



# 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, April 27, 2017

10:45 AM

City Council Chamber, 3rd Floor

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### Roll Call / Call To Order

#### COMMITTEE MEMBERSHIP:

**Excused** 1 - Laurence E. Reid

**Present** 3 - Lynette McElhaney, Abel J. Guillén, and Annie Campbell Washington

#### 1 Determinations Of Closed Session

[16-0966](#)

*There will be a special closed session on Tuesday May 2, 2017 at 3:30*

*There was 1 speaker on this item*

**This Report and Recommendation be Accepted.**

#### 2 Approval Of The Draft Minutes From The Committee Meeting Of April 13, 2017

[16-0967](#)

**This Report and Recommendation be Accepted.**

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

[16-0968](#)

**This Report and Recommendation be Accepted.**

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

[16-0969](#)

**This Report and Recommendation be Accepted.**

**Excused:** 1 - Reid

**Aye:** 3 - McElhaney, Guillén, and Campbell Washington

- 4.1** Subject: Honoring The Heroes And Survivors Of The 2551 San Pablo Fire  
From: Councilmember McElhaney  
Recommendation: Adopt A Resolution Honoring The Heroes And Survivors Of The 2551 San Pablo Fire And Presenting Commendations To Joseph Kearse, Bobby Earl Bishop Jr., Michael Jones, And Maro Smith Whose Heroic Acts On March 27, 2017 Saved Over 100 Lives  
**16-1033**

*There was a title change to this item removing the "Usher" and adding "Smith" in the title of this 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 5/16/2017**

- 4.2** Subject: Honoring The East Bay Dragons  
From: Council President Reid  
Recommendation: Adopt A Resolution Honoring The East Bay Dragons Motorcycle Club For 58 Years of Dedicated Service In The City Of Oakland  
**16-1035**

**This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 5/16/2017**

- 4.3** Subject: Celebration Of Asian American And Pacific Islander Heritage Month  
From: President Pro Tempore Guillén  
Recommendation: Adopt A Resolution In Celebration Of Asian American And Pacific Islander Heritage Month Honoring Asian American And Pacific Islanders Whose Service And Leadership In Oakland Contribute To The City's Cultural Diversity And Its Spirit Of Community Service  
**16-1049**

**This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 5/16/2017**

- 4.4** Subject: Support For The National Endowment For The Arts  
From: Councilmembers McElhaney And Kalb  
Recommendation: Adopt A Resolution Expressing The City Of Oakland's Support For The National Endowment For The Arts And The National Endowment For The Humanities And Directing The Council President To Issue A Letter On Behalf Of The City Council To President Trump And Congress  
[16-1032](#)

*This item will require urgency language and councilmember Kalb will be a co-sponsor this legislation*

**This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 5/2/2017**

- 4.5 Subject: Borrowing Of Funds And Issuance And Sale Of 2017-2018 Notes  
From: Finance Department  
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds And The Issuance And Sale Of 2017-2018 Notes Payable From Revenues Received During The Fiscal Year 2017-2018 In An Amount Not To Exceed \$86,000,000 And Approving Certain Related Matters  
[16-1026](#)

**This Ordinance be Scheduled.to go before the \*Finance & Management Committee to be heard 5/9/2017**

- 4.6 Subject: Report From The Budget Advisory Commission  
From: Finance Department  
Recommendation: Receive An Informational Report From The Budget Advisory Commission Regarding Recommendations For Implementation Of The Infrastructure Bond And Establishing A Capital Planning Working Group  
[16-1027](#)

**This Report and Recommendation be Scheduled.to go before the \*Finance & Management Committee to be heard 5/9/2017**

- 4.7 Subject: Illegal Dumping  
From: Oakland Public Works Department  
Recommendation: Receive A Follow Up Informational Report On Illegal Dumping Reduction Activities In The City Including Evaluation Of Waste Management's Pickup Of Illegal Dumping Program  
**16-1037**

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 6/13/2017**

- 4.8 Subject: Update On Proposed ABAG And MTC Merger  
From: Councilmember McElhaney  
Recommendation: Receive A Report With Possible Action On The Proposed Merger Of The Association Of Bay Area Governments (ABAG) And The Metropolitan Transportation Commission (MTC) With A Presentation Of Merger By The Leadership Of ABAG And MTC  
[16-1031](#)

***Remove the word "Informational" and add " Receive A Report with possible action."***

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 5/9/2017**

- 4.9** Subject: Semi Annual Vacancy Report  
From: Human Resources Management  
Recommendation: Receive An Information Report On Budgeted Vacant Positions For The Period Of October 11, 2016 Through March 13, 2017 As Presented To The Finance & Management Committee on April 25, 2017 With Additional Detail Regarding Public Works And Department Of Transportation Vacant Positions  
[16-1034](#)

**This City Resolution be Scheduled.to go before the \*Public Works Committee to be heard 5/9/2017**

- 4.10** Subject: Revisions To Public Art Requirements For Private Developments  
From: The Planning And Building Department  
Recommendation: Adopt An Ordinance Repealing Ordinance No. 13275 C.M.S., Amending The Oakland Municipal Code To Adopt Chapter 15.78, Public Art Requirements For Private Development, And Adopting California Environment Quality Act Exemption Findings; On the May 9, 2017 Community And Economic Development Committee Agenda And As a Public Hearing On May 16, 2017  
**16-1036**

**This City Resolution be Scheduled.to go before the \*Community & Economic Development Committee to be heard 5/9/2017**

- 4.11** Subject: Oakland Children - Smoking Prevention Ordinance  
From: Vice Mayor Campbell Washington And Council President Reid  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.91 To: (1) Prohibit The Sale Of Flavored Tobacco Products; (2) Require The Posting Of The Full Retail Price Of Tobacco Products; (3) Prohibit The Redemption Of Tobacco Discounts And Coupons; And (4) Make Administrative Changes For The Licensure Of Tobacco Retailers  
[16-1048](#)

*This item will have a title change*

**This Ordinance be Scheduled.to go before the \*Life Enrichment Committee to be heard 5/9/2017**

- 4.12** Subject: Surveillance And Community Safety Ordinance  
From: Office Of The City Administrator  
Recommendation: Adopt A Surveillance And Community Safety Ordinance Which Prescribes The Rules For The Acquisition And Use Of Surveillance Equipment And Technology, Establishes Oversight, Auditing And Reporting Requirements, And Imposes Penalties For Violations  
[16-1028](#)

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 5/9/2017**

- 4.13** Subject: Oakland Fire Department's OFD Cares Program  
From: Council President Reid  
Recommendation: Receive The Oakland Fire Department's (OFDs) Informational Report On The OFD Community Advancement Through Reading, Education, And Safety (CARES) Program And Current Recruitment Efforts  
[16-1029](#)

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 5/9/2017**

- 5** A Review Of The Council Committees' Actions From April 25, 2017 And Determination Of Scheduling To The City Council Meeting Of May 2, 2017 (MATRIX)  
[16-0970](#)

**Public Works**

**Item 3 (16-0883) will be re-scheduled to the May 23, 2017 committee agenda  
Item 4 (16-0243) will appear on the June 13, 2017 agenda with a new title**

**CED Committee**

**Item 6 (16-0988) will be re-scheduled to the May 23, 2017 committee agenda**

**This Report and Recommendation be Accepted.**

- 6** A Review Of The Draft Agendas For The Council Committee Meetings) Of May 9, 2017 And The Rules And Legislation Committee Of May 11, 2017  
[16-0971](#)

**This Report and Recommendation be Accepted.**

- 7** Subject: Resolution in Support of AB 291 (Assemblymember Chiu) -Immigrant Tenant Protection  
From: Councilmembers Dan Kalb And Noel Gallo  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 291 (Assemblymember Chiu) That Will Provide Protections To California Renters From Intimidation And Retaliation In Their Homes And From Deportation Threats  
[16-0981](#)

***This item will have a title change***

**This City Resolution be Approve 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 5/2/2017**

- 8 Subject: Resolution In Support Of SB 366 (Senator Leyva) - Renewable Energy For All  
From: Councilmembers Dan Kalb And Lynette McElhaney  
Recommendation: Adopt A Resolution In Support Of Senate Bill 366 (Senator Leyva) That Would Make California's Shared Solar Program, Known As The Green Tariff Shared Renewables (GTSR) Program, Affordable For Low-Income Customers By Using Electricity Sector Auction Revenues To Ensure Savings For Low-Income Customers And Encourage Solar Development In Disadvantaged Communities  
[16-0982](#)

*Councilmember McElhaney requested to be added as a cosponsor to this item.*

**This City Resolution be Approve 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 5/2/2017**

**Excused:** 1 - Reid

**Aye:** 3 - McElhaney, Guillén, and Campbell Washington

- 9 Subject: Resolution In Support Of AB45 (Thurmond) - School Employee Housing Assistance Program  
From: Councilmembers Dan Kalb And Vice Mayor Annie Campbell Washington And Councilmember Lynette McElhaney  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 45 (Thurmond) That Will Provide A Tool To School Districts To Increase Recruitment And Retention By Creating A \$100 Million Program Which Will Provide Financial Assistance To School Districts To Help Fund The Predevelopment And Development Of Housing For School Employees, Including Teachers  
[16-0983](#)

**A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, that this matter be Approve the Recommendation of Staff, and Forward. The motion carried by the following vote:**

**Excused:** 1 - Reid

**Aye:** 3 - McElhaney, Guillén, and Campbell Washington

- 10** Subject: Resolution In Support Of AB 523 (Assemblymember Gómez Reyes) - Equity In Clean Energy Investments  
From: Councilmembers Dan Kalb  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 523 (Assemblymember Gomez Reyes) That Will Dedicate A Minimum Of 25% Of The Available Moneys Administered By The California Energy Commission (CEC) In The Electric Program Investment Charge (EPIC) For Clean Energy Projects Located Within And Benefiting Individuals Living In Designated Disadvantaged Communities (DAC) And An Additional 10% Of Funds To Low Income Communities  
[16-0985](#)

A motion was made by Lynette McElhaney, seconded by Annie Campbell Washington, that this matter be Approve 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 5/2/2017. The motion carried by the following vote:

Excused: 1 - Reid

Aye: 3 - McElhaney, Guillén, and Campbell Washington

**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 And Legislation Committee adjourned the meeting at 11:58 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.**