



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 - FINAL *Rules & Legislation Committee

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

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

Thursday, September 26, 2019

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules & Legislation Committee convened at 11:07 a.m. with Councilmember Thao presiding as Chairperson.

Roll Call / Call To Order

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

1 Determinations Of Closed Session

[18-2204](#)

Attachments: [View Report](#)

There were 2 speakers on this item

There will be a Closed Session held on October 1, 2019 at 2:00 p.m

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

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

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of September 12, 2019

[18-2205](#)

Attachments: [View Report](#)

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

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

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items
[18-2206](#)

Attachments: [View Report](#)

There were 2 speakers on this item

A motion was made by Lynette McElhaney, seconded by Rebecca Kaplan, 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)
[18-2207](#)

Attachments: [View Report](#)

There were 2 speakers on this item

A motion was made by Lynette McElhaney, seconded by Rebecca Kaplan, 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: Domestic Violence Awareness Month
From: President Pro Tempore Kalb, Councilmember McElhaney And Thao
Recommendation: Adopt A Resolution Proclaiming October 2019 Domestic Violence Awareness Month In The City Of Oakland
[18-2279](#)

Attachments: [View Report](#)

[View Supplemental Report 10/11/2019](#)

[87881 CMS](#)

The Committee accepted this item 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 10/15/2019

- 4.2** Subject: City Port Liaison Committee Appointments
From: Council President Kaplan
Recommendation: Adopt A Resolution Amending Resolution No. 87490 C.M.S., Which Confirmed The City Council President's Appointments Of The Members And Chairpersons Of The Committees Of The City Council Pursuant To The Council's Rules Of Procedure (Resolution No. 87044 C.M.S.), To Confirm The City Council President's Appointment Of The Members Of The City Port Liaison Committee
[18-2275](#)

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/15/2019

- 4.3** Subject: City/Port Liaison Committee On October 2, 2019
From: Council President Kaplan
Recommendation: A Request To Schedule A Meeting Of The City/Port Liaison Committee On October 2, 2019 At Noon At The Port Of Oakland With The Following Agenda Items As Informational Reports: 1) Oakland City Charter Provisions For Port Of Oakland And Charter History; 2) Proposed City And Port Access Agreement For Outer Harbor Intermodal Terminal; And 3) City-Port Planning And Transportation Coordination, Including Overweight Corridors, Truck Management And Truck Routes
[18-2276](#)

This Report and Recommendation be Accepted.

- 4.4 Subject: Affordable Housing Impact Fees
From: Council President Kaplan
Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt A Resolution Requesting The City Administrator And His Or Her Designee To Release Affordable Housing Impact Fees In The Affordable Housing Trust Fund And Committed Receivables Immediately, Provide A Schedule Of Receivables To The Public, Issue A Notice Of Funds Availability (NOFA) For Housing Development Funds Not Later Than November 2019, And Upon Council Approval Of Funding Awards, Provide Letters Of Commitment Conditioned On Receipt Of The Anticipated Revenue

[NEW TITLE]

Adopt A Resolution Requesting The City Administrator Or Designee To Include Affordable Housing Impact Fee Funds Received Up To And During This Fiscal Year, In The Proposed Funding Distribution Recommendations For The Current Notice Of Funds Availability (NOFA); On The November 12, 2019 Community And Economic Development Committee Agenda

[18-2212](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Community & Economic Development Committee to be heard 10/22/2019

- 4.5 Subject: OFCY Information Report
From: Councilmember Bas And OUSD Board President Eng
Recommendation: Receive An Informational Report And Update From The City Administrator And Oakland Unified School District On The Oakland Fund For Children And Youth (OFCY), Including The Strategic Investment Plan, Current Grants, And Afterschool Programs

[18-2277](#)

Attachments: [View Report](#)

[View Supplemental Report 10/18/2019](#)

This Informational Report be Scheduled.to go before the *Special Education Partnership Committee to be heard 10/21/2019

4.6 Subject: Joint Use Of OUSD Shared Facilities And Agreement
From: Councilmember Bas
Recommendation: Receive An Informational Report And Update From The City Administrator And Oakland Unified School District On Joint Use Of Shared Facilities And Agreement; On The November 18, 2019 Special Education Partnership Committee Agenda
[18-2278](#)

The Committee approved for this item to be placed on the Pending List No Date Specific

This Informational Report be Scheduled.to go before the *Special Education Partnership Committee

CHANGES TO THE PREVIOUSLY DISTRIBUTED 10 DAY AGENDAS

CHANGES MADE TO THE RULES AND LEGISLATION PENDING LIST

The Committee made the following changes to the pending list

Subject: Healthy Vending Ordinance
From: Vice Mayor Campbell Washington
Recommendation: Adopt An Ordinance Adding Chapter 8.15 To The Oakland Municipal Code To (1) Require that Prepackaged Food And Beverages Sold In Vending Machines On City Property Meet Specified Nutritional Standards, (2) Request City Departments To Meet Nutritional Guidelines For Food And Beverages Purchased With City Funds And Served At City Events And Meetings, And (3) Encourage Restaurants Located On City Property To Offer Healthy Food Options
[16-0412](#)

Sponsors: Campbell Washington

Attachments: [View Report](#)

Withdrawn with no new no date

This Ordinance be Accepted.

Subject: Resolution In Support Of AB 36 - Costa Hawkins Reform
From: President Pro Tempore Kalb & Councilmember Bas
Recommendation: Adopt A Resolution In Support Of Assembly Bill 36 (Bloom) That Would Allow Local Jurisdictions To Apply Rent Stabilization To (1) Rental Units That Are More Than Ten Years Old And (2) Single-Family Rentals And Condominiums If The Owner Owns At Least Three Housing Units Within The Jurisdiction Or Is Not A Natural Person
[18-1674](#)

Attachments: [View Report](#)
[View Supplemental Report 4/26/2019](#)

This City Resolution be Withdrawn with No New Date.

Subject: Resolution In Support Of AB 234 - Seismic Retrofit Tax Credits
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 234 (Nazarian) That Would Provide Tax Credits For Seismic Retrofit Costs; On The May 30, 2019 Rules And Legislation Committee Agenda
[18-1840](#)

This City Resolution be Withdrawn with No New Date.

Subject: Informational Report On The Public Lands Policy Process
From: Council President Kaplan
Recommendation: Receive An Informational Report From The City Administrator On Oakland's Public Lands Policy Framework And Status And Timeline For Developing An Ordinance To Codify These Policies As Required By Ordinance No. 87483 C.M.S.; On The September 17, 2019 City Council Agenda As A Non-Consent Item
[18-2092](#)

This Informational Report be Withdrawn with No New Date.

- 5 A Review Of The Council Committees' Actions From September 24, 2019 And Determination Of Scheduling To The City Council Meeting Of October 1, 2019 (MATRIX)
[18-2208](#)

Attachments: [View Report](#)

There was 1 speaker 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 SEPTEMBER 24, 2019 COMMITTEE MATRIX

CHANGES MADE TO FINANCE AND MANAGMENT COMMITTEE

There were 2 speaker on this item

This be Accepted as Amended.

NO VOTE: 0

Subject: Vacant Property Tax Implementation Ordinance & Administration

From: Finance Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Title 4, Chapter 4.56 To Clarify And Further Define Various Sections Of The Oakland Vacant Property Tax And Establish A Method For Identifying Vacant Property; And
[18-2201](#)

Attachments: [View Report](#)

[View Supplemental Report 10/11/2019](#)

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/15/2019

2) A Resolution Authorizing The City Administrator, Or Designee, To Execute A First Amendment To An Agreement With Sci Consulting Group For The Implementation, Administration And Management Of The Vacant Property Tax For A Term Of Three Years Plus Two One-Year Options For A Grand Total Not To Exceed \$1,270,000 For All Five Years
[18-2202](#)

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 10/15/2019

CHANGES MADE TO PUBLIC SAFETY COMMITTEE

Subject: FY 2019-20 OPD Traffic Safety Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) Dollars From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2019-2020 Selective Traffic Enforcement Program (STEP) To Be Administered By The Oakland Police Department (OPD), And To Authorize The General Purpose Services Fund To Contribute Seventy One Thousand Two Hundred Twenty Two Dollars (\$71,222) To Cover The Related Central Services Overhead Charges
[18-2196](#)

Attachments: [View Report](#)
[View Supplemental Report 9/20/2019](#)
[87878 CMS](#)

Staff will bring a separate rules request to be scheduled to the November 12, 2019 Public Safety Committee to address the supplemental questions asked

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/1/2019

6 A Review Of The Draft Agendas For The Council Committee Meetings Of October 8, 2019 And The Rules And Legislation Committee Of October 10, 2019
[18-2209](#)

Attachments: [View Report](#)

There was 1 speaker on this 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

CHANGES MADE TO THE OCTOBER 8, 2019 DRAFT AGENDAS

CHANGES MADE TO THE DRAFT FINANCE AND MANAGEMENT COMMITTEE

Subject: Business Tax Exemption For Small Landlords
From: President Pro Tempore Kalb And Councilmember Gallo
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code, Chapter 5.04, Section 5.04.420, To Fully Or Partially Exempt From The Business Tax On Residential Property Rentals Those Landlords With Personal Income Of 100 Percent Of Area Median Income Or Less Who Rent Out (1) Two Or Fewer Rooms From Their Single Family Home Of Personal Residence Or (2) A Unit From Their Owner-Occupied Two-Unit Parcel
[18-1769](#)

- Attachments:** [View Report](#)
[View Finance Report](#)
[View Supplemental Report 6/7/2019](#)
[View Kalb Supplemental Report 10/10/2019](#)
[View Kaplan Supplemental Report 10/18/2019](#)
[View Supplemental Report 10/17/2019](#)

The Committee accepted for this item to be placed on the Pending List No Date Specific

This City Resolution be Rescheduled to go before the *Finance & Management Committee to be heard 10/22/2019

CHANGES MADE TO THE DRAFT PUBLIC WORKS COMMITTEE

The Committee Accepted for October 8, 2019 Public Works Committee to Start at 12:00 Noon

This be Accepted.

CHANGES MADE TO THE DRAFT COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Subject: Informational Report On Draft Downtown Oakland Specific Plan
From: Planning And Building Department
Recommendation: Receive An Informational Report On The Draft Downtown Oakland Specific Plan (Draft Plan), Which Will Guide Development And Growth In The Downtown Area Over The Next Approximately 20 Years, And Propose Transformative Ideas To Connect The Community's Goals To Strategic Actions Involving Land Use, Culture, Community Benefits, Economic Growth, And Housing
[18-2242](#)

The Committee accepted for this item to be placed on the Pending List No Date Specific

This Informational Report be Scheduled.to go before the *Community & Economic Development Committee

CHANGES MADE TO THE DRAFT RULES AND LEGISLATION COMMITTEE

Subject: Ballot Measure - Appropriations Limit Increase
From: Finance Department
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At A March 3, 2020 Municipal Election, An Ordinance To Increase The Appropriation Limit For Fiscal Years 2020-21 Through 2023-24 To Allow The City To Expend Funds Collected From Eight Voter-Approved General And Special Tax, Ballot Measures - For Emergency Medical Services, Paramedic Services, Library Services, Public Safety And Violence Prevention Services, Homeless Services And Other Lawful Governmental Purposes; And Directing The City Clerk To Take All Actions Necessary Under Law To Prepare For And Conduct A March 3, 2020 Municipal Election
[18-2243](#)

Attachments: [View Report](#)

The Committee accepted a Title Change read into record

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 10/10/2019

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 Oakland City Council Rules & Legislation Committee adjourned the meeting at 12:12 p.m.

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

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.**