



# 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, October 12, 2017

10:45 AM

City Council Chamber, 3rd Floor

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**The Oakland City Council Rules And Legislation Committee convened at 10:54 a.m.,  
with Council President Reid presiding as Chairperson.**

**Excused** 1 - Lynette McElhaney

**Present** 3 - Abel J. Guillén, Laurence E. Reid, and Annie Campbell Washington

**1** Determinations Of Closed Session

[17-0179](#)

*There will be a Special closed Session On October 17, 2017 at 2:30 p.m.*

**This Report and Recommendation be Accepted.**

**Excused:** 1 - McElhaney

**Aye:** 3 - Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

**2** Approval Of The Draft Minutes From The Committee Meeting Of September 28, 2017

[17-0180](#)

**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:**

**Excused:** 1 - McElhaney

**Aye:** 3 - Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

**3** Determination Of Schedule Of Outstanding Committee Items

[17-0181](#)

**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:**

**Excused:** 1 - McElhaney

**Aye:** 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day  
[17-0182](#)

**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:**

**Excused:** 1 - McElhanev

**Aye:** 3 - Guillén, Reid, and Campbell Washington

NO VOTE: 0

4.1 Subject: Amendment To Ordinance No. 12187 C.M.S.  
From: Human Resources Management  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12187 C.M.S. ("Salary Ordinance") And Amending The Salary Schedule Of The Salary Ordinance To Increase The Salary For City Clerk  
[17-0234](#)

**Sponsors:** Human Resources Management Department

**This Ordinance be Scheduled.to go before the \*Finance & Management Committee to be heard 10/24/2017**

4.2 Subject: Kenneth Rainin Foundation Grant Amendment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Supplemental Grant Funds From The Kenneth Rainin Foundation In The Total Amount Of Seventy-Four Thousand Eight Hundred Sixty-Five Dollars (\$74,865), To Be Used To Bring The Existing Part-Time (80 Percent) Policy Director For ArtSpaces Position In The Mayor's Office To Full-Time (100 Percent) Through December 2018, To Be Paid Upon The Foundation's Receipt Of The Signed Grant Agreement.

[17-0236](#)

**Sponsors:** Office Of The Mayor

***Dollar amount should be \$74,865***

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 10/24/2017**

**4.3** Subject: Parking Citation Void Process Audit Report  
From: Councilmember Dan Kalb & President Pro Tem Abel Guillén  
Recommendation: Receive A Presentation From The City Auditor Regarding The Performance Audit Of The City Of Oakland Parking Citation Void Process; On The November 14, 2017 Finance And Management Committee Agenda  
**17-0235**

**Sponsors:** Kalb and Guillén

**This Report and Recommendation be Scheduled.to go before the \*Finance & Management Committee to be heard 11/14/2017**

**4.4** Subject: Grant Agreement To Administer A Safe Haven Outdoor Navigation Center  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution Authorizing The City Administrator To:  
1. Enter Into A Grant Agreement With Bay Area Community Services In An Amount Not To Exceed \$200,000 Each Year For Fiscal Year (FY) 2017-2018 And FY 2018-2019 To Provide Housing Navigation Services At An Outdoor Navigation Center Site; And  
  
2. Enter Into A Grant Agreement With Operation Dignity In An Amount Not To Exceed \$300,000 Each Year For FY 2017-2018 And FY 2018-2019 To Provide Site Management Services At An Outdoor Navigation Center Site; And  
  
3. Accept And Appropriate Any Funds Or Donations For Outdoor Navigation Centers That May Become Available From Alameda County, The City Of Emeryville, And Any Other Sources Without Returning To Council For The Period Of Fy2017-2018 And FY 2018-2019; And  
  
4. Amend The Above Grant Agreements To Increase The Grant Amounts For Additional Outdoor Navigation Center Services And Efforts Without Returning To Council Within The Grant Term Of FY 2017-2018 And FY 2018- 2019

[17-0158](#)

**Sponsors:** Campbell Washington

**This Report and Recommendation be Scheduled.to go before the \*Life Enrichment Committee to be heard 10/24/2017**

- 4.5** Subject: Request For Informational Report On The Status Of Filling Wildfire Inspector Positions  
From: Vice Mayor Campbell Washington  
Recommendation: Request For Informational Report And Possible Action On The Following: 1) Status Of Filling Wildfire Inspector Positions, 2) The Status And Timeline For Clearing City-Owned, Private, And Non-City Owned Public Parcels In The Wildfire District, And 3) A Request For Staff To Review And Analyze The Possibility Of Creating A New Classification For Inspectors To Be Interchangeable Between Building And Wildfire Divisions; On The December 5, 2017 Public Safety Committee Agenda  
**17-0247**

**Sponsors:** Campbell Washington

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 12/5/2017**

- 4.6** Subject: Fiscal Year 2017 FEMA Urban Search and Rescue Grant  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To: A) Enter Into A Grant Cooperative Agreement With The Federal Emergency Management Agency (FEMA) To Accept And Appropriate Federal FEMA Funds For The Period September 1, 2017 To August 31, 2020, In The Amount Of One Million Two Hundred Forty Thousand And Thirteen Dollars (\$1,240,013) To Meet Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (US&R) Task Force Four; B) To Host The US&R Medical Team Training In June 2018; C) Expend The FEMA Funds In Accordance With The Preliminary Spending Plan Without Further Council Approval, Including Funding For Training And The Purchase Of Equipment FromThe General Services Administration And Other Government Pricing Schedules; D) Waiving The City's Advertising And Competitive Bidding And Purchasing Requirements For Procurement Of Equipment When Required By The Grant Funds; And E) Approve Travel For City Personnel That Provide Services Under The FEMA Cooperative Agreement Program On Short Notice Without Further Council Authorization  
[17-0243](#)

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 10/24/2017**

- 4.7** Subject: Oakland Emergency Services Organization And Disaster Council Report (2016-2017)  
From: Oakland Fire Department  
Recommendation: Receive An Informational Report On Emergency Preparedness And Disaster Planning  
[17-0242](#)

**Sponsors:** Oakland Fire Department and

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 10/24/2017**

**4.8** Subject: Reallocate Funding For The CPRB Database And Case Management System

From: Citizens' Police Review Board

Recommendation: Adopt A Resolution To Rescind Resolution No. 86489 C.M.S. And Adopt A Resolution To Waive The Multiple-Step Solicitation Process Requirements And Authorize The City Administrator, Or Designee, To Enter Into A Contract With Outsystems Or An Outsystems Certified Partner - Doitlean For The Purchase Of Professional Services To Build And Maintain The Citizens' Police Review Board Database And Case Management System For An Amount Not To Exceed Four Hundred-Ten Thousand Dollars (\$410,000)

[17-0241](#)

**Sponsors:** Office Of The City Administrator

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 10/24/2017**

**4.9** Subject: Adult-Use Cannabis Regulations

From: Office Of The City Administrator

Recommendation: Adopt An Ordinance Amending Chapters 5.80 And 5.81 Of The Oakland Municipal Code To: (1) Authorize The Retail Sale, Cultivation, Distribution, Testing, And Manufacturing Of Adult-Use (Recreational) Cannabis; (2) Clarify Allowed Locations For Delivery Only Cannabis Dispensaries; (3) Expand The Types Of Documentation An Equity Program Applicant Can Use To Show Income And Local Residency; And (4) Clarify What Local Authorization Means For The Purposes Of A Business Obtaining A Temporary State License To Engage In Commercial Cannabis Activity.

[17-0237](#)

**Sponsors:** Office Of The City Administrator

**This Ordinance be Scheduled.to go before the \*Public Safety Committee to be heard 10/24/2017**

**4.10** Subject: Commending The Sigma Gamma Rho Sorority's Beta Theta Sigma Chapter

From: Councilmember McElhaney

Recommendation: Adopt A Resolution Congratulating Beta Theta Sigma Chapter Of The Sigma Gamma Rho Sorority On Their 70th Anniversary; On The November 7, 2017 City Council Agenda As A Ceremonial

**17-0250**

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

**4.11** Subject: Honoring Rosalinda Advincula  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Honoring The Life And Legacy Of Rosalinda Advincula Who Passed Away September 27, 2017 Of Severe Complications Following Childbirth; On The November 7, 2017 City Council Agenda  
**17-0248**

Sponsors: Gallo

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

**4.12** Subject: Honoring Tora Rocha For 30 Years Of Dedicated Service To Oakland  
From: Vice Mayor Campbell Washington And President Pro-Tem Guillen  
Recommendation: A Resolution Honoring Tora Rocha For 30 Years Of Devoted And Dedicated Service To Oakland Public Works Department And Congratulating Her On Her Retirement; On The November 7, 2017 City Council Agenda  
**17-0246**

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

**4.13** Subject: Commending The Omega Boys Club  
From: Councilmember Mcelhaney  
Recommendation: Adopt A Resolution Congratulating The Omega Boys Club On Their 30th Anniversary; On The November 7, 2017 City Council Agenda  
**17-0240**

Sponsors: McElhaney

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

**4.15** Subject: Update On 2017-2018 State Budget And Legislative Activities  
From: President Reid  
Recommendation: Receive An Informational Presentation From Assembly Member Rob Bonta On 2017-2108 State Legislative And Budget Activities; On The November 7, 2017 City Council Agenda  
**17-0245**

Sponsors: Larry Reid

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

**4.17** Subject: Brooklyn Basin Community Facilities  
From: Planning And Building  
Recommendation: Conduct A Public Hearing And On Formation Of Community Facilities District No. 2017-1 (Brooklyn Basin Public Services), Authorizing The Levy Of A Special Tax Therein, And Submitting The Levy Of The Special Tax To The Qualified Electors Of The Community Facilities District (CFD); And;

1. Adopt A Resolution Of Formation Of Community Facilities District No. 2017-1 (Brooklyn Basin Public Services) And Authorization Of Levy Of Special Tax Therein. This Resolution Formally Establishes Community Facilities District No. 2017-1 And States That The Matter Of The Levy Of A Special Tax Shall Be Submitted To The Qualified Electors Of The CFD.

[16-1288](#)

***As a Public Hearing***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

2) Adopt A Resolution Of The Council Of The City Of Oakland Calling Special Mailed-Ballot Election For Qualified Electors Of Community Facilities District No. 2017-1 (Brooklyn Basin Public Services). This Resolution Identifies The Property Owners Subject To The Special Tax As Having Filed A Waiver And Consent Form To Expedite The Process For Formation Of The CFD And Calls For An Election By Such Property Owners Regarding The Levy Of A Special Tax To Fund Public Service And Administrative Costs Associated With The CFD.

[16-1289](#)

***As a public Hearing***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

3) 1. Adopt A Resolution Determining The Result Of The Special Mailed-Ballot Election Held In Community Facilities District No. 2017-1 (Brooklyn Basin Public Services). This Resolution Would State That At Least Two-Thirds Of All Votes Cast At The Special Mailed-Ballot Election Were In Favor Of Levying A Special Tax. In This Instance, With All Landowners Casting A Vote (For Each Acre Owned And Subject To The Special Tax), The Votes Would Be 100 Percent In Favor Of Levying A Special Tax.

[16-1290](#)

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

4) Adopt An Ordinance Levying Special Taxes Within Community Facilities District No. 2017-1 (Brooklyn Basin Public Services); On The November 7, 2017 City Council Agenda As A Public Hearing  
[16-1291](#)

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

**4.18** Subject: Commending Axis Dance Company  
From: Councilmember McElhaney  
Recommendation: Adopt A Resolution Congratulating Axis Dance Company For 30 Years Of Incredible Service To The City Of Oakland And Residents With Disabilities; On The November 28, 2017 City Council Agenda  
**17-0239**

**Sponsors:** McElhaney

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/28/2017**

**Items Submitted on the Dais**

Subject: HSI/ICE Raid In West Oakland On August 16, 2017  
From: Councilmembers Brooks And Kaplan  
Recommendation: Recieve A Report And Recommendation Regarding The HSI/ICE Raid In West Oakland On August 16, 2017. Said Report Shall Include 1.) A Chroniological Timeline And Review Of The August 16, 2017 HSI/ICE Raid; 2.) The Date The Opd/Ice Memorndum Of Understanding Was Officially Terminated; 3.) Specifically Set Forth Any And All Oakland Police Department Involvement In, And Tasks, At The HSI/ICE West Oakland Raid On August 16, 2017; 4.) Number Of Officers And Associated Cost Of OPD Involvement; 5.) Respond To Each Question Raised In The Privacy Commission's Memo Dated October 5, 2017; And 6.) Recommendations For Improvement Transparency, And Compliance With Council Approved Policy Regarding Involvement With Ice.  
**17-0252**

**Sponsors:** Ms. Brooks and Kaplan

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 11/14/2017**



Subject: Second Recommendation Followup Oakland Fire Department Vegetation Inspection Audit  
From: Office of the City Auditor  
Recommendation: Receive A Presentation From The City Auditor Regarding The Performance Audit Of The Second Recommendation Followup Oakland Fire Department Vegetation Inspection Audit  
**17-0253**

**Sponsors:** Office Of The City Auditor

**This City Resolution be Rescheduled to go before the \*Public Safety Committee to be heard 11/14/2017**

- 5** A Review Of The Council Committees' Actions From October 10, 2017 And Determination Of Scheduling To The City Council Meeting Of October 17, 2017 (MATRIX)  
[17-0183](#)

*The Motion language on Public Safety Item 3 was corrected to include:*

*The Motion language on Public Safety Item 4 was corrected to include:*

**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:**

**Excused:** 1 - McElhanev

**Aye:** 3 - Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

- 6** A Review Of The Draft Agendas For The Council Committee Meetings Of October 24, 2017 And The Rules And Legislation Committee Of October 26, 2017  
[17-0184](#)

**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:**

**Excused:** 1 - McElhanev

**Aye:** 3 - Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

Subject: Accepted And Appropriated Grants And Donations  
 From: The Budget Office  
 Recommendation: Receive An Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts, And Donations Of \$50,000 Or Less For The Period Of July 1, 2016 Through June 30, 2017[TITLE CHANGE]  
[17-0251](#)

**Sponsors:** Office Of The City Administrator

**S7** Subject: Opposition To Federal Legislation To Weaken Or Eliminate California Firearms Laws  
 From: City Attorney Barbara Parker, Council President Larry Reid, Councilmembers Guillen and Kaplan  
 Recommendation: Adopt A Resolution In Opposition To Federal Legislation To Weaken Or Eliminate California Firearms Laws, Including Congressional Bill HR 367, Which Would Remove Federal Restrictions On Gun "Silencers" And Prohibit California From Enforcing Its Ban On Silencers And From Otherwise Regulating The Sales And Possession Of Silencers  
[17-0206](#)

**Sponsors:** Guillén, Larry Reid, Kaplan and Office Of The City Attorney

*Councilmember Guillen made a motion seconded by Vice Mayor Campbell Washington to approve the urgency finding on item S for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to federal or state legislation;*

**A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Approved the Recommendation of Staff, and Forward to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 10/17/2017. The motion carried by the following vote:**

**Excused:** 1 - McElhane

**Aye:** 3 - Guillén, Reid, and Campbell Washington

**NO VOTE:** 0

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

*There were 3 open forum speakers*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 12:10 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.