



City of Oakland

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
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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, March 7, 2019

10:45 AM

City Council Chamber, 3rd Floor

The Rules & Legislation Committee convened at 10:58 a.m. with Councilmember Kaplan presiding as Chairperson.

Roll Call / Call To Order

Excused 1 - Lynette McElhaney

Present 3 - Dan Kalb, Rebecca Kaplan, and Sheng Thao

1 Determinations Of Closed Session

[18-1420](#)

Attachments: [View Report](#)

The City Attorney reported the scheduling of a closed session March 12, 2019 at 2:00 p.m. to hear items of pending and anticipated litigation

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

Excused: 1 - McElhaney

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of February 7, 2019

[18-1418](#)

Attachments: [View Report](#)

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

Excused: 1 - McElhaney

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items
[18-1419](#)

Attachments: [View Report](#)

There was 1 speaker on this item

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

Excused: 1 - McElhanev

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-1421](#)

Attachments: [View Report](#)

There were 2 speakers on this item

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

Excused: 1 - McElhanev

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

4.1 Subject: Unlawful Detainer Settlement Conferences
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Urging The Alameda County Superior Court To Rescind Its Decision To Eliminate Settlement Conferences For Half Of All Unlawful Detainer (Eviction) Cases
[18-1515](#)

Attachments: [View Report](#)

[87581 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/12/2019

- 4.2** Subject: Resolution Approving A Contract With Harvey M. Rose Associates, LLC
From: Council President Kaplan And Councilmember Thao
Recommendation: Adopt A Resolution Awarding A Contract To Harvey M. Rose Associates, LLC, For Up To \$50,000, To Conduct An Independent Budget And Finance Analysis Of The Proposed Fiscal Year 2019-21 Budget For The City Council In Connection With The Fiscal Year 2019-21 Budget Development Process, And Allocating \$50,000 In Fiscal Year 2018-2019 City Of Oakland General Purpose Funds (1010) For The Contract
[18-1516](#)

Attachments: [View Report](#)
[87582 CMS](#)

Councilmember Thao requested to be added as a co-sponsor

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/12/2019

- 4.3** Subject: Resolution Allocating Funding For OUSD Transportation Costs
From: Council President Kaplan, Councilmember Thao And Councilmember Bas
Recommendation: Adopt A Resolution To Provide Transportation To Schools By Allocating \$500,000 In Unexpended Fiscal Year 2018-2019 City Of Oakland Measure B Actia Funds (2211) To AC Transit To Cover Oakland Unified School District Transportation Costs As Follows: \$500,000 For FY 2019- 2020
[18-1517](#)

Attachments: [View Report](#)
[View Supplemental OakDOT Report 4/11/2019](#)
[View Supplemental Report 4/11/2019](#)

The Committee motioned to bifurcate this item

Councilmember Thao and Bas requested to be added as a co-sponsor

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/12/2019

- 4.4** Subject: Fiscal Year 2019-24 Five Year Financial Forecast
From: Finance Department
Recommendation: Receive An Informational Report On The City Of Oakland Five-Year Financial Forecast Prepared In Accordance With The City Of Oakland's Consolidated Fiscal Policy, Ordinance 13279 C.M.S.
[18-1511](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the *Special Finance & Management Committee to be heard 3/19/2019

4.5 Subject: Building Code Ordinance
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending Ordinance No. 13408 C.M.S. And Ordinance No. 13407, Which Adopted California Building Codes With Local Amendments In Oakland Municipal Code Chapter 15.04 (Oakland Amendments To California Model Building Construction Codes) And 15.08 (Oakland Building Code Maintenance), To Create An Appeals Process Consistent With The California Building Code
[18-1513](#)

Attachments: [View Report](#)
[View Supplemental Report 4/12/2019](#)

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 3/19/2019

4.6 Subject: Police Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Chris Brown To The Police Commission
[18-1514](#)

Attachments: [View Report](#)
[87584 CMS](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 3/21/2019

4.7 Subject: The Schedule Of Education Partnership Committee
From: Councilmember Bas
Recommendation: A Request To Schedule A Meeting Of The Education Partnership Committee On April 1, 2019, At 5:30 P.M.
[18-1518](#)

4.8 Subject: Meeting Of The City Council And Safety And Services Oversight Commission
From: Office Of The City Administrator
Recommendation: A Request To Schedule A Special Joint Meeting On April 30, 2019 At 5:30 P.M. Including The Safety And Services Oversight Commission, The Oakland City Council, The Chairs And Vice Chairs Of The Community Police Advisory Board And The Police Commission As Required By Measure Z - The Public Safety And Services Violence Prevention Act Of 2014 To Present The City's Efforts On Public Safety And Violence Reductions
[18-1089](#)

4.9 Subject: Honoring Asian American Pacific Islander Heritage Month
 From: Councilmember Thao And Bas
 Recommendation: Adopt A Resolution Celebrating The Legacy And Contributions By The Asian American Pacific Islander Community To The City Of Oakland; On The May 21, 2019 City Council Agenda As A Ceremonial Item
[18-1512](#)

Sponsors: Bas and Thao

As a ceremonial item

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 5/21/2019

CHANGES TO THE PREVIOUSLY DISTRIBUTED 10 DAY AGENDAS

CHANGES TO THE SPECIAL CITY COUNCIL AGENDA

Subject: 0 Mandela Parkway Appeal
 From: Planning And Building Department
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal By Unite Here Local 2850, And Thus Upholding The Oakland City Planning Commission’s Approval Of 1) A Major Conditional Use Permit To Construct A Six Story Building Consisting Of 220 Rooms Measuring Approximately 142,813 Square Feet Of Floor Area, 2) A Minor Conditional Use Permit For Transient Habitation (Hotels) And Non-Residential Tandem Parking, 3) A Variance Of The Front Setback And 4) Related California Environmental Quality Act (CEQA) Findings For The Proposed Building Located At 0 Mandela Parkway Oakland Ca. (Project Case No. PLN16394)
[18-1391](#)

Attachments: [View Report](#)

This City Resolution be * Withdrawn and Rescheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/2/2019

5 A Review Of The Council Committees' Actions From The Meetings Of March 5, 2019 And Determination Of Scheduling To The Special City Council Meeting Of March 12, 2019
[18-1422](#)

Attachments: [View Report](#)

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

Excused: 1 - McElhanev

Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

CHANGES MADE TO MARCH 5, 2019 COMMITTEE MATRIX

CHANGES MADE TO THE SPECIAL PUBLIC SAFETY COMMITTEE MATRIX

Subject: Michael Palmertree Professional Services Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Waive The Competitive Request For Proposals Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business Enterprise Programs (L/SLB) Provisions For The Purchase Of Professional Services; And 2) Enter Into A Professional Services Agreement With Michael Palmertree To Provide Behavior Science Consultation And Training Services To The Oakland Police Department For The Period Of July 1, 2019 To June 30, 2022, With An Option To Extend For An Additional Two Years, In The Amount Of One Hundred Thousand Dollars (\$100,000) Per Year, With A Total Contract Amount Of Five Hundred Thousand Dollars (\$500,000)
[18-1445](#)

Attachments: [View Report](#)
[View Supplemental Report 3/22/2019](#)
[87596 CMS](#)

This City Resolution be Continued.to go before the *Special Public Safety Committee to be heard 3/19/2019

6 A Review Of The Draft Agendas For The Special Council Committee Meetings Of March 19, 2019 And The Rules And Legislation Committee Of March 21, 2019
[18-1423](#)

Attachments: [View Report](#)

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

Excused: 1 - McElhaney
Aye: 3 - Kalb, Kaplan, and Thao

NO VOTE: 0

7 Subject: Housing, Residential Rent And Relocation Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Kathleen Sims As An Alternate Landlord Member, Hannah Flanery As An Alternate Tenant Member, Julia Ma Powers As An Alternate Neutral Member To The Housing, Residential Rent And Relocation Board
[18-1320](#)

Attachments: [View Report](#)
[View Supplemental Report 1/25/19](#)
[View Revised Supplemental Report 2/8/19](#)
[87583 CMS](#)

A motion was made by Sheng Thao, seconded by Dan Kalb, that this matter be Approved the Recommendation of Staff, and Forward to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 3/12/2019. The motion carried by the following vote:

Excused: 1 - McElhaney
Aye: 3 - Kalb, Kaplan, and Thao
NO VOTE: 0

Open Forum (Total Time Available: 15 Minutes)

2 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Rules & Legislation Committee adjourned the meeting at 3:12 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.**