



# 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, February 16, 2017

10:45 AM

City Council Chamber, 3rd Floor

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### Roll Call / Call To Order

*The Oakland City Council Rules and Legislation Committee convened at 10:57 am., with Council President Reid presiding as Chairperson.*

### COMMITTEE MEMBERSHIP:

**Present** 4 - Lynette McElhaney, Abel J. Guillén, Dan Kalb, and Laurence E. Reid

#### 1 Determinations Of Closed Session

[16-0678](#)

**Attachments:** [View Report](#)

*The City Attorney announced a Special Closed Session February 21, 2017 at 2:30pm with a number of anticipated and pending litigation items to be discussed in accordance with the provisions of the Brown Act.*

A motion was made by Lynette Gibson McElhaney, seconded by Abel J. Guillén, that this matter be Accepted. The motion carried by the following vote:

**Aye:** 4 - McElhaney, Guillén, Kalb, and Reid

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of February 2, 2017

[16-0679](#)

**Attachments:** [View Report](#)

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

**Aye:** 4 - McElhaney, Guillén, Kalb, and Reid

#### 3 Determination Of Schedule Of Outstanding Committee Items

[16-0680](#)

**Attachments:** [View Report](#)

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

**Aye:** 4 - McElhaney, Guillén, Kalb, and Reid

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas  
[16-0681](#)

**Attachments:** [View Report](#)

*There was 1 speaker speaking on 3 items on the agenda.*

**A motion was made by Abel J. Guillén, seconded by Lynette Gibson McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:**

**Aye:** 4 - McElhaney, Guillén, Kalb, and Reid

4.1 Subject: Comprehensive Annual Financial Report (CAFR) And Management Letter  
From: Oakland Finance Department  
Recommendation: Receive The Comprehensive Annual Financial Report (CAFR) And The Management Letter For The Year Ended June 30, 2016; On The March 21, 2017 City Council Agenda  
**16-0729**

**Sponsors:** Finance Department

**Attachments:** [View Report](#)

**This Informational Report be Scheduled.to go before the \*Finance & Management Committee to be heard 2/28/2017**

4.2 Subject: Oakland Redevelopment Successor Agency (ORSA) Audit Report  
From: Oakland Finance Department  
Recommendation: Receive The Oakland Redevelopment Successor Agency (ORSA) Audit Report For The Year Ended June 30, 2016  
[16-0730](#)

**Sponsors:** Finance Department

**Attachments:** [View Report](#)

**This Informational Report be Scheduled.to go before the \*Finance & Management Committee to be heard 2/28/2017**

- 4.3** Subject: Alameda County-Oakland Community Action Partnership CSBG 2017-2019 Funding Cycle  
From: Human Services Department  
Recommendation: Adopt A Resolution Amending The Adopted Appropriation For The 2017 Community Services Block Grant (CSBG) Up To \$1,360,989 And Authorizing The City Administrator To: (1) Enter Into Grant Agreements, Professional Services Agreements, And Amendments With Anti-Poverty Service Providers For The Alameda County - Oakland Community Action Partnership (AC-OCAP) 2017 CSBG Program Year, And Enter Into Amendments For The 2018 And 2019 Program Years; And (2) Amend The Agreements To Increase The Amount If Additional CSBG Funding Becomes Available During The 2017-2019 Three-Year Funding Cycle  
[16-0731](#)

**Attachments:** [View Report](#)  
[View Supplemental Report](#)  
[86628 CMS](#)

*Staff read a title change into record and the title will be reflected on the face of the assigned committee agenda as read into record.*

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 2/28/2017**

- 4.4** Subject: Five-Year Financial Forecast  
From: Budget 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 No. 13279 C.M.S.  
[16-0738](#)

**Attachments:** [View Report](#)  
[View Supplemental Report](#)  
[View Supplemental \(COLOR\)](#)

**This Informational Report be Scheduled.to go before the \*Finance & Management Committee to be heard 2/28/2017**

- 4.5** Subject: Offsite Budget Retreat /Cancellation Of March 2nd Rules Committee  
From: Council Presidnt Reid  
Recommendation: Cancel March 2, 2017 The Rules And Legislation Committee And Schedule A Special Meeting Of The City As A Budget Retreat Meeting (Off Site) At The Joaquin Miller Community Center, Located At 3594 Sanborn Drive, Oakland California From 9:00 am Until 4:00 pm  
**16-0739**

*The March 2nd Rules and Legislation Committee meeting was cancelled.*

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/2/2017**

**ITEMS SUBMITTED ON THE DIAS**

Subject: Congressional City Conference Authorization For Councilmember Desley Brooks  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Travel To Washington D.C. To Attend The 2017 League Of Cities Congressional City Conference From March 10-15, 2017  
[16-0744](#)

**Attachments:** [View Report](#)  
[86619 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 3/7/2017**

Subject: Support For AB 423 To Preserve Residential Hotels In Oakland  
From: Councilmember Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution In Support of Assembly Bill 423 (Bonta) That Would Amend The Ellis Act (Government Code Sec. 7060 Et Seq.) To Permit Oakland Effectively Regulate Residential Hotels  
[16-0745](#)

**Attachments:** [View Report](#)  
[86620 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 3/7/2017**

Subject: California Farmers Market Association  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Encroachment Permit To Occur For A Farmers' Market In The Public Right-Of-Way At 7700 Mountain Boulevard Each Saturday Between The Hours Of 6:00 A.M. And 4:00 P.M.  
[16-0746](#)

**Attachments:** [View Report](#)  
[View Supplemental Report](#)

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 3/14/2017**

- 5 A Review Of The Council Committees' Actions From February 14, 2017 And Determination Of Scheduling To The City Council Meeting Of February 21, 2017 [16-0682](#)

**Attachments:** [View Report](#)

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 4/11/2017**

- 6 A Review Of The Draft Agendas For The City Council Meeting Of February 28, 2017 And The Rules And Legislation Committee Of March 2, 2017 [16-0683](#)

**Attachments:** [View Report](#)

***The City Administrator request 2 modifications to the draft agendas to refer items to future committee meetings as indicated below.***

**A motion was made by Abel J. Guillén, seconded by Lynette Gibson McElhaney, that this matter be Accepted as Amended. The motion carried by the following vote:**

**Aye:** 4 - McElhaney, Guillén, Kalb, and Reid

**Subject:** Options For Adding Administrative Remedies For Violations Of Chapter 8.22  
**From:** Couilmembers Dan Kalb and Abel Guillen  
**Recommendation:** Recieve A Report And Recommendations Providing Analysis On Options For Adding An Administrative Remedy Or Remedies For Violations Of Chapter 8.22, Article V (Tenant Protection Ordinance), Including, But Not Limited To Potential Funding Needs And Sources, Staffing Requirements, And Legislative Changes Needed For Implementation.  
[15-1307](#)

**Sponsors:** Kalb and Guillén

***The City Administrator requested the assignment of this item to the month of April. The item is flagged for tracking to verify the date certain this item will be discussed.***

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 4/11/2017**

Subject: Inspection Program for Lead  
From: Councilmembers Desley Brooks and Noel Gallo  
Recommendation: Direct The City Administrator To Develop An Ordinance Creating A Lead Reduction Inspection Program. Said Program Shall Require The Inspection Of All Pre--1978 Dwellings For The Presence Of Lead At The Sale Or Rental Of Said Dwelling; Shall Require That Notice Of Inspection Requirement Be Provided To Tenant/New Owner; Shall Require That Tenants Be Provided A Lead Poisoning Reduction Notice Of Tenants Rights; Shall Require That All Tenants And Prospective Owners Be Provided The How To Protect Your Family From Lead Poisoning In Your Home Pamphlet; And Establishing Penalties For Noncompliance

[16-0615](#)

*At 11:14 am., Pro Tem Guillen made a motion, seconded by Councilmember Gibson McElhaney, to adjourn as the Rules and Legislation Committee and reconvene as a Special Meeting of the City Council.*

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 4/11/2017**

Subject: FY 2016-17 Second Quarter Revenue & Expenditure Report  
From: Finance Department  
Recommendation: Receive An This Informational Report On The Projected Fiscal Year (FY) 2016-17 Second Quarter Revenue and Expenditure Results And Year End Summaries For Six Selected Funds- General Purpose Fund (GPF, 1010), Multipurpose Reserve Fund (1750), State Gas Tax Fund (2230), State Gas Tax Proposition 42 Replacement Fund (2231 ), Landscape & Lighting Assessment District Fund (LLAD, 2310), And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds.

[16-0747](#)

**Attachments:** [View Report](#)

**This Informational Report be Scheduled.to go before the \*Finance & Management Committee to be heard 2/28/2017**

Subject: Quarterly Tracking Report On Economic Development Activities  
From: Economic Workforce Development Department  
Recommendation: Receive An Informational Quarterly Tracking Report On Economic Development Activities.

[16-0748](#)

**Attachments:** [View Report](#)

[View Report-Attachment A](#)

[View Report-Attachment B](#)

[View Report-Attachment C](#)

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 2/28/2017**

Subject: Presidential Executive Order - Border Wall - No Support To Contractors  
From: Council President Pro Tem Guillén, Council President Reid, Councilmember McElhaney And Councilmember Gallo  
Recommendation: Adopt A Resolution Denouncing The Presidential Executive Order To Build A Wall Along The U.S.-Mexico Border, Establishing A Policy That Requires The City To Refrain From Entering Into Any New Or Amended Contracts To Purchase Goods, Materials, Labor Or Professional, Technical, Scientific, Financial Or Any Other Services From Any Business That Provides Such Goods, Materials, Labor Or Services In Support Of The Building Of Said Border Wall, And Directing The City Administrator To Return With An Ordinance To Establish The Policy By Law  
[16-0697](#)

**Sponsors:** Guillén and Mr. Reid

**Attachments:** [View Report](#)

**This City Resolution be Scheduled to go before the \*Finance & Management Committee to be heard 3/14/2017**

7 Subject: New Legislative Priorities To Pursue Funding And Grant Opportunities For Lead Hazards Abatement  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution To Add A New Priority In The City Of Oakland Legislative Priorities To Pursue Funding And Grant Opportunities At The State Of California Level For A City Of Oakland Proactive Rental Housing Inspection Program With A Specific Focus On Lead Hazards Abatement  
[16-0619](#)

**Sponsors:** Campbell Washington

**This City Resolution be Withdrawn with No New Date.**

8 Subject: Resolution In Support Of AB 71 - Bring California Home Act  
From: Councilmember Kalb And President Pro Tem Guillén  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 71 (CHIU) That Would Eliminate State Mortgage Interest Deduction On Vacation Homes And Increase The Low Income Housing Tax Credit By \$300 Million Per Year To Fund Affordable Housing  
[16-0654](#)

**Attachments:** [View Report](#)

[View Supplemental Report](#)

[86610 CMS](#)

**This City Resolution be Approve the Recommendation of Staff, and Forward to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 2/21/2017**

**Aye:** 4 - McElhaney, Guillén, Kalb, and Reid

**9** Subject: Resolution In Support Of SB 2 - Building Homes And Jobs Act  
From: Councilmembers Dan Kalb And Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution In Support Of Senate Bill 2 (ATKINS) That Would Establish A Permanent Funding Source For Affordable Housing Through A Small Fee On Real Estate Transaction Documents, Excluding Most Property Sale Transactions  
[16-0662](#)

**Sponsors:** Kalb and McElhaney

**Attachments:** [View Report](#)  
[View Supplemental Report](#)  
[86611 CMS](#)

**This City Resolution be Approve the Recommendation of Staff, and Forward.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 2/21/2017**

**Aye:** 4 - McElhaney, Guillén, Kalb, and Reid

**10** Subject: Reappointment To The Citizen's Police Review Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Brian Bingham, Charlette Green And Jose A. Dorado To The Citizen's Police Review Board  
[16-0688](#)

**Sponsors:** Office Of The Mayor

**Attachments:** [View Report](#)  
[86612 CMS](#)

**This City Resolution be Approve the Recommendation of Staff, and Forward.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 2/21/2017**



- 11 Subject: Resolution Calling On CalPERS To Divest From DAPL  
From: Councilmembers Kaplan, Gallo, Kalb, President Pro Tempore Guillén, And Councilmember Gibson McElhaney  
Recommendation: Adopt A Resolution Calling On The California Public Employees' Retirement System (CalPERS) To Divest From The Dakota Access Pipeline (DAPL) [16-0691](#)

Attachments: [View Report](#)  
[86613 CMS](#)

*There was 1 speaker on this item.*

*Councilmember Kalb was also added as a sponsor of this item.*

A motion was made by Lynette Gibson McElhaney, seconded by Dan Kalb, that this matter be Approve the Recommendation of Staff, and Forward to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board, to be heard 2/21/2017. The motion carried by the following vote:

Aye: 4 - McElhaney, Guillén, Kalb, and Reid

#### Open Forum (Total Time Available: 15 Minutes)

*There were 2 speakers under 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 11:39 a.m.*

#### 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.**