



# 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, March 7, 2019

10:45 AM

City Council Chamber, 3rd Floor

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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 - McElhaneey

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 - McElhaneey

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](#)

*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](#)

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- McElhaney

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](#)

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 - McElhanev  
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.