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 - FINAL

*Rules & Legislation Committee

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

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

Thursday, November 17, 2016 | **10:45 AM** | **City Council Chamber, 3rd Floor**

Roll Call / Call To Order

The Oakland City Council Rules and Legislation Committee convened at 10:54 a.m. with President Pro Tempore Reid presiding as Chairperson.

Excused 1 - Lynette Gibson McElhaney

Present 3 - Abel J. Guillén, Dan Kalb, and Laurence E. Reid

1 Determinations Of Closed Session

16-0377

Attachments: View Report

There will be a special closed session scheduled for November 29, 2016 at 2:30 p.m.

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

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

2 Approval Of The Draft Minutes From The Committee Meeting Of October 27, 2016

16-0378

These minutes will be provided for approval at the following Rules and Legislation Committee meeting.

3 Determination Of Schedule Of Outstanding Committee Items

16-0379

Attachments: View Report

Staff noted one change to the pending list: item scheduled for December 1, 2016 regarding informational report about state and federal legislative activities be moved to December 8, 2016.

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

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

Subject: 2016 State And Federal Legislative Activities & Proposed 2017 Legislative Priorities
From: Office Of The Mayor
Recommendation: Receive The Attached Informational Report That Summarizes The City's Legislative Efforts In 2016 And Proposes The Legislative Agenda For 2017
16-0344

Sponsors: Office Of The City Administrator

Attachments: View Report
View Supplemental Report

This be Rescheduled.to go before the *Rules & Legislation Committee to be heard 12/8/2016

4 Determination Of Schedule Of Outstanding Committee Items
16-0305

There were 6 speakers on this item.

A motion was made by Abel J. Guillén, seconded by Dan Kalb, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

4.1 Subject: 285 And 301 12th Street Appeal
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Consider A Resolution Denying The Appeals Of Oakland Residents For Responsible Development And The W12 Benefits Coalition, And Thus Upholding The Planning Commission's Approval Of A Proposal To Construct 416 Dwelling Units Over Approximately 26,200 Square Feet Of Retail Located At 285 And 301 12TH Street, Oakland CA (Project Case No. PLN16133), Including Adopting CEQA Exemptions (15183 & 15183.3) And An Addendum (Relying On The Previously Certified 2014 Lake Merritt Station Area Plan EIR)
16-0409

Sponsors: Planning & Building Department

Attachments: View Report
View Supplemental Report
86503 C.M.S.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

4.2 Subject: OPIC Prompt Payment Settlement
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing And Directing The City Administrator To Settle A Payment Dispute With The Oakland Private Industry Council, Inc., Under The Prompt Payment Ordinance For $150,000
16-0424

Sponsors: Economic & Workforce Development Department

Attachments: View Report

City Attorney noted a title change to be as follows: "Adopt A Resolution Authorizing And Directing The City Administrator To Settle A Payment Dispute With The Oakland Private Industry Council, Under The Prompt Payment Ordinance For $150,000"

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

4.3 Subject: Reaffirming That Oakland Is A City Of Refuge For Immigrants
From: Vice Mayor Campbell Washington, Councilmemembers Gallo, Guillen And Pro Tempore Reid
Recommendation: Adopt A Resolution Denouncing Tactics Used To Intimidate Immigrants Residing In Oakland And Re-Affirming The City's Declaration As A City Of Refuge
16-0440

Sponsors: Campbell Washington, Gallo and Mr. Reid

Attachments: View Report
View Supplemental Report
86498 C.M.S.

Councilmember Kalb requested to place this item on the non-consent portion of the 11/29/2016 Special City Council agenda.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

4.4 Subject: Side Letter with IAFF Regarding Hazardous Materials Pay
From: Employee Relations Department
Recommendation: Adopt A Resolution Approving A Side Letter With The International Association Of Fire Fighters (IAFF), Local 55 Regarding Incentive Pay For Bargaining Members Who Have Completed A Fire Department Approved Hazardous Materials Certification Program And Are Assigned To Work At Fire Station 3
16-0414

Sponsors: Human Resources Management Department

Attachments: View Report
86479 CMS

Staff confirmed that this item be placed on the consent portion of the 11/29/2016 Special City Council agenda.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

4.5 Subject: Side Letter With SEIU Regarding Library Holiday Hours
From: Employee Relations Department
Recommendation: Adopt A Resolution To Implement The Terms Of A Side Letter Agreement Between The City Of Oakland And SEIU 1021, To Modify Article 11.2 - Christmas Eve And New Years' Eve Of The Current Labor Agreement
16-0415

Sponsors: Human Resources Management Department

Attachments: View Report
86480 CMS

Staff confirmed that this item be placed on the consent portion of the 11/29/2016 Special City Council agenda.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

4.6 Subject: One Year Extension Of The Declaration Of A Shelter Crisis In The City Of Oakland Under California Government Code 8698.
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Granting A One Year Extension Of Ordinance No. 13348 C.M.S. Declaring A Shelter Crisis In The City Of Oakland, Making Findings That A Significant Number Of Persons Are Without The Ability To Obtain Shelter, And That The Situation Has Resulted In A Threat To The Health And Safety Of Those Persons And Suspending Planning, Zoning, And Other Permit Requirements For Additional Homeless Shelters If Needed And Subject To Further Council Approval
16-0411

Sponsors: Office Of The City Administrator

Staff from Administration stated that this item is bypassing the committee meeting due to the fact that it has been previously brought before the Council and this request is an extension of that discussion.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/13/2016

4.7 Subject: Parks And Recreation Management Software Agreement
From: Office Of The City Adminstrator
Recommendation: Adopt A Resolution Authorizing the City Administrator To Enter Into An Agreement With PerfectMind, INC. To Provide Implementation, Training, And On-Going Support Of The PerfectMind Cloud-Based Parks and Recreation Software For A One-Time Amount Of $114,500 Plus Travel Costs And $74,048 Annually For A Not To Exceed Amount of $535,000 Over a Five Year Period
16-0430

Sponsors: Office Of The City Administrator

Attachments: View Report
86515 CMS

This City Resolution be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/6/2016

4.8 Subject: PFRS Investment Portfolio As Of September 30, 2016
From: Finance Department / Treasury Bureau / Retirement Systems
Recommendation: Receive An An Informational Report On The Oakland Police And Fire Retirement System ("PFRS") Investment Portfolio As Of September 30, 2016 And Actuarial Valuation As Of July 1, 2016.
16-0405

Sponsors: Finance Department

Attachments: View Report

This Informational Report be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/6/2016

4.9 Subject: General Obligation Bonds, Series 2017C Measure DD
From: Treasury Bureau
Recommendation: Adopt A Resolution Approving The Issuance And Sale Of Not To Exceed $27,500,000 Aggregate Principal Amount Of City Of Oakland General Obligation Bonds (Series 2017C, Measure DD); Prescribing The Terms Of Sale Of Said Bonds; Approving The Form Of And Authorizing The Execution And Delivery Of A Fiscal Agent Agreement, Continuing Disclosure Certificate And Official Notice Of Sale; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing The Execution And Delivery Of An Official Statement; And Authorizing Necessary Actions Related Thereto
16-0407

Sponsors: Office Of The City Administrator

Attachments: View Report
86548 CMS

This City Resolution be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/6/2016

4.10 Subject: City Auditor's Update
From: Office Of The City Auditor
Recommendation: Receive An Informational Report Of City Auditor's Office Projects And Staffing For The Year 2016
16-0404

Sponsors: Office Of The City Auditor

Attachments: View Supplemental Report

This Informational Report be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/6/2016

4.11 Subject: Measure DD Series 2017C Bond Sale
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The: (1) Allocation And Appropriation Of $27,500,000 Of Measure DD Bond Series 2017C, And (2) Authorize City Administrator, Or The City Administrator's Designee, To Make Final Adjustments To The Allocations Of Measure DD Series 2017C Bond Proceeds As The City Administrator Deems Necessary For The Timely Completion Of Measure DD Projects
16-0406

Sponsors: Oakland Public Works Department

Attachments: View Report
View Supplemental Report
86516 CMS

Staff requested that items 4.9 and 4.11 on this agenda be placed on the Special Finance and Management Committee meeting scheduled for 12/06/2016 as separate items, but consecutively.

This City Resolution be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/6/2016

4.12 Subject: Final Map For Tract No. 7877 At 466 37th Street
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving A Final Map For Tract No. 7877 Located At 466 37th Street For Conversion Of Eight Rental Housing Units To Condominium Ownership For Mosswood Builders, LLC, A California Limited Liability Company
16-0444

Sponsors: Oakland Public Works Department

Attachments: View Report
View Supplemental Report
View Supplemental Report
86547 CMS

Staff requested to strike from the title: "(Collectively, The "Subdividers").

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/6/2016

4.13 Subject: 2014 ATP Cycle 1: Safe Routes To School (SR2S)
From: Transportation Services Division
Recommendation: Adopt A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors Inc. For 2014 Active Transportation Program (ATP) Cycle 1: Safe Routes To School (SR2S), Project No. C490710, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of One Million Two Hundred And Seventeen Thousand Four Hundred And Eight Dollars ($1,217,408)
16-0445

Sponsors: Transportation Department

Attachments: View Report
86522 CMS

Staff requested a title change to read as follows: "Adopt A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors Inc. For 2014 Active Transportation Program (ATP) Cycle 1: Safe Routes To School, Project No. C490710, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of One Million Two Hundred And Seventeen Thousand Four Hundred And Eight Dollars ($1,217,408)"

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/6/2016

4.14 Subject: Rehabilitation Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt The Follow Pieces Of Legislation:

1. A Resolution Awarding A Construction Contract To Andes Construction Inc., The Lowest Responsive, Responsible Bidder, For The On-Call Sanitary Sewers Emergency Projects FY 2016-17 (Project No. C455640) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Five Hundred Forty-Three Thousand Two Hundred Eighty Dollars ($1,543,280.00); And
16-0441

Sponsors: Oakland Public Works Department

Attachments: View Report
86518 CMS

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/6/2016

2. A Resolution Awarding A Construction Contract To Pacific Trenchless Inc., The Lowest Responsive, Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In Various Locations (Project C329136) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Six Hundred Seventy-Eight Thousand Four Hundred Forty-Five Dollars ($678,445.00); And
16-0442

Sponsors: Oakland Public Works Department

Attachments: 86519 CMS

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/6/2016

3. A Resolution Awarding A Construction Contract To Pacific Trenchless Inc., The Lowest Responsive, Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In The Area Bounded By 23RD Avenue, International Boulevard, 26TH Avenue, And E. 12TH Street (Project C482950) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Seven Hundred Eighty-Seven Thousand Two Hundred Eighty-Seven Dollars ($1,787,287.00)
16-0443

Sponsors: Oakland Public Works Department

Attachments: 86520 CMS

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/6/2016

4.15 Subject: Lease Of 5050 Coliseum Way And 750 50th Avenue
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute A Lease For Properties Located At 5050 Coliseum Way And 750 50th Avenue With Dodg Corporation For Use By The City's Public Works Department For A Term Of Ten (10) Years, With Five, Three-Year Options To Extend The Lease, For The Monthly Rental Amount Of Forty-Three Thousand Dollars ($43,000), Equal To An Initial Aggregate Annual Amount Of Five Hundred Sixteen Thousand Dollars ($516,000), Plus Consumer Price Index Increases Each Annual Anniversary Date Not To Exceed Five Percent Per Year; And Making Certain California Environmental Quality Act Exemption Findings
16-0419

Sponsors: Economic & Workforce Development Department

Attachments: View Report

Staff noted title change as follows: " Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute A Lease For Properties Located At 5050 Coliseum Way And 750 50th Avenue With Dodg Corporation For Use By The City's Public Works Department For A Term Of Ten (10) Years, With Five, Three-Year Options To Extend The Lease, For The Monthly Rental Amount Of Forty-Three Thousand Dollars ($43,000), Equal To An Initial Aggregate Annual Amount Of Five Hundred Sixteen Thousand Dollars ($516,000), Plus Consumer Price Indexes Each Annual Anniversary Date Not To Exceed 5% Per Year And Making Certain California Environmental Quality Act Exemption Findings"

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.16 Subject: Disposition & Development Agreement - 7th & Campbell (OAW)
From: Housing and Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1. Adopt An Ordinance Authorizing A Disposition And Development Agreement With Oakland And The World Enterprises, Inc. And/Or An Affiliated Entity, For The Sale Of Property At 7th Street And Campbell Street For Development As A Mixed Use Affordable Housing Development, And Making California Environmental Quality Act (CEQA) Findings For This Action And,
16-0426

Sponsors: Housing And Community Development Department

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

(2) A Resolution Appropriating Up To $32,016 In License Fees From A License Agreement Of Property Located At 7th And Campbell From The Low And Moderate Income Housing Asset Fund For Expenditures Related To The Property And The Project
16-0427

Sponsors: Economic & Workforce Development Department

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.17 Subject: Brooklyn Basin Affordable Housing Parcel Swap
From: Housing And Community Development Department
Recommendation: Adopt An Ordinance (1) Authorizing The City To Acquire Project Parcel A For Affordable Housing Development At The Brooklyn Basin Project From Zarsion-OHP I, LLC, In Exchange For Project Parcel G, (2) Authorizing An Amendment To The Cooperation Agreement With The Oak To Ninth Community Benefits Coalition To Reflect The Exchange, And (3) Amending Resolution No. 84349 C.M.S. To Terminate The City's Put Option Providing For The Optional Resale Of The Affordable Housing Parcels Back To Zarsion-OHP I
16-0431

Sponsors: Housing And Community Development Department

Attachments: View Report

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.18 Subject: Public Space Maintenance Services Contracts
From: Economic and Workforce Development Department
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding Requirements And Authorizing The City Administrator To Negotiate And Enter Into The Following Proposed Contracts For Maintenance Services: (1) A Contract Or Contracts With The Lake Merritt-Uptown District Association For Maintenance Of (a) The BART 17th Street Gateway Entrance To The 19th Street BART Station Fronting Broadway And Telegraph Avenue Between 17th And 19th Streets And (b) The Property Located At 1911 Telegraph Avenue, In An Amount Not To exceed $24,950 For Each Of The Uptown Sites, And (2) A Contract With The Downtown Oakland Association For Maintenance Of The Civic Center T-5/6 Parcels Located On The Block Bounded By Broadway, 11th Street, 12th Street And Clay Street In An Amount Not To Exceed $24,950
16-0423

Sponsors: Economic & Workforce Development Department

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.19 Subject: Oakland Tourism BID Annual Report Approval
From: Economic and Workforce Development Department
Recommendation: Adopt A Resolution A) Approving The Fiscal Year 2015-2016 Annual Report Of The Oakland Tourism Business Improvement District 2015 Owners' Association ("Visit Oakland"), And B) Confirming The Continuing Annual Assessment For The Oakland Tourism Business Improvement District 2015 ("OTBID") For Fiscal Year 2016-2017
16-0421

Sponsors: Economic & Workforce Development Department

Attachments: View Report
86524 CMS

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.20 Subject: Army Base Northeast Gateway Construction Related Air Quality
From: Planning And Building Department
Recommendation: Receive An Informational Report On The Construction -Related Air Quality Plan Prepared By Prologis And Approved By The City Administrator For The Northeast Gateway Site Of The Oakland Army Base Redevelopment Project
16-0446

Sponsors: Planning & Building Department

Attachments: View Report

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.21 Subject: Proposed Sale Of Real Property 822 Washington Street
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The ORSA Administrator Or Designee To Negotiate And Execute A Purchase And Sale Agreement And Related Documents Between The Oakland Redevelopment Successor Agency And 11 West Partners, Or A Legal Entity Affiliated With 11 West Partners, For The Sale Of 822 Washington Street, Oakland, CA 94607 For Not Less Than One Million Eight Hundred Thousand Dollars ($1,800,000), In A Form And Content Substantially In Conformance With The Term Sheet; And To Make Certain California Environmental Quality Act Exemption Findings
16-0422

Sponsors: Economic & Workforce Development Department

Attachments: View Report
View Supplemental Report
2016-011 CMS

Staff noted title change to read as follows: "Adopt A Resolution Authorizing The Successor Agency Administrator To Negotiate And Execute A Purchase And Sale Agreement And Related Documents Between ORSA And 11 West Partners, Or A Legal Entity Affiliated With 11 West Partners, For The Sale Of 822 Washington Street, Oakland, Ca 94607 (APN 1-201-10) For Not Less Than One Million Eight Hundred Thousand Dollars ($1,800,000), In A Form And Content To Substantial Conformance With The Term Sheet"

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.22 Subject: License Agreement For Use Of Building L-118 At Oakland International Airport
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute An Amendment To A License And Concession Agreement With The Port Of Oakland For The City's Use Of Port Building L-118 At The Oakland Airport For Office Use And Maintenance Of City Helicopters: (1) Extending The Agreement By Five Years, With Five (5) One Year Options; And (2) Setting Rent At Sixteen Thousand Four Hundred Seventeen Dollars And Five Cents ($16,417.05) Monthly, Such Rent To Be Offset By The Equivalent Value Of Services Provided By The Oakland Police Department At The Airport; And Making Certain California Environmental Quality Act Exemptions
16-0420

Sponsors: Economic & Workforce Development Department

Attachments: View Report

Staff requested a title change to read as follows: "Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute A Five-Year License Agreement, With Five One-Year Renewal Options, With the Port of Oakland For Use of Real Property Located At Port Building L-118, North Concord, Oakland International Airport, For The City's Use As An Office And For The Operation, Storage And Maintenance Of City Helicopters, And Reasonable Related Uses, For The Monthly Rental Amount of $16,417.05 Equal To An Annual Aggregate Amount Of $197,005 And Making Certain California Environmental Quality Act Exemption Findings"

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.23 Subject: George P. Scotlan Convention Center Management Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Ten-Year Agreement, With A Five-Year Extension Option, With Integrated Services Corporation, Inc. For Management And Operation Of The George P. Scotlan Memorial Convention Center For An Annual Base Fee Not To Exceed $150,000, Plus An Incentive Fee Not To Exceed (A) Ten Percent Of Net Revenue Less Than $500,000 And (B) Twenty Percent Of Net Revenue Above $500,000, Such Agreement To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Attachment A; And (2) Adopting California Environmental Quality Act (CEQA) Exemption Findings Pursuant To CEQA Guidelines Section 15301.
16-0418

Sponsors: Economic & Workforce Development Department

Attachments: View Report
86525 CMS

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.24 Subject: Appropriation Of Additional Funding for the Oakland Private Industry Council
From: Economic and Workforce Development Department
Recommendation: Adopt A Resolution Amending Resolution No. 86253 C.M.S., Which Adopted The Fiscal Year 2016-17 Workforce Development Budget And Authorized Workforce Service Provider Contracts, To Appropriate An Additional $132,597 In Workforce Innovation And Opportunity Act Funds To Rapid Response, And To Allocate $64,771 Of Said Funds To The Oakland Private Industry Council, Inc.
16-0432

Sponsors: Economic & Workforce Development Department

Attachments: View Report
86526 CMS

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

4.25 Subject: Library Grant From The Kenneth Rainin Foundation
From: Oakland Public Library
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds From The Kenneth Rainin Foundation In The Amount Of $55,000 For The Period January 1, 2017 To December 31, 2017 For The Purchase Of Books For The Oakland Public Library's Children's Literacy Programming Fund
16-0410

Sponsors: Oakland Public Library

Attachments: View Report
86528 CMS

This City Resolution be Scheduled.to go before the *Special Life Enrichment Committee to be heard 12/6/2016

4.26 Subject: (AC-OCAP) Annual Report And 2017 CSBG Contract
From: Human Services Department
Recommendation: Take The Following Actions

1. Receive An Annual Report From Alameda County-Oakland Community Action Partnership (AC-OCAP) And,
16-0428

Sponsors: Human Services Department

Attachments: View Report

This Informational Report be Scheduled.to go before the *Special Life Enrichment Committee to be heard 12/6/2016

2. Adopt A Resolution 1.) Authorizing The City Administrator To Accept And Allocate A Renewal Grant In The Amount Of $1,347,798 In Anti-Poverty Community Services Block Grant (CSBG) Funds For 2017 From The California Department Of Community Services And Development (CSD); 2.) Authorizing The City Administrator To Accept Additional Grant Funds From CSD For The Same Purpose Within The 2017 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 $91,981
16-0429

Sponsors: Human Services Department

Attachments: View Report
86527 CMS

This City Resolution be Scheduled.to go before the *Special Life Enrichment Committee to be heard 12/6/2016

4.27 Subject: Oakland Children Smoking Prevention And Tobacco Control Ordinance
From: Vice Mayor Campbell Washington
Recommendation: Adopt An Ordinance Restricting Sales Of Flavored Non-Cigarette Tobacco Products, Establishing A Minimum Package Or Volume Size For Tobacco And/Or Electronic Nicotine Delivery Devices (ENDD), Eliminating The Sale Of Individual Or Small Unit Packages Of Tobacco And/Or ENDD Products, Establishing A Minimum Retail Sales Price For Cigarettes And Other Tobacco Products And Amending Section 5.91.030 Of The Oakland Municipal Code To Establish That No Tobacco Retail Licenses Shall Be Issued To A Pharmacy Or Store Containing A Pharmacy In The City Of Oakland
16-0413

Sponsors: Campbell Washington

President Pro Tempore Reid requested to be associated with this item.

This Ordinance be Scheduled.to go before the *Special Life Enrichment Committee to be heard 1/10/2017

4.28 Subject: Healthy Vending Ordinance
From: Vice Mayor Campbell Washington
Recommendation: Adopt An Ordinance Setting Nutritional Standards For Food And Beverages Sold In Vending Machines On City Property Or Served At City Meetings And Events
16-0412

Sponsors: Campbell Washington

Staff requested a title change to read as follows: "Adopt An Ordinance Requiring That Prepackaged Food And Beverages Sold In Vending Machines On City Property Meet Specified Nutirtional Standards, Requesting City Departments To Make Best Efforts To Meet Nutritional Guidelines For Food And Beverages Purchased With City Funds And Served At City Events And Meetings, And Encouraging Restaurants, Cafeterias and Concessions Located On City Property Offer Healthy Food Options"

This Ordinance be Scheduled.to go before the *Special Life Enrichment Committee to be heard 1/10/2017

4.29 Subject: FY 2016-17 Cultural Funding Grants
From: Economic and Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Seventy-One (71) Cultural Services Grant Agreements To Sixty-Four (64) Oakland-Based Individual Artists And Nonprofit Organizations Providing Arts And Cultural Services In Oakland During The Fiscal Year 2016-17, In A Total Amount Not To Exceed $996,452
16-0425

Sponsors: Economic & Workforce Development Department

Attachments: View Report

This City Resolution be Scheduled.to go before the *Special Life Enrichment Committee to be heard 12/6/2016

4.30 Subject: Informational Presentation From Berkeley Film Foundation
From: Vice Mayor Campbell Washington
Recommendation: Receive An Informational Presentation From Berkeley Film Foundation Regarding The Work Of The Foundation And Its Funding Of Oakland-Based Films And Filmmakers
16-0439

Sponsors: Campbell Washington

Attachments: View Report

This Informational Report be Scheduled.to go before the *Special Life Enrichment Committee to be heard 12/6/2016

4.31 Subject: Citizens Options For Safety Grant FY16-17
From: Oakland Police Depertment
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year 2016 State Of California "Citizens Options For Public Safety" (State COPS Grant XIX) Allocation In The Amount Of Six Hundred Fifty-One Thousand Two Hundred Twenty-One Dollars ($651,221), For The Oakland Police Department (OPD), To Be Used For The Purchase Of A Video Recording System And Body Worn Cameras
16-0433

Sponsors: Oakland Police Department

Attachments: View Report
86530 CMS

This City Resolution be Scheduled.to go before the *Special Public Safety Committee to be heard 12/6/2016

4.32 Subject: 2016 USDOJ/COPS Grant Acceptance
From: Oakland Police Deprtment
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, On Behalf Of The City Of Oakland To: (1) Accept And Appropriate Grant Funds In An Amount Not To Exceed One Million Eight Hundred Seventy-Five Thousand Dollars ($1,875,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS) To Fund The Entry-Level Salary And Fringe Benefits Costs Of Fifteen (15) Full-Time Equivalent (FTE) Police Officers And Appropriate The Funds To The Oakland Police Department (OPD); (2) Authorize An Appropriation Of Nine Million Four Hundred Ninety-Three Thousand Four Hundred Thirty-Four Dollars ($9,493,434) To Cover The Local Match Requirement; And (3) Authorize The General Purpose Fund To Subsidize The Central Services Overhead Costs Of Nine Hundred Fourteen Thousand Two Hundred Sixty Two Dollars ($914,262) For A Total City Of Oakland Contribution Of Ten Million Four Hundred Seven Thousand Six Hundred Ninety-Six Dollars ($10,407,696) And A Total Program Cost Not To Exceed Twelve Million, Two Hundred Eighty Two Thousand Six Hundred Ninety Six Dollars $12,282,696.
16-0434

Sponsors: Oakland Police Department

Attachments: View Report
86546 CMS

This City Resolution be Scheduled.to go before the *Special Public Safety Committee to be heard 12/6/2016

4.33 Subject: (CFRTA) Funds For Urban Search And Rescue Mobilization Exercise
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept, And Appropriate Funds From The State Of California Fire And Rescue Training Authority (CFRTA) To The Oakland Fire Department In The Amount Of One-Hundred Thousand Dollars ($100,000) For A Scheduled Mobilization Exercise To Meet Personnel And Supply Expenses For The Training Of The Oakland Fire Department's Urban Search And Rescue (US&R) Team
16-0416

Sponsors: Oakland Fire Department and

Attachments: View Report
86531 CMS

This City Resolution be Scheduled.to go before the *Special Public Safety Committee to be heard 12/6/2016

4.34 Subject: OPD 2016 DNA Backlog Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Three Hundred Twelve Thousand And Two Hundred And Forty-One Dollars ($312,241) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2016 Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program In The Oakland Police Department; And 2) Waiving The Advertising And Competitive Bidding Requirements For The Purchase Of DNA Typing Supplies From Two Companies: (1) Promega For Thirty-Four Thousand Two Hundred Twenty-Four Dollars ($34,224), And (2) Qiagen For One Thousand Five Hundred Eight-Seven Dollars ($1,587).
16-0408

Sponsors: Oakland Police Department

Attachments: View Report
86532 CMS

This City Resolution be Scheduled.to go before the *Special Public Safety Committee to be heard 12/6/2016

4.35 Subject: Resolution In Support Of Overturning Proposition 209
From: Councilmember Kaplan And President Gibson McElhaney
Recommendation: Adopt A Resolution Calling On The State Of California To Overturn Proposition 209, A Ballot Initiative That Prevents The City Of Oakland And Other California Public Agencies From Remedying Discrimination
16-0417

Sponsors: Kaplan and Gibson McElhaney

Attachments: View Report
View Report
86536 CMS

Staff from Councilmember Kaplan's office requested to have Council President Gibson McElhaney to be added as a co-sponsor to this item.

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 12/8/2016

4.36 Subject: Annexation Of The Kenilworth Road Development
From: Geologic Hazard Abatement District (GHAD)
Recommendation: Take The Following Actions:
1.) Accept The Petition For Annexation Of The Kenilworth Property Into The Existing Oakland Area Geologic Hazard Abatement District ("GHAD"); And
2.) Accept The Draft Kenilworth Property Plan Of Control (November 15, 2016); And
16-0435

Attachments: View Report

The City Clerk clarified that item 4.36 also intends to call for a Special Meeting of GHAD to be held concurrent with the Special ORSA/City Council Meeting of November 29, 2016 to hear the items of 4.36.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

3) Adopt Resolution No. 14 To Do The Following: (A) Conduct A Public Hearing 20 Days After Notice Is Sent To Property Owners Within The Territory Requesting The Annexation To Consider The Proposed Annexation Of Territory Into The Existing Oakland Area GHAD And The Draft Plan Of Control, And Hear Any Written Objections Thereto; And (B) DIRECT The Oakland Area GHAD Clerk, Or Their Designee, To Mail, By First Class Mail, A Written Notice Of The Hearing To Consider The Proposed Annexation And The Draft Plan Of Control To Each Owner Of Real Property As Required By GHAD Law.
16-0438

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

Items Submitted On The Dais

S1 Subject: Ordinance To Encourage And Incentivize The Development Of Worker-Owned Businesses In The City Of Oakland
From: Vice Mayor Campbell-Washington, Councilmember Kalb and Councilmember Kaplan
Recommendation: Adopt An Ordinance Adding Chapters 2.44, Worker Cooperatives Incentives For Growth Ordinance; Chapter 2.45, Worker Cooperative Support Program; And Chapter 2.46, Business Succession Planning Opportunity And Outreach Tracking, To The Oakland Municipal Code To Establish Incentives, Support And Planning To Encourage And Incentivize The Development Of Worker-Owned Businesses In The City Of Oakland And Provide Financial Assistance, And Amending Oakland Municipal Code Chapter 2.04, Purchasing System To Establish Worker Cooperative Preferences In Contracting And Chapter 5.02, Business Permits Generally, To Establish Worker Cooperative Business Tax And Permit Requirements
16-0454

This City Resolution be Scheduled.to go before the *Community & Economic Development Committee to be heard 1/10/2017

S2 Subject: Request To Lease Commercial Refuse Compactor Truck
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: (1) Waive Advertising And Competitive Bidding And Negotiate And Execute A One-Year Lease Service Contract With New Way, Inc. In An Amount Not To Exceed One Hundred Thousand Dollars ($100,000.00) For The Lease Of One Refuse Compactor (Packer) Truck For The Keep Oakland Clean And Beautiful Division To Support Illegal Dumping Removal Using Fund Balance; With Two Additional One-Year Contract Extensions If Needed In An Amount Not To Exceed One Hundred Thousand Dollars ($100,000.00) Per Year, Without Returning To Council; And (2) Appropriate One Hundred Thousand Dollars ($100,000.00) Per Year In Fiscal Year 2016-17 And FY 2017-18 From Fund 1720 Comprehensive Clean-Up Fund Balance To Fund The Lease Agreement And Operational Costs
16-0453

Attachments: View Report
86523 CMS

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/6/2016

S3 Subject: Resolution Calling For Reform To Abolish The Electoral College, Address Congressional Gerrymandering, And Eliminate Barriers To Voting
From: Councilmember Kalb And Kaplan
Recommendation: Adopt A Resolution (1) In Support Of Senator Barbara Boxer's Bill To Abolish The Electoral College and (2) Directing The City Administrator And City Lobbyist To Work With All Relevant State And Federal Elected Officials To (A) Develop And Ratify An Amendment To The United States Constitution To Replace The Electoral College With A National Popular Vote For President Of The United States Or, Alternatively, To Approve The National Popular Vote Interstate Compact, (B) Address Gerrymandering In Congressional Apportionment By Requiring Redistricting Reform, Such As By Having Independent State Redistricting Commissions Conduct Redistricting Instead Of State Legislatures, And (C) Eliminate Barriers To Voting.
16-0449

Sponsors: Kalb and Kaplan

Attachments: View Report
View Supplemental Report
View Supplemental Report
View Supplemental Report
86521 CMS

Councilmember Kalb requested to add Councilmember Kaplan as a co-sponsor with this item.

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 12/8/2016

S4 Subject: Resolution Honoring Key Source International (KSI)
From: President Pro Tem Reid
Recommendation: Adopt A Resolution Honoring Key Source International (KSI) For Receiving A National Innovation Award Sponsored By The American Hospital Association
16-0452

Attachments: View Report

It was clarified that this item will be placed on the ceremonial portion of the agenda for the Special City Council meeting on 11/29/2016.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

S5 Subject: Settlement Of City Of Oakland V. Clarence W. Payne, Jr., Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Amending And Correcting The Title Of Resolution No. 86470, Passed November 14, 2016, Which Authorized And Directed The City Attorney To Compromise And Settle The Case Of City Of Oakland V. Clarence W. Payne, Jr., Et Al., Alameda County Superior Court No. 784459-1, To Clarify The Correct Settlement Amount Is Twenty-Five Thousand Dollars ($25,000.00)
16-0450

Attachments: View Report

86478 CMS

City Clerk read into the record a clarified title and it should read as follows: "Adopt A Resolution Amending And Correcting The Title Of Resolution No. 86470, Passed November 14, 2016, Which Authorized And Directed The City Attorney To Compromise And Settle The Case Of City Of Oakland V. Clarence W. Payne, Jr., Et Al., Alameda County Superior Court No. 784459-1, To Clarify The Correct Settlement Amount Is Twenty-Five Thousand Dollars ($25,000.00)"

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

S6 Subject: Ordinance Amending Vehicular Food Vending Program
From: President Pro Tem Reid
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt An Ordinance Amending Oakland Municipal Code Chapters 8.09, Vehicular Food Vending, And 5.49, Pushcart Food Vending Pilot Program, To Permit Vehicular Food Vending On Private Property And Within The Public Right-Of-Way On 85th Avenue Between Edes Avenue And San Leandro Boulevard And Make Related Administrative Changes, And Adopting California Environmental Quality Act CEQA Exemption Findings
16-0451

Attachments: View Report

View Supplemental Report

Staff requested that this item be added also onto the 12/13/16 Special City Council Agenda as a Public Hearing.

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 12/6/2016

5 A Review Of The Council Committees Actions From November 15, 2016 And Determination Of Scheduling To The City Council Meeting Of November 29, 2016
16-0380

Attachments: View Report

Councilmember Kalb stated that for Special Finance and Management Committee meeting for item 12 the Port of Oakland presentation of their financial briefing to the committee was a side note.

A motion was made by Dan Kalb, seconded by Abel J. Guillén, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

Subject: 12th Street Remainder Parcel DDA
From: Economic And Workforce Development
Recommendation: Adopt An Ordinance: (1) Amending The Term Sheet For The Disposition And Development Agreement For The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue Previously Approved By Ordinance No. 13382 C.M.S. To Identify The Developer As Lakehouse Development Partners, LLC (Or Its Related Entities Or Affiliates) And Lakehouse Commons Affordable Housing, LP (Or Its Related Entities Or Affiliates); And (2) Authorizing The City Administrator, Without Returning To The City Council, To Negotiate And Execute Such Disposition And Development Agreement And Related Documents Between The City Of Oakland And Such Developer Entities, All Of The Foregoing Documents To Be In A Form Andcontent Substantially In Conformance With The Amended Term Sheet Attached As Exhibit A
16-0346

Sponsors: Economic & Workforce Development Department

Attachments: View Report
View Supplemental Report

Staff requested to forward item 6from the Special Community and Economic Development Committee meeting of 11/15/2016 regarding 12th Street Remainder Parcel DDA directly to the non-consent portion of the Special City Council meeting on 11/29/2016 because the committee lost quorum.

This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 11/29/2016

6 Review Of The Draft Agenda For The Special Council Meeting Of November 29, 2016 And December 1, 2016 Rules And Legislation Committee
16-0381

Attachments: View Report

Staff requested title change for item 9.4 on the 11/29/2016 City Council agenda to read as follows: "1) An Ordinance Authorizing The Implementation Of A Community Choice Program Within The Corporate Boundaries Of The City Of Oakland To Become Effective Thirty Days Following The Final Passage Of The Ordinance; And
2) Adopt A Resolution Approving The East Bay Community Energy Authority Joint Powers Agreement And Authorize The City Administrator To Execute The East Bay Community Energy Authority Joint Powers Agreement; And Adopting California Environmental Quality Act (CEQA) Exemption Findings"

City Clerk clarified that the items 3 and 4 on the Rules and Legislative Committee agenda for December 1, 2016 had a typografical error and a revised agenda was passed out on the dais. Item number 3 should be the Determination of Schedule of Outstanding Committee Items.

A motion was made by Abel J. Guillén, seconded by Dan Kalb, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - Gibson McElhaney

Aye: 3 - Guillén, Kalb, and Reid

Open Forum (Total Time Available: 15 Minutes)

There were 3 speakers on 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 12:19 p.m.

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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.**