's Response To City Auditor Citation Void Report  
[18-0889](#)

**This Informational Report be Withdrawn with No New Date.**

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  
[18-0970](#)

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

**This Informational Report be Withdrawn with No New Date.**

Subject: Update On School Pedestrian Safety  
From: Transportation Department  
Recommendation: Receive An Informational Report On The History And The Future Strategy For The Former "Safe Routes To Schools" Grant And The Present "Active Transportation Program" Grant Programs  
[18-1109](#)

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

**This Informational Report be Scheduled to go before the Special Concurrent Meeting of the Education Partnership Committee and the Oakland Unified School District Board of Education to be heard 12/4/2018**

**CHANGES MADE TO THE DECEMBER 4, 2018 PUBLIC SAFETY COMMITTEE**

Subject: Monthly Police Staffing Report  
From: Oakland Police Department  
Recommendation: Receive The Oakland Police Department's (OPD) Monthly Informational Report On Recruiting And Sworn Staffing Levels As Of October 31, 2018  
[18-1164](#)

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

**This Informational Report be Withdrawn with No New Date.**

Subject: OFD Update On Vegetation Management Plan And EIR  
From: Councilmember Kalb  
Recommendation: Receive An Update Regarding The Oakland Fire Department's (1) Vegetation Management Plan And (2) The Plan's Environmental Impact Report  
[18-0718](#)

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

**This Informational Report be Withdrawn with No New Date.**

- 5** A Review Of The Draft Agendas For The Special City Council Meeting Of December 11, 2018 And The Rules And Legislation Committee Of December 13, 2018  
[18-1131](#)

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

*There was 1 speaker on this item.*

**This Report and Recommendation be Accepted as Amended.**

**Aye:** 4 - McElhaney, Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

Subject: Derby Avenue Parcel DDA And Land Sale  
From: Economic And Workforce Development  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing The City Administrator Or Designee, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement 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 \$500,000 For The Development Of An Aspire Public Charter School  
[18-0452](#)

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

[View Supplemental Report 7-6-2018](#)

**This Ordinance be Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council**

6 Subject: 2019 Legislative Schedule  
From: Council President Reid  
Recommendation: Approve A Report And Recommendation For The Proposed 2019 Schedule Of City Council And Council Committee Meetings And An Associated Agenda And Report Distribution Schedule  
[18-1079](#)

Attachments: [View Report](#)  
[View Supplemental Report 11-29-2018](#)

*A motion was made to include both versions in the packet for full council to consider.*

*There was 1 speaker on this item.*

A motion was made by Lynette McElhaney, seconded by Abel J. Guillén, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 12/11/2018. The motion carried by the following vote:

Aye: 4 - McElhaney, Guillén, Reid, and Campbell Washington

NO VOTE: 0

#### Open Forum (Total Time Available: 15 Minutes)

*3 speakers spoke during Open Forum.*

#### Adjournment

*There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 12:04 p.m.*

#### Americans With Disabilities Act

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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.**