



City of Oakland

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City
Clerk

Meeting Agenda - SUPPLEMENTAL

*Rules & Legislation Committee

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

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

Thursday, October 12, 2017

10:45 AM

City Council Chamber, 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call To Order

COMMITTEE MEMBERSHIP:

Lynette McElhaney, District 3; President Pro Tempore Abel J. Guillén, District 2; Vice Mayor Campbell Washington, District 4; Chairperson: President Reid, District 7

1 Determinations Of Closed Session

[17-0179](#)

Attachments: [View Report](#)

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

[17-0180](#)

Attachments: [View Report](#)

3 Determination Of Schedule Of Outstanding Committee Items

[17-0181](#)

Attachments: [View Report](#)

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day

[17-0182](#)

Attachments: [View Report Previously Distributed 10 Day](#)
[View Report Pending Lists](#)

4.1 Subject: Amendment To Ordinance No. 12187 C.M.S.

From: Human Resources Management

Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary Range For City Clerk; On The October 24, 2017 Finance And Management Committee Agenda

[17-0234](#)

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 (\$76,865), To Be Used To Bring The Existing Part-Time (80 Percent) Policy Director For Art Spaces 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; On The October 24, 2017 Finance And Management Committee Agenda

17-0236

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

- 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 For Outdoor Navigation Center Services That May Become Available From Alameda County, The City Of Emeryville, And Any Other Sources Without Returning To Council For The Period Of FY 2017-2018 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; On The October 24, 2017 Life Enrichment Committee Agenda

17-0158

Legislative History

9/21/17	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
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- 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

- 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 B) Expend The FEMA Funds In Accordance With The Preliminary Spending Plan Without Further Council Approval, Including Funding For Training And The Purchase Of Equipment From The General Services Administration And Other Government Pricing Schedules; C) Waiving The City's Advertising And Competitive Bidding And Purchasing Requirements For Procurement Of Equipment When Required By The Grantor; And D) Approve Travel For City Personnel That Provide Services Under The FEMA Cooperative Agreement Program On Short Notice Without Further Council Authorization; On The October 24, 2017 Public Safety Committee Agenda
17-0243
- 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; On The October 24, 2017 Public Safety Committee Agenda
17-0242
- 4.8** Subject: Reallocate Funding For The CPRB Database And Case Management System
From: Citizens' Police Review Board
Recommendation: Adopt A Resolution Rescinding Resolution No. 84689 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); On The October 24, 2017 Public Safety Committee Agenda
17-0241

- 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 Demonstrate Income And Local Residency; 4) Eliminate The Cannabis Transporter License Requirement; And 5) Clarify What Local Authorization Means For The Purposes Of A Business Obtaining A Temporary State License To Engage In Commercial Cannabis Activity; On The October 24, 2017 Public Safety Committee Agenda
17-0237
- 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
- 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
- 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
- 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
- 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

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](#)

Legislative History

6/29/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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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](#)

Legislative History

6/29/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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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](#)

Legislative History

6/29/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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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](#)

Legislative History

6/29/17 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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

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](#)

Attachments: [View Report](#)

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](#)

Attachments: [View Report](#)

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](#)

Attachments: [View Report](#)

This item was placed on the agenda by the October 5, 2017 Rules and Legislation Committee

This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.

Legislative History

10/3/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	No Action Taken
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Councilmember Guillen made a motion seconded by Councilmember Kaplan to approve the urgency finding for a request to schedule an item regarding "A Resolution Opposition To Federal Legislation To Weaken Or Eliminate California Firearms Laws (HR 367) " pursuant to section 2.20.080(E) of the Sunshine Ordinance 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

(1) is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

At the Council Presidents discretion, speakers were allowed to address the scheduling of the item. There were 2 speakers.

The action failed FAILED with a vote of 5 AYES (Campbell Washington, Guillen, Kalb, Kaplan and Reid) 3 NOS (Brooks, Gallo, McElhaney)

10/5/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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Staff requested that this item be heard at the October 12, 2017 Rules and Legislation Committee by way of an Urgency motion made by President Pro Temp Guillen, seconded by President Reid.

10/5/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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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.**