



City of Oakland

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Oakland, California 94612
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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>

Thursday, May 30, 2019

10:45 AM

City Council Chamber, 3rd Floor

The Rules & Legislation Committee convened at 11:06 a.m. with Councilmember Thao presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Dan Kalb, Rebecca Kaplan, Sheng Thao, and Lynette McElhaney

1 Determinations Of Closed Session

[18-1813](#)

Attachments: [View Report](#)

A Special Closed Session is Scheduled for June 4, 2019 beginning at 2:00 p.m.

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

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of May 16, 2019

[18-1814](#)

Attachments: [View Report](#)

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

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

DUE TO THE PRESENCE OF VICE MAYOR REID A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE RULES AND LEGISLATION COMMITTEE AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 11:11 A.M.

3 Determination Of Schedule Of Outstanding Committee Items
[18-1815](#)

Attachments: [View Report](#)

There were 2 speaker on this item

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

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-1816](#)

Attachments: [View Report](#)

There were 8 speakers on this item

There was a motion made by Council President Kaplan to schedule a July 2, 2019 Special City Council Meeting At 1:30 p.m. for the perviously requested Howard Terminal Informational Item.

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

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.1 Subject: City Of Oakland Investment Policy For FY 2019-20
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year 2019-2020; And
[18-1910](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Finance & Management Committee to be heard 6/11/2019

2) A Resolution Pursuant To Government Code Section 53607 Delegating Investment Authority Of The Oakland Redevelopment Successor Agency To The Agency Treasurer For Fiscal Year 2019-2020

[18-1911](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Finance & Management Committee to be heard 6/11/2019

4.2 Subject: Sidewalk Repair Ordinances
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) An Ordinance Revising Oakland Municipal Code Title 12, Chapter 12.04 To Add Oakland Municipal Code Title 12, Chapter 12.22 To Establish Property Owner Responsibility And Liability For Sidewalk Safety And Maintenance; And

[18-1912](#)

Attachments: [View Report](#)

[View Supplemental Report 6/7/2019](#)

This Ordinance be Scheduled.to go before the *Public Works Committee to be heard 6/11/2019

2) An Ordinance Revising Oakland Municipal Code Title 12, Chapter 12.04 To Add New Regulations Requiring Oakland Property Owners To Inspect And Certify Sidewalks In The Public Right-Of-Way At The Time Of Property Transfer; And

[18-1913](#)

Attachments: [View Report](#)

[View Supplemental Report 6/7/2019](#)

This Ordinance be Scheduled.to go before the *Public Works Committee to be heard 6/11/2019

3) A Resolution To Authorize The Department Of Transportation To Complete Private Property Sidewalk Repairs Of Low-Income Property Owners At No Cost To Qualifying Property Owners; And

[18-1914](#)

Attachments: [View Report](#)

[View Supplemental Report 6/7/2019](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 6/11/2019

4) A Resolution To Authorize A Three-Month Period In Which Sidewalk Repair Permit Fees Would Be Waived To Encourage Private Property Sidewalk Damage Repairs Beginning July 1,2019 And Ending September 30,2019
[18-1915](#)

Attachments: [View Report](#)
[View Supplemental Report 6/7/2019](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 6/11/2019

4.3 Subject: Extension Agreement With The Oakland Museum Of California
From: Councilmember Bas
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Twenty Year Extension To The Existing Lease Agreement, Authorized In 2011, Between The City Of Oakland And The Oakland Museum Of California For Two Museum Buildings At 1000 Oak Street And 450 Lancaster Street
[18-1926](#)

Attachments: [View Report](#)

There was a Title Change read into record

This City Resolution be Scheduled.to go before the *Community & Economic Development Committee to be heard 6/11/2019

4.4 Subject: Exotic Animal Ban
From: President Pro Tempore Kalb And Councilmember Gallo
Recommendation: Adopt A Ordinance Amending Oakland Municipal Code Chapter 6.04 And Section 1.28.020 To Prohibit Performances Of Wild Or Exotic Animals For Public Entertainment: On The September 10, 2019 Community And Economic Development Committee Agenda
18-1927

Councilmember Gallo requested to be added as a Co-Sponsor

This Ordinance be Scheduled.to go before the *Community & Economic Development Committee to be heard 9/10/2019

4.5 Subject: Oakland Promise Report
From: Councilmember Taylor And President Pro Tempore Kalb
Recommendation: Receive An Informational Report On The Goals, Programs, And Outcomes Of The Oakland Promise, Including Budgetary Information
18-1928

This Informational Report be Scheduled.to go before the *Education Partnership Committee to be heard 6/17/2019

- 4.6** Subject: Honoring Special Assistant Raynard “Ray” Leon Upon His Retirement
From: Vice Mayor Reid
Recommendation: Adopt A Resolution Honoring Raynard “Ray” Leon Upon His Retirement From The City Of Oakland After More Than 28 Years Of Dedicated Service
18-1909

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 6/18/2019

- 4.7** Subject: Mandatory Trash Delinquent Fees And Special Assessment Charges 2019
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 Or Continuing Or 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 Of The Periods Monthly In January, February, March 2019 And Quarterly For April - June 2019 (Option 1); Or
18-1524

As a Public Hearing

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/18/2019

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 The Collections Monthly In January, February, March 2019 And Quarterly For April - June 2019 (Option 2); Or
18-1525

As a Public Hearing

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/18/2019

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 In January, February, March 2019 And Quarterly For April - June 2019 (Option 3)

18-1526

As a Public Hearing

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/18/2019

- 4.8 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 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

[18-1923](#)

As a Public Hearing

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/18/2019

2) 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; Or

[18-1924](#)

As a Public Hearing

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/18/2019

3) A 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
[18-1925](#)

As a Public Hearing

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/18/2019

5 A Review Of The Council Committees' Actions From The Meetings Of May 20, 2019 And May 28, 2019 And Determination Of Scheduling To The City Council Meeting Of June 4, 2019
[18-1817](#)

Attachments: [View Report May 20, 2019](#)
[View Report May 28, 2019](#)

There were 2 speakers on this item

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

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

6 A Review Of The Draft Agendas For The Council Committee Meetings of June 11, 2019 And The Rules And Legislation Committee Of June 13, 2019
[18-1818](#)

Attachments: [View Report](#)

There were 3 speakers on this item

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

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

CHANGES MADE TO THE DRAFT AGENDAS FOR THE COMMITTEE MEETINGS OF JUNE 11, 2019 AND THE RULES AND LEGISLATION COMMITTEE OF JUNE 13, 2019

. CHANGES MADE TO JUNE 10, 2019 DRAFT SPECIAL BUDGET MEETING

There was a motion to change the order of the June 10 Special Budget meeting agenda

This be Accepted.

CHANGES MADE TO JUNE 11, 2019 DRAFT LIFE ENRICHMENT COMMITTEE MEETING

Subject: Encampment Management Policy And Program
From: Councilmember Bas
Recommendation: Approve A Report And Recommendation From The City Administrator On The Encampment Management Policy And Program Due To The Homelessness Crisis Emergency And Multiple Legal Actions Against The City
[18-1669](#)

Attachments: [View Report - Councilmember Bas](#)
[View Report - City Administrator](#)
[View Supplemental Report 5/24/2019](#)

This Report and Recommendation be Rescheduled.to go before the *Life Enrichment Committee to be heard 6/25/2019

Subject: Oakland Commission On Aging Annual Report Of 2019
From: Human Services Department
Recommendation: Receive The Oakland Commission On Aging Annual Report For 2019
[18-1787](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the *Life Enrichment Committee to be heard 6/25/2019

Subject: A Resolution In Support Of Kaiser Mental Health Patients And Clinicians
From: Council President Kaplan, President Pro Tem Kalb And Councilmember Bas
Recommendation: Adopt A Resolution Of The Oakland City Council In Support Of Full Parity For Mental Health Patients And Clinicians At Kaiser Permanente
[18-1668](#)

Attachments: [View Report](#)

Pending List No Date Specific

This City Resolution be Scheduled.to go before the *Life Enrichment Committee

7 The item regarding "Resolution In Support Of AB 36 - Costa Hawkins Reform" was withdrawn by the May 23, 2019 Rules And Legislation Committee

8 Subject: Disclosure Of Principal Officers And Solicitation Of Contributions
From: Council President Kaplan
Recommendation: Adopt A Ordinance Amending The "Oakland Campaign Reform Act"
By Amending Section 3.12.020 And Adding Sections 3.12.116 And 3.12.117 To Require
Disclosure Of The Principal Officers Of Non-Candidate Controlled Committees Required
To File Campaign Statements In Oakland And Requiring That City Public Servants Also
Disclose Solicitation Of Contributions From Any Person Or Entity Contracting Or
Proposing To Contract With The City Of Oakland
[18-1796](#)

Attachments: [View Report](#)
[View Supplemental Report 5/31/2019](#)

There was 1 speaker on this item

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, 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 6/4/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

9 Subject: Gwen Jackson Park
From: Councilmember Gallo
Recommendation: Adopt A Resolution Authorizing The Renaming Of Nicol Park To Gwen
Jackson Park
[18-1760](#)

Attachments: [View Report](#)

There were 6 speakers on this item.

A motion was made by Rebecca Kaplan, 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 6/4/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 10 Subject: Proposed Amendments To AB 1487 (Chiu)
From: Council President Kaplan
Recommendation: Adopt A Resolution In Support Of Proposed Amendments To Assembly Bill 1487 (Chiu) To Address Funding And Governance Strategies For Regional Housing Solutions
[18-1830](#)

Attachments: [View Report](#)
[View Report 5/31/2019](#)

*The committee explicitly expressed they will only support the bill if the amendments are made.
There was 1 speaker on this item.*

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 6/4/2019

- 11 Subject: Report Regarding AB 1191 And SB 293 And Resolutions Supporting
From: Councilmember Taylor And Councilmember Bas
Recommendation: Adopt The Following Pieces Of Legislation;

1) An Informational Report Describing The Provisions And Providing The Status And Impacts To The City Of The Following Bills: Assembly Bill 1191 (Bonta), Entitled, "State Lands Commission: Exchange Of Trust Lands: City Of Oakland: Howard Terminal Property: Oakland Waterfront Ballpark Act" ("AB 1191") And Senate Bill 293 (Skinner), Entitled, "Infrastructure Financing Districts: Oakland Waterfront Revitalization And Environmental Justice Infrastructure Financing District" ("SB 293"); And (2) Resolutions Supporting, Opposing, Or Supporting With Amendments AB 1191 And SB 293; And [18-1899](#)

Attachments: [View Report](#)

There were 20 speakers

The committee request the language in the Bill explicitly and clearly state the City Council has the discretion to decide, when, where, how and how many IFD's/land swaps can be done. They also request that any language that suggest that the city has already chosen a location or IFD to be removed.

This Report and Recommendation 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 6/18/2019

2) A Resolution Supporting, Opposing Or Supporting With Amendments Assembly Bill 1191, Entitled, "State Lands Commission: Exchange Of Trust Lands: City Of Oakland: Howard Terminal Property: Oakland Waterfront Ballpark Act" ("AB 1191"), Introduced By Assembly Member Robert Bonta; And

[18-1902](#)

Attachments: [View Report](#)

The committee request the language in the Bill explicitly and clearly state the City Council has the descretion to decide, when, where, how and how many IFD's/land swaps can be done. They also request that any language that suggest that the city has already choosen a location or IFD to be removed.

This Report and Recommendation be Approved as Amended 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 6/18/2019

3) A Resolution Supporting, Opposing Or Supporting With Amendments Senate Bill 293, Entitled, "Infrastructure Financing Districts: Oakland Waterfront Revitalization And Environmental Justice Infrastructure Financing District", Introduced By California Senator Nancy Skinner

[18-1903](#)

Attachments: [View Report](#)

The committee request the language in the Bill explicitly and clearly state the City Council has the descretion to decide, when, where, how and how many IFD's/land swaps can be done. They also request that any language that suggest that the city has already choosen a location or IFD to be removed.

This Report and Recommendation be Approved as Amended 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 6/18/2019

Open Forum (Total Time Available: 15 Minutes)

Adjournment

There being no further business, and upon the motion duly made, the Rules & Legislation Committee adjourned the meeting at 2:21 p.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.**