



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

*Rules & Legislation Committee

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

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

Thursday, June 18, 2015

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules And Legislation Committee convened at 11:05 a.m., with Council President Gibson McElhane presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Abel J. Guillén, Dan Kalb, Laurence E. Reid, and Lynette Gibson McElhane

1 Determinations Of Closed Session

[14-1037](#)

Attachments: [View Report.pdf](#)

Special Closed Sessions have been scheduled for the following days: Monday, June 22, 2015; Monday, June 29, 2015; and Tuesday, June 30, 2015

A motion was made by Reid, seconded by Guillén, that this matter be . The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhane

2 Approval Of The Draft Minutes From The Committee Meeting Of June 4, 2015

[14-1038](#)

Attachments: [View Report.pdf](#)

A motion was made by Reid, seconded by Guillén, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhane

3 Determination Of Schedule Of Outstanding Committee Items

[14-1039](#)

Attachments: [View Report.pdf](#)

A motion was made by Reid, seconded by Kalb, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhane

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[14-1040](#)

Attachments: [View Report.pdf](#)

A motion was made by Reid, seconded by Guillén, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

4.1 Subject: Fruitvale Transit Village Phase II
From: Economic Workforce And Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement, A Sixty-Six (66) Year Ground Lease And Related Documents (Collectively "LDDA") Between The City Of Oakland And The Spanish Speaking Unity Council Of Alameda County, Inc. And L & M Development Partners, Inc. For Development Of Mixed-Income Housing Located On APN 033-2177-021 At 35th Avenue And East 12th Street; On The June 22, 2015 Special City Council Agenda
[14-0959](#)

Attachments: [View Report.pdf](#)

[13313 CMS.pdf](#)

:

4.2 Subject: Municipal Code Amendments For Zero Waste Implementation
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 8.28 (“Solid Waste Collection And Disposal And Recycling”), To Implement The Zero Waste System Design And Zero Waste Collection Services Franchise Contracts, By: 1) Establishing A Nuisance Abatement Process To Address Failures To Ensure Proper Handling Of Solid Waste; 2) Restricting Collection Of Commercial Organic Materials To Authorized Collectors; 3) Changing Definitions And Other Provisions To Allow For Regulation Of Commercial Recyclers And Non-Exclusive Franchise Haulers Of Construction And Demolition Debris, And 4) Conforming The New Zero Waste System To The Zero Waste Collection Services Franchises Awarded By City Council, Services To Begin July 1, 2015; And

[14-0961](#)

- Attachments:** [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[13314 CMS.pdf](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

2) An Ordinance Amending Oakland Municipal Code Chapter 15.34 (“Construction And Demolition Debris Waste Reduction And Recycling Requirements”) To Establish A Non-Exclusive Franchise Agreement System For The Hauling Of Such Debris To Become Effective July 1, 2015; And Authorizing The City Administrator To Execute Such Non-Exclusive Franchise Agreements; On The June 22, 2015 Special City Council Agenda

[14-0962](#)

- Attachments:** [View Supplemental Report.pdf](#)
[13315 CMS.pdf](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

4.3 Subject: FY 2015-16 Measure Q Tax Adjustment
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Library Services, In Accordance With The Consumer Price Index, And Pursuant To The Library Services Retention And Enhancement Act Of 2004 (Measure Q); On The June 22, 2015 Special City Council Agenda [14-0970](#)

Attachments: [View Report.pdf](#)
[13316 CMS.pdf](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

4.4 Subject: FY 2015-16 Measure M Tax Adjustment
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Emergency Medical Services, In Accordance With The Consumer Price Index, And Pursuant To The Emergency Medical Services Retention Act Of 1997 (Measure M); On The June 22, 2015 Special City Council Agenda [14-0971](#)

Attachments: [View Report.pdf](#)
[13317 CMS.pdf](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

4.5 Subject: FY 2015-16 Measure N Tax Adjustment
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Paramedic Emergency Services, In Accordance With The Consumer Price Index, And Pursuant To The 1997 Paramedic Services Act (Measure N); On The June 22, 2015 Special City Council Agenda [14-0973](#)

Attachments: [View Report.pdf](#)
[13318 CMS.pdf](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

4.6 Subject: FY 2015-2017 Proposed Policy Budget Presentation
From: Office Of The City Administrator
Recommendation: 1) Receive A Report Presenting The Fiscal Year 2015-2017 Proposed Policy Budget In Accordance With The Consolidated Fiscal Policy; And [14-0844](#)

- Attachments:** [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)

This Informational Report was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

Subject: Council President's Budget Presentation
From: Councilmember Gibson McElhaney
Recommendation: Receive The Council President's Budget Presentation And Amendments Provided By Additional Councilmembers
[14-1099](#)

- Attachments:** [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[Gallo Supplemental Report.pdf](#)
[Brooks Supplemental Report.pdf](#)
[Guillen Supplemental report.pdf](#)
[Noel part 2 Supplemental.pdf](#)
[Kaplan Supplemental Report.pdf](#)
[Council President Supplemental Report.pdf](#)
[Kalb Supplemental Report.pdf](#)
[Response To Council Questions Supplemental Report.pdf](#)
[Council President Supplemental Report.pdf](#)
[Assessment Of Councilmember Budgets.pdf](#)
[Council President Validations in Color.pdf](#)

This Informational Report was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

4.7 Subject: Creating The Department Of Race And Equity
From: Councilmember Desley Brooks
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race And Equity By December 2015, That Will Report Directly To The City Administrator; Establishing Definitions And Implementation Steps Related To A Citywide Strategy Of A Fair And Just City [TITLE CHANGE]
[14-0457](#)

- Attachments:** [View Finance Committee Report.pdf](#)
[View Life Enrichment Committee Report.pdf](#)
[View Finance Supplemental Report.pdf](#)
[View Life Enrichment Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[13319 CMS.pdf](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

4.9 Subject: Amending Ordinance 13238 FY 2014-2015 Master Fee Schedule
From: Revenue Management Bureau
Recommendation: Adopt An Ordinance Amending Ordinance 13238 C.M.S. (The FY 2014-15 Master Fee Schedule, Or "MSF"), To Establish, Modify And Delete Fees And Penalties Assessed By All Offices, Departments, Bureaus, And Agencies Of The City Of Oakland
[14-0923](#)

- Attachments:** [View Report Part A.pdf](#)
[View Report Part B.pdf](#)
[View Report Part C.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[13320 CMS.pdf](#)

This Ordinance was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

- 4.10** Subject: Appropriations Limit For Fiscal Years 2015-2016
From: Finance Department
Recommendation: Adopt A Resolution Establishing As Appropriations Limit For Fiscal Years 2015-2016 Pursuant To Article XIII B Of The California Constitution
[14-0988](#)

Attachments: [View Report.pdf](#)
[85671 CMS.pdf](#)

This City Resolution was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/30/2015

- 4.11** Subject: Adoption Of The FY 2015-2017 Biennial Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The Fiscal Year ("FY") 2015-2017 Biennial Budget And Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget
[14-0925](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85672 CMS.pdf](#)

This Informational Report was Scheduled.to the * Special Meeting of the Oakland City Council to be heard 6/22/2015

- 4.12** Subject: Travel Authorization For Councilmember Guillen
From: Councilmember Abel Guillen
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillen To Travel To Las Vegas, Nevada To Attend The National Association Of Latino Elected Officials 32nd Annual Conference June 17-19, 2015; On The June 22, 2015 Special City Council Agenda
[14-1105](#)

This City Resolution was Withdrawn with No New Date.

4.13 Subject: Oakland Tourism Business Improvement District 2015
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing To Satisfy The Public Meeting Requirement Regarding The Proposed Formation Of An Oakland Tourism Business Improvement District 2015 (OTBID) And Pursuant To California Streets And Highways Code Section 36623 And Government Code Section 54954.6
[14-0748](#)

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

This Informational Report was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015 and July 21, 2015 As Public Hearings

4.14 Subject: Amendments To Truck Routes And Prohibitions In East Oakland
From: Oakland Public Works Department
Recommendation: Adopt An Ordinance Amending Sections 10.52.060, 10.52.070, 10.52.080, And 10.52.120 Of The Oakland Municipal Code (O.M.C.) To Modify The Existing Truck-Prohibited Streets, Through Truck Routes, And Local Truck Routes In East Oakland
[14-1012](#)

Attachments: [View Report.pdf](#)

This Ordinance was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015 as a Public Hearing

4.15 Subject: Assessment Of Liens For Delinquent Real Property Transfer Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[14-1019](#)

Attachments: [View Report.pdf](#)
[85684 CMS.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[14-1020](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[14-1021](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

4.16 Subject: Assessment Of Liens For Delinquent Garbage Fees
From: Finance Department

Recommendation: Conduct A Public Hearing On Delinquent Garbage Fees For July/August/September 2014 Monthly Accounts And October -December 2014 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[14-1022](#)

Attachments: [View Report.pdf](#)

[85685 CMS.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

[14-1023](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[14-1024](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

4.17 Subject: Assessment Of Liens For Delinquent Business Taxes

From: Finance Department

Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or

[14-1025](#)

Attachments: [View Report.pdf](#)

[85686 CMS.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

2) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code; Or

[14-1026](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

3) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection

[14-1027](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

4.18 Subject: Assessment Of Liens For Delinquent Transient Occupancy Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[14-1028](#)

Attachments: [View Report.pdf](#)
[85687 CMS.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code; Or
[14-1029](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
[14-1030](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

- 4.19** Subject: Settlement Agreement - Helmes v. Douglas Parking/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 Priscilla Helmes V. Douglas Parking, LLC, City Of Oakland, Alameda County Superior Court Case No. RG11-598739, In The Amount Of Nineteen Thousand Dollars And No Cents (\$19,000.00) (Public Works Agency - Trip And Fall)
[14-1106](#)

Attachments: [View Report.pdf](#)
[85675 CMS.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

- 4.20** Subject: Settlement Agreement - Claim Of Jerome Matthews
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Jerome Matthews (Claim No. C30225), In The Amount Of Ten Thousand And No Cents Dollars (\$10,000.00) Payable To Jerome Matthew (Oakland Public Works - Dangerous Condition/Streets)
[14-1107](#)

Attachments: [View Report.pdf](#)
[85676 CMS.pdf](#)

This City Resolution was Scheduled.to the Meeting of the Oakland City Council to be heard 7/7/2015

- 5** A Review Of The Draft Agendas For The Special City Council Meeting Of June 30, 2015 And The Rules And Legislation Committee Of July 2, 2015
[14-1041](#)

Attachments: [View Report.pdf](#)

A motion was made by Reid, seconded by Guillén, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 4 - Guillén, Kalb, Reid, and Gibson McElhaney

Open Forum (Total Time Available: 15 Minutes)

There was 1 Open Forum speaker.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 11:33 p.m.

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 48 hours 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.**