



City of Oakland

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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>

Thursday, February 15, 2018

10:45 AM

City Council Chamber, 3rd Floor

***The Oakland City Council Rules And Legislation Committee convened at 10:57 a.m ,
with Council President Reid presiding as Chairperson.***

Roll Call / Call To Order

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

1 Determinations Of Closed Session

[18-0095](#)

Attachments: [View Report](#)

There will be a Closed Session held on February 20, 2018 at 2:30 p.m.

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

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

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of February 1, 2018

[18-0096](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

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

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

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items
[18-0108](#)

Attachments: [View Report](#)

There were no changes made to the pending list.

This Report and Recommendation be Accepted.

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-0109](#)

Attachments: [View Report](#)

There were two speakers on this item.

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

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

NO VOTE: 0

4.1 Subject: Negative Fund Repayment Plan and Recommendations
From: Finance Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Remove Or Reallocate Appropriations In Specified Funds With Negative Fund Balances And No Sources Of Revenue; (2) Revise The Existing Repayment Schedule To Add 10 Year Repayment Plans For Specified Funds With Negative Fund Balances As Part Of The FY 2019-21 Proposed Policy Budget
[18-0159](#)

Attachments: [View Report](#)

[View Supplemental Report 3-8-2018](#)

This City Resolution be Scheduled to go before the *Finance & Management Committee to be heard 2/27/2018

4.2 Subject: Delinquent Real Estate Property Transfer Taxes Assessment Of Liens
From: Finance Department
Recommendation: Conduct A Public Hearing 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

[18-0146](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

2) A Resolution 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; Or

[18-0163](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

3) 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

[18-0164](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

4.3 Subject: Mandatory Trash Delinquent Fees And Special Assessment Charges
From: Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation;

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection Of The Periods Monthly July, August, September, October, November, December 2017, Quarterly October-December 2017 And January-March 2018; Or [18-0149](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For Collection Of The Periods Monthly July, August, September, October, November, .December 2017, Quarterly October-December 2017 And January-March 2018; Or [18-0150](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection Of The Periods Monthly July, August, September, October, November, December 2017, Quarterly October-December 2017 And January-March 2018

[18-0151](#)

Attachments: [View Report](#)

A title change was read into record.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

4.4 Subject: Honoring Gerry Garzón On His Retirement After 18 Years
From: Vice Mayor Campbell Washington, Councilmember McElhaney And Councilmember Kalb
Recommendation: Adopt A Resolution Recognizing And Honoring Gerry Garzón On His Retirement After 18 Years Of Dedicated Service To The City Of Oakland Library Services

[18-0161](#)

Attachments: [View Report](#)

Councilmember McElhaney and Councilmember Kalb requested to be a co-author.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

4.5 Subject: Recognizing OUSD Students In The 39th Annual MLK Jr. Oratorical Fest
From: Vice Mayor Campbell Washington And Councilmember McElhaney
Recommendation: Adopt A Resolution Recognizing Oakland Unified School District Students For Their Outstanding Performances And First Place Awards In The 39th Annual Martin Luther King Jr. Oratorical Fest 2018

[18-0162](#)

Attachments: [View Report](#)

Councilmember McElhaney requested to be a co-author.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/6/2018

- 4.6 Subject: Gang/Group-Involved Homicides Informational Report
From: Oakland Police Department
Recommendation: Receive An Informational Report That Provides An Update On Gang/Group Involvement In Oakland Homicides For The Eighteen-Month Period of January 2016 to June 2017
[18-0148](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/13/2018

- 4.7 Subject: Resolution In Support Of Cannabis Record Expungement Bill 1793 (Bonta)
From: Councilmembers Kaplan And Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1793 (Bonta) Which Would Allow Automatic Expungement Or Reduction Of Certain Prior Cannabis Convictions
[18-0152](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 3/15/2018

- 5 A Review Of The Council Committees' Actions From February 13, 2018 And Determination Of Scheduling To The City Council Meeting Of February 20, 2018 (MATRIX)
[18-0110](#)

Attachments: [View Report](#)

CHANGES MADE TO THE FEBRUARY 13, 2018 FINANCE AND MANAGEMENT MATRIX

Subject: State And Federal Budget Status Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Regarding The Status Of The State And Federal Budget Development And Its Potential Impacts On The City Of Oakland
[18-0020](#)

Attachments: [View Report](#)
[View Supplemental 2-9-2018](#)

Staff requested that this item be forwarded to the February 20, 2018 full council on the consent calendar.

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/20/2018

Subject: Assessment District No. 2007-232 Piedmont Pines Phase II

From: Department Of Transportation

Recommendation: Adopt The Following Pieces of Legislation:

1. Resolution Of Intention To 1) Order Improvements And To Form The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; 2) Accept Indications Of Interest In The Proposed Assessment District By Owners Owning Land Constituting More Than One-Half Of The Area Of The Assessable Lands Within The Proposed Assessment District; 3) Find That The Improvements Are Of More Than Local Or Ordinary Public Benefit, And The Cost And Expenses, Including Incurred City Cost Of District Creation Thereof, Are Made Chargeable Upon The Assessment District; 4) Provide That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Provide That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appoint Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Direct The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And

2. Adopt A Resolution 1) Preliminarily Accepting And Approving The Engineer's Report; 2) Calling For A Public Hearing On The Proposed Assessment District To Be Held By The Council On Tuesday, May 15, 2018 At 6:30 P.M. And An Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; And 3) Designating The Engineer Of Work To Assist The City Clerk In Connection With The Mailing And Tabulation Of The Ballots, And To Answer Inquiries Regarding The Protest Proceedings Applicable To The Assessment District [OLD TITLE]

1. Resolution Of Intention To 1) Order Improvements And To Form The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; 2) Accept Indications Of Interest In The Proposed Assessment District By Owners Owning Land Constituting More Than One-Half Of The Area Of The Assessable Lands Within The Proposed Assessment District; 3) Find That The Improvements Are Of More Than Local Or Ordinary Public Benefit, And The Cost And Expenses, Including Incurred City Cost Of District Creation Thereof, Are Made Chargeable Upon The Assessment District; 4) Provide That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Provide That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appoint Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Direct The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And

[18-0073](#)

Attachments: [View Report](#)

Staff requested this item be forwarded to the February 20, 2018 full council as a consent 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 2/20/2018

2) A Resolution 1) Preliminarily Accepting And Approving The Engineer's Report; 2) Calling For A Public Hearing On The Proposed Assessment District To Be Held By The Council On Tuesday, May 15, 2018 At 6:30 P.M. And An Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase II; And 3) Designating The Engineer Of Work To Assist The City Clerk In Connection With The Mailing And Tabulation Of The Ballots, And To Answer Inquiries Regarding The Protest Proceedings Applicable To The Assessment District
[18-0074](#)

Staff request that this item be forwarded to the February 20, 2018 full council as a consent 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 2/20/2018

CHANGES MADE TO THE FEBRUARY 13, 2018 PUBLIC SAFETY MATRIX

Subject: Oakland Unite Year 1 Strategy Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Of The First Evaluation By Mathematica Policy Research Of The Oakland Unite Services Funded Through The Safety And Services Act Of 2014 (Measure Z)
[18-0044](#)

Attachments: [View Report](#)

Staff request this item be forwarded to the full council on the consent calendar.

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/20/2018

6 A Review Of The Draft Agendas For The City Council Committee Meetings Of February 27, 2018 And The Rules And Legislation Committee Of March 1, 2018
[18-0111](#)

Attachments: [View Report](#)

CHANGES MADE TO FEBRUARY 27, 2018 PUBLIC WORKS DRAFT AGENDA

President Pro Tem Guillen request that the Public Safety Committee of February 27, 2018 begin at 12 noon.

Subject: Status Update Clay Street Garage
From: Council President Reid
Recommendation: Approve A Report And Recommendation Directing the City Administrator On The Development Of The Clay Street Garage Site With A Feasibility Analysis Detailing Several Development Alternatives; Previously Scheduled To Public Works Committee March 13, 2018 And Now Be Rescheduled April 10, 2018 To The Community And Economic Development Committee Agenda
[TITLE CHANGE]
[17-0300](#)

This City Resolution be Rescheduled.to go before the *Public Works Committee to be heard 3/13/2018

CHANGES MADE TO FEBRUARY 27, 2018 COMMUNITY AND ECONOMIC DEVELOPMENT DRAFT AGENDA

Vice Mayor Campbell Washington requested the rescheduling of the item regarding "Quarterly Tracking Code Enforcement" to the March 13, 2018 Committee and cancelled the February 27, 2018 Committee.

Subject: Quarterly Tracking Report for Code Enforcement
From: Planning And Building Department
Recommendation: Receive An Informational Report On The Code Enforcement Activities Of The Planning And Building Department (PBD)
[18-0135](#)

Attachments: [View Report](#)

This Informational Report be * Withdrawn and Rescheduled.to go before the *Community & Economic Development Committee to be heard 3/13/2018

7 Subject: Resolution In Support Of AB 1870 - Share Act
From: Councilmember Kalb, Vice Mayor Campbell Washington, And City Attorney Parker
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1870 (Reyes, Friedman & Waldron) That Would Extend From One To Three Years The Statute Of Limitations For Filing Discrimination, Harassment And Retaliation Complaints With The Department Of Fair Employment And Housing
[18-0090](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[87049 CMS](#)

There was 1 speaker on this item.

A motion was made by Lynette McElhaney, 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 2/20/2018. The motion carried by the following vote:

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

NO VOTE: 0

8 The item regarding "Resolution In Support Of AB 403" was removed by the February 8, 2018 Rules and Legislation Committee

9 Subject: Resolution in Support Of SB 824 - Wildfire Safety & Recovery Act
From: Councilmember Kalb, Vice Mayor Campbell Washington, And President Pro Tem Guillen
Recommendation: Adopt A Resolution In Support Of Senate Bill 824 (Lara), Which Would: (1) Clarify That Existing Provisions Of California Law That Prohibit Insurance Cancellation During Home Reconstruction Are Applicable To Reconstruction In A County Where A State Of Emergency Has Been Declared; (2) Prohibit Insurance Companies From Not Renewing An Insurance Policy Following A Disaster Such As A Wildfire; (3) Require Approval By The Department Of Insurance Before Insurance Companies Can Reduce The Volume Of Policies In High-Risk Areas; And (4) Require Insurance Companies To Offer Mitigation Discounts And Continued Coverage For Homeowners Who Employ Mitigation Techniques
[18-0046](#)

Attachments: [View Report](#)
[View Supplemental Report 2/1/18](#)
[87050 CMS](#)

There was 1 speaker on this item.

A motion was made by Annie Campbell Washington, seconded by Abel J. Guillén, 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 2/20/2018. The motion carried by the following vote:

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

NO VOTE: 0

Open Forum (Total Time Available: 15 Minutes)

1 speaker spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 11:25 a.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.