



City of Oakland

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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 15, 2018

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules And Legislation Committee convened at 10:52 a.m., with President Pro Tem Guillen 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

[18-0209](#)

Attachments: [View Report](#)

There will be a Closed Session on March 20, 2018 at 3:30 p.m.

A motion was made by Larry Reid, seconded by Lynette McElhaney, 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 15, 2018

[18-0210](#)

Attachments: [View Report](#)

A motion was made by Larry Reid, 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

[18-0211](#)

Attachments: [View Report](#)

No changes were made to the pending list.

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

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

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)

[18-0212](#)

Attachments: [View Report](#)

[View Report](#)

There was a change made to the Finance And Management pending list.

There was 1 speaker on this item.

This Report and Recommendation be Accepted as Amended.

4.1 Subject: Resolution Supporting AB 1884, Straw Upon Request

From: President Pro Tempore Guillén

Recommendation: Adopt A Resolution Supporting AB 1884, Introduced By California Assembly Member Calderon, Which Would Prohibit Specified Food Facilities From Providing Single-Use Plastic Straws To Customers Except Upon Request

[18-0262](#)

Attachments: [View Report](#)

[87121 CMS](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 3/29/2018

4.2 Subject: Resolution Allocating Funding For Crossing Guards For Oakland Schools

From: Councilmembers Kaplan, Gallo And Vice Mayor Campbell Washington

Recommendation: Adopt A Resolution To Help Protect Our Youth, And Improve Pedestrian Safety In And Around Our Schools, By Allocating \$320,000 In Fiscal Year 2018-2019 City Of Oakland Measure BB Funds, To Increase Crossing Guards To 16 Additional Oakland Schools

[18-0256](#)

Attachments: [View Report](#)

[View Supplemental Report 4-12-2018](#)

[87124 CMS](#)

Vice Mayor Campbell Washington requested to be added as a co author.

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 4/10/2018

- 4.3** Subject: Single-Use Plastic Straws Ordinance
From: President Pro Tempore Guillén And Councilmember Kalb
Recommendation: Adopt An Ordinance Amending And Restating Chapter 8.07 Of The Oakland Municipal Code, "Polystyrene Foam Food Service Ware," Renaming The Chapter As "Disposable Food Service Ware" And Additionally Establishing Procedures And Prohibitions Regarding The Distribution Of Single-Use Beverage Straws To Customers Of Restaurants
[TITLE CHANGE]
[18-0263](#)

Attachments: [View Report](#)
[Vew Supplemental Report 4/6/2018](#)

Councilmember Dan Kalb requested to be added as a co author to this item.

This Ordinance be Scheduled.to go before the *Community & Economic Development Committee to be heard 4/10/2018

- 4.4** Subject: Celebrating The Black Joy Parade
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Commemorating The First Annual Black Joy Parade And Celebrating Its Expressions Of Music, Dance, Art, Fashion, And Food
[18-0254](#)

Attachments: [View Report](#)
[87119 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

- 4.5** Subject: Honoring Geoffrey Pete
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Recognizing And Honoring Geoffrey Pete As An Iconic Oakland Leader And A Pillar Of The African American Business Community
[18-0255](#)

Attachments: [View Report](#)
[87146 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

CHANGES MADE TO THE FINANCE AND MANAGEMENT PENDING LIST

Subject: Status Of Affordable Housing And Infrastructure Bond Public Oversight Committee
From: Council President Larry E. Reid
Recommendation: Receive An Informational Report From The City Administrator's Office On The Status Of The Affordable Housing And Infrastructure Bond Public Oversight Committee (Measure KK)
[18-0223](#)

Attachments: [View Report](#)

This Informational Report be Scheduled to go before the *Finance & Management Committee to be heard 4/24/2018

5 A Review Of The Council Committees' Actions From March 13, 2018 And Determination Of Scheduling To The City Council Meeting Of March 20, 2018
[18-0213](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

A motion was made by Larry Reid, seconded by Lynette McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:

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

NO VOTE: 0

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

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 3/9/2018](#)
[View Report 4/5/2018](#)
[87140 CMS](#)

Councilmember McElhaneey made a motion seconded by President Reid to approve the urgency finding for this item to be placed on the March 20, 2018 Council Agenda 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.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/20/2018

Subject: Cityworks License/Maintenance Renewal With Azteca Systems, LLC
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,
To: (1.) Extend The Cityworks License And Maintenance Agreement With Azteca Systems, LLC Through May 31, 2022, In An Amount Not To Exceed Four Hundred Forty-Seven Thousand Dollars (\$447,000), Without Return To Council, With Additional Options To: I. Expand The License And Maintenance Agreement For Additional Software Products & Licenses In An Amount Not To Exceed Three Hundred Thousand Dollars \$300,000 For The Term Of The Contract Without Return To Council; And II. Enter Into License, Maintenance, Hosting, Purchase, And/Or Professional Services Agreement(s) With Azteca Systems LLC Or Their Authorized Business Partner(s) In An Amount Not To Exceed Four Hundred Thousand Dollars \$400,000 000 For The Term Of The Contract For Professional Services And/Or Products That Enhance Cityworks Through Additional Functionality, Without Return To Council; And (2.) Waive The Competitive Proposal Solicitation Requirement For The Above Listed Agreements

[18-0174](#)

Attachments: [View Report](#)
[View Supplemental 3-16-2018](#)
[87105 CMS](#)

President Reid made a motion seconded by Vice Mayor Campbell Washington to approve the urgency finding for this item to be placed on the March 20, 2018 Council Agenda 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.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/24/2018

CHANGES MADE TO THE MARCH 13, 2018 COMMUNITY AND ECONOMIC DEVELOPMENT MATRIX

Subject: Mid-Term Review Of Five-Year Implementation Plans
From: Economic And Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The 2015-2020 Implementation Plan For The Oakland Army Base Redevelopment Project; And
[18-0186](#)

Attachments: [View Report](#)
[2018-003 CMS](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

2) A Resolution Adopting The 2014-2019 Implementation Plan For The Broadway/ Macarthur/ San Pablo Redevelopment Project; And
[18-0227](#)

Attachments: [2018-004 CMS](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

3) A Resolution Adopting The 2014-2019 Implementation Plan For The Central District Redevelopment Project; And
[18-0228](#)

Attachments: [2018-005 CMS](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

4) A Resolution Adopting The 2014-2019 Implementation Plan For The Coliseum Area Redevelopment Project; And
[18-0229](#)

Attachments: [2018-006 CMS](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

5) A Resolution Adopting The 2016-2021 Implementation Plan For The Oak Knoll Redevelopment Project; And
[18-0230](#)

Attachments: [2018-007 CMS](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

6) A Resolution Adopting The 2018-2023 Implementation Plan For The West Oakland Redevelopment Project; And
[18-0231](#)

Attachments: [2018-008 CMS](#)

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

Subject: Major Encroachment Permit At 385 14th Street
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To CP VI Franklin, LLC To Allow Portions Of The New Building Above Grade At 385 14th Street To Encroach Into The Public Right-Of-Way Along 13th Street, 14th Street, And Webster Street, Major Encroachment Permit ENMJ18052
[18-0184](#)

Attachments: [View Report](#)
[87106 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

6 A Review Of The Cancelled Council Committee Meetings Of March 27, 2018 And The Draft Rules And Legislation Committee Of March 29, 2018
[18-0214](#)

Attachments: [View Report](#)

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

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

NO VOTE: 0

- 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](#)
[87111 CMS](#)

A motion was made by Larry Reid, seconded by Lynette McElhaney, 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 3/20/2018. The motion carried by the following vote:

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

NO VOTE: 0

- 8 Subject: Resolution Urging DA To Proactively Apply Prop 64 Retroactively
From: Councilmember Kalb And Councilmember Kaplan
Recommendation: Adopt A Resolution Urging The Alameda County District Attorney To Proactively Apply Proposition 64 Retroactively To Reduce Or Dismiss Applicable Marijuana Sentences
[18-0194](#)

Attachments: [View Report](#)
[View Supplemental 3-16-2018](#)
[87112 CMS](#)

Councilmember McElhaney request to be added as a Sponsor to this item.

There was 1 speaker on this item.

Note that the Committee took this time to revisit item 5 to make urgency findings for the items on the Matrix under Finance and Management that was scheduled to the March 20, 2018 City Council Agenda.

This City Resolution 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 3/20/2018

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

NO VOTE: 0

9 Subject: Appointments To The Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor’s Reappointment Of Robert Stone As A Regular Neutral Member And Karen Friedman As A Regular Landlord Member And The Appointment Of Ubaldo Fernandez As A Regular Tenant Member To The Housing, Residential Rent And Relocation Board
[18-0225](#)

Attachments: [View Report](#)
[87113 CMS](#)

A motion was made by Larry Reid, 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 3/20/2018. The motion carried by the following vote:

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

NO VOTE: 0

10 Subject: Support Of The California Schools And Local Communities Funding Act Of 2018
From: Office Of The Mayor, Council President Reid, And President Pro Tem Guillen

Recommendation: Adopt A Resolution 1) In Support Of The California Schools Local Communities Funding Act Of 2018 (“The Initiative”) On The November, 2018 Ballot, Which Will Amend The State Constitution To Close A Corporate Tax Loophole By Reassessing Commercial And Industrial Real Property On A Regular Basis Based On Fair Market Value; And 2) Encourage Other Jurisdictions In The Region To Take Support Positions On The Initiative
[18-0226](#)

Attachments: [View Report](#)
[87114 CMS](#)

Councilmembers Kalb and McElhaney request to be added as sponsors to this item.

There were 3 speakers on this item.

A motion was made by Larry Reid, 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 3/20/2018. The motion carried by the following vote:

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

NO VOTE: 0

11 Subject: Resolution In Support Of SB 930 - Financial Institutions: Cannabis
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 930 (Hertzberg) That
Would Establish A State-Chartered Bank That Would Allow A Person Licensed To
Engage In Commercial Cannabis Activity To Engage In Banking Activities
[18-0115](#)

Attachments: [View Report](#)
[View Report 3-1-2018](#)
[87115 CMS](#)

President Pro Tem Guillen requests to be added as a co sponsor.

There was 1 speaker on this item.

A motion was made by Larry Reid, seconded by Lynette McElhaney, 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 3/20/2018. 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 11:35 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.**