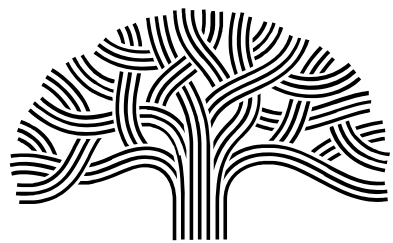


Overview of the Legislative Body

Oakland City Council Orientation
January 11, 2023



CITY OF
OAKLAND



Agenda

1. City Structure/Charter
2. City Council Priorities
3. Council Meeting Procedures and Legislative Process
4. City Relationships
5. Ethics And Civil Rights Compliance

City Structure/Charter

The background features a complex, abstract pattern of overlapping, curved lines in a lighter shade of blue. These lines form a dense, organic structure that resembles a stylized tree or a network of paths, with some lines curving upwards and others downwards, creating a sense of movement and depth.

History

- In 1852, the City of Oakland was established by act of State Legislature
- In 1931, Oakland established a council-manager system of governance, which it maintained until the passage of Measure X in 1998
- Since 1998, the City of Oakland has had a Mayor-Council form of government
 - a. Mayor directly elected, leads Administration
 - b. City Council serves as main legislative body
 - c. City Attorney and City Auditor directly elected
 - d. City Administrator appointed by Mayor



City Structure/Charter

City Officials

The authority, duties and responsibilities of the City's elected and appointed officials are established in the City Charter, which provides the legal framework for City government.



City Structure/Charter

City Officials

Mayor

The Mayor is elected at-large for a four-year term and can be re-elected only once (Charter Section 302). The Mayor oversees the executive branch of government and appoints the City Administrator, subject to confirmation by the City Council (Charter Section 305). The Mayor is not a member of the City Council, but they may cast a tie-breaking vote in the event of a deadlock (Charter Section 200).

City Officials

Mayor

It is the Mayor's responsibility to:

- Submit a biannual budget, prepared by the City Administrator, to the City Council.
- Recommend measures and legislation for consideration by the City Council.
- Encourage programs for the physical, economic, social and cultural development of the City.
- Actively promote economic development to broaden and strengthen the commercial and employment base of the City.
- Appoint members to boards and commissions.
- Represent the City in inter-governmental relations.

City Officials

City Council

The City Council is the legislative body of the City and is comprised of eight Councilmembers (Charter sections 200 and 207). One Councilmember is elected at-large, and the other seven Councilmembers represent specific geographic districts (Charter section 203). All Councilmembers are elected to serve four-year terms (Charter section 204). Each year the Councilmembers elect one member as President of the Council and one member to serve as President Pro Tempore (Charter section 208). The City Council has no administrative powers (Charter section 207).

City Officials

City Council

It is the role of the City Council to, among other things:

- Serve as the governing body of the City (Charter section 207)
- Make City policy and gives general policy direction to departments through the City Administrator or Mayor (Charter section 207)
- Vote on ordinances and resolutions (Charter section 210)
- Adopt a budget (Charter sections 207 and 305)
- Serve as the Redevelopment Agency Board of Directors

City Officials

City Attorney

The City Attorney is elected at-large for a four-year term and serves as legal counsel for the municipal corporation (Charter sections 401(3) and 401(6)).

City Officials

City Attorney

The City Attorney's duties are to (Charter section 401(6)):

- Provide legal services, advice and representation to elected officials, City Administration, boards, commissions or other agencies of the City.
- Draft ordinances, resolutions, contracts and other legal documents.
- Defend the City against claims and lawsuits.
- Initiate lawsuits on behalf of the City.

City Officials

City Auditor

The City Auditor is elected at-large for a four-year term. They help to ensure that City operations are effective and efficient, and acts as a deterrent to fraud, waste and mismanagement of City resources (Charter Section 403).

City Officials

City Auditor

The City Auditor:

- Performs financial audits and reviews of records, procedures and activities of City departments
- Prepares impartial financial analyses of all ballot measures and proposed major expenditures
- Conducts performance audits of City departments
- Provides assistance to City departments to enhance the effectiveness, efficiency and economy of their operations

City Structure/Charter

City Officials

City Clerk

The City Clerk is appointed by the City Administrator, subject to confirmation by the City Council (Charter Section 402).

City Officials

City Clerk

The City Clerk's duties are to:

- Keep an accurate public record of all adopted ordinances, resolutions, motions and minutes
- Ensure that other City records are readily accessible to the public
- Prepare legislative agendas, verify the posting or publication of legal notices and schedule public hearings
- Conduct elections and assist candidates in meeting their legal responsibilities before, during and after an election
- Administer oaths.

City Officials

City Administrator

The City Administrator is appointed by the Mayor, subject to confirmation by the City Council (Charter section 500). Responsible for the day-to-day administrative and fiscal operations of the City, the City Administrator directs City agencies and departments to ensure the goals and policy directives of the Mayor and City Council are implemented (Charter sections 503 and 504). The Office of the City Administrator works hand in hand with the Mayor's Office to deliver services and programs to the community. The City Administrator takes direction from the Mayor (Charter section 305).

City Officials

City Administrator

It is within the City Administrator's responsibility to:

- Enforce all laws, ordinances and policies of the Council
- Make recommendations to the Council concerning City affairs
- Control and administer the financial affairs of the City and keeping the Council apprised of these affairs
- Prepare a biannual budget under the direction of the Mayor and Council.
- Make recommendations to the Council about public contracts and see that the conditions of contracts are faithfully performed
- Coordinate all projects, policies, and directives assigned to the City Administrator by the Council.

City Structure/Charter

Council/Administration Relations

- Mayor gives direction to City Administrator (Charter section 305)
- City Council acts via ordinance, resolution, or motion (Charter section 210)
- City Administrator must attend City Council meetings and executes City Council policy (Charter section 504)
- City Council has no administrative authority, and cannot interfere with administrative affairs (Charter Sections 207 and 218. see also Administrative Instruction 597)

Tracking Council Priorities

- City Administration tracking City Council Policy Directives on City website
- City Administration enhancing use of Legistar to better track Council direction that comes via legislation or motion
- City Administration drafted Council/Administration interaction protocols
- City Administrator (and other Administration leaders) seek to meet regularly with City Councilmembers

Council Strategic Priorities

FY 2021 - 2023

Affordable Housing & Homelessness Solutions

1. **Protection/Prevention** — protect tenants and low-income property owners, prevent homelessness
2. **Preservation** — preserve affordable housing
3. **Production** — produce deeply affordable housing
4. **House unsheltered residents** — lease/purchase hotels; utilize public land for emergency shelter, safe parking sites, transitional housing and permanent deeply affordable housing
5. **Service encampments** with outreach and supportive services, and health and sanitation services

City Council Priorities

Public Safety & Violence Prevention

1. Take action on the recommendations of the Reimagining Public Safety Task Force to increase public safety through alternative responses to calls for service and investments in the root causes of violence/poverty
2. Reduce gun violence and focus on violent crime, including increasing investigation capacity
3. Increase violence prevention, trauma-informed care and healing
4. Develop and implement alternative responses to police, such as MACRO
5. Implement and expand Crime Prevention through environmental design for crime prevention and traffic calming

Good Jobs and Vibrant Economy

1. Create and maintain **family-sustaining jobs**
2. Enhance **workforce development** and training, and youth jobs programs
3. Support **small businesses**, addressing racial and gender disparities, and enhancing **business districts**
4. Fully **staff City Departments** by improving recruitment, filling vacancies and increasing both succession planning and retention

Clean, Healthy, Sustainable Neighborhoods

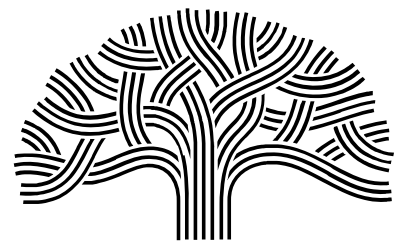
1. Reduce and prevent illegal dumping, litter and blight, including proactive service and reducing the backlog of abandoned autos
2. Ensure safe and well-maintained streets and sidewalks
3. Invest in parks, libraries, youth development, senior services, arts & culture
4. Expand wildfire prevention and disaster preparedness/response



Council Meeting Procedures and Legislative Process

Council Rules of Procedure

Nikki Fortunato Bas
District 2 Councilmember
Oakland City Council



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Council Rules of Procedure

City Charter Section 210 mandates Council establish Rules of Procedure for **conduct of meetings and order of business.**

Resolution No. 87044 CMS (2018) as amended by Temporary Rules Of Procedure in Resolutions No. 88113 CMS (2020), 88266 CMS (2020) and 89432 CMS (2022), and by Resolution No. 88785 CMS (High Stakes Negotiations, 2021).

Council Rules of Procedure Overview

Rules of Procedure, among other things:

- Establish place and time of regular meetings
- Establish Committees and their powers and procedures
- Create positions of Council President and President Pro Tempore
- Establish Procedures at Council meetings
- Establish Mayor's powers during Council recess
- Require approval of contracts by resolution or ordinance
- Establish Code of Conduct for Councilmembers and Censure Policy & Procedure

Council Meeting Procedures and Legislative Process

Council Rules of Procedure

Amended and Re-instated Rules will be considered at Rules & Legislation Committee meeting on January 19th - [See resolution on Legistar](https://bit.ly/3Wu2Can) (bit.ly/3Wu2Can)

- **Rule 1** – Council conducts meetings in accordance with Roberts Rules of Procedure, except as modified by these Rules and open meeting laws
- **Rule 4** – Standing Committees and meeting times. Under Temp. Rules during COVID, Committees meet on 2nd & 4th Mondays & Tuesdays. Proposed Rules would go back to pre-COVID meeting schedule with five Committee meetings on Tuesdays and keeping Rules Committee on Thursdays.
- **Rule 5** – Actions by Committees (to be reviewed under Legislative Process)

Council Meeting Procedures and Legislative Process

Council Rules of Procedure

- **Rule 6** – Election of Council President and Powers/Duties
- **Rule 7** – Order of Business at Council meetings
- **Rule 8** – Actions and Procedures at City Council
 - Temp. Rules under COVID: Regular Council meetings on 1st & 3rd Tuesdays at 1:30pm via Zoom
 - Proposed Rules: Regular Council meetings would be on 1st & 3rd Tuesdays at 4pm in Council Chambers at City Hall with hybrid option for public to participate via Zoom. Non-consent items would be heard no earlier than 5pm.
 - (Actions to be reviewed under Legislative Process)
- **Rule 11** – Ten minute limit for Councilmembers speaking on any item

Council Rules of Procedure

- **Rule 12** – City Clerk manages process for public speakers and public comments. Proposed Rules would go back to allowing comments on each agenda item, and ability to cede time on non-consent items.
- **Rule 14** – Time limits for public speakers. Currently, speakers may speak up to 2 minutes during public comment at beginning of meeting. Proposed Rules would allow for more opportunities to comment on agenda, up to a certain amount of time if signed up to speak on multiple items
- **Rule 15** – Presiding officer's role regarding public speakers. May refuse the floor to any person and rule them out of order if: (1) speaking beyond allotted time, (2) remarks are not relevant to agenda item or (3) remarks are disruptive, abusive or constitute hate speech

Council Rules of Procedure

- **Rule 16** – Appointments to boards and commissions require Council confirmation.
 - Appointments by Mayor to Planning Commission; Port Commission; Housing, Residential Rent & Relocation Board; and Police Commission first considered by Rules & Legislation Committee
- **Rule 20** – Annual recess is August 1 through 31 of each year, or until first meeting in September
- **Rule 21** – Actions during recess authorized by Mayor
 - Clearly set forth reason(s) why approval cannot be deferred for Council approval; contract approvals must conform with & be limited to requirements of City's purchasing ordinance; not authorized to take any actions for which the adoption of ordinance is required; approvals limited to authorizations within previous adopted budgeted amounts

Council Meeting Procedures and Legislative Process

Council Rules of Procedure

- **Rule 23** – Jurisdiction of Rules & Legislation Committee
 - Make recommendations endorsing or opposing propositions
 - Monitor and recommend local, state & federal legislative action and submit Annual Legislative Agenda to Council
 - Set special meetings of Council, Standing Committees, and ad hoc committees
- **Rule 24** – Rules & Legislation Committee Powers
 - Assign and schedule items to: standing committee, to requestor to refine item with City Administrator (CAO) and/or City Attorney (OCA), directly to Council with specified reason
 - Establish Consent and Non-Consent Calendars
 - Place urgent item on supplemental agenda of regular Council meeting or special Council meeting agenda, if no committee action taken on item

Council Rules of Procedure

- Rule 25 – High stakes negotiations
 - Representatives shall receive Council authorization prior to casting vote(s) on behalf of City on any matter which could have a significant economic or policy impact on the City, or on any matter of particular controversy.
 - “High-Stakes” negotiations/transactions shall be defined as any negotiations or transactions by a board, commission, agency, joint powers authority, etc. with Council appointed Councilmember, Mayor or City official delegates or alternates involving: licenses, leases, contracts or other transactions that could or will have an economic impact of \$1 million or higher on the City or a significant policy impact or a matter of particular controversy.
 - Revenue matters are exempt from Rule 25

Council Rules of Procedure

- **Rule 26** – Procedure for Councilmember to Place Items on an Agenda (proposed new rule)
 - Councilmembers, City Staff, City Attorney, and Mayor shall make all reasonable efforts to submit new proposals to an appropriate Standing Committee, rather than submitting proposal directly to City Council, and are expected to plan accordingly.
 - Councilmembers who intend to make a motion to substantively modify legislation during a meeting should discuss their proposed modification with City staff and/or City Attorney prior to the meeting, to allow for adequate input and advice.
 - Requests for informational reports minimized and consistent with Council-Approved Meeting Calendar -- due dates for reports to City Administrator (4 weeks before meeting), reports to Clerk and agenda distribution (10 days before meeting).
 -

Council Rules of Procedure

- Legal and Fiscal Review of Ordinances and Resolutions
 - *Advisory Resolutions.* Draft titles to City Attorney at least two (2) full working days prior to scheduling deadline. Substantive draft of Resolution to City Attorney at least two (2) full working days prior to deadline for submitting legislation to Clerk.
 - *Ordinances and Non-Advisory Resolutions.* Substantive drafts to City Attorney & City Administrator at least three (3) weeks prior to scheduling to facilitate legal & fiscal review prior to scheduling.
 - If sponsor unable to comply with guidelines because legislation requires immediate & urgent consideration, notice must be given to City Attorney & City Administrator as early as possible, and Rules Committee may schedule item only if committee determines that item should be scheduled for specified reason, stated on the record.
 -

Council Rules of Procedure

- Sponsors of legislation shall submit a memorandum or report, substantially in the format of and including information in Agenda Report Template, and shall do so no later than deadline for submitting legislation to Clerk.
- **Rule 28** – Procedure to add/remove agenda items
 - To add/remove items after Rules has meet and before an agenda is published, or when there is no intervening Rules meeting to add/remove item, Sponsor must request and receive authorization from: Rules Chair, Council President and either Mayor and/ or City Administrator; for Standing Committee agendas, authorization must also be received from committee's chair. Requests must be emailed to the City Administrator by 12pm the day before agenda publication.
 -

Council Rules of Procedure

- **Rule 29** – Tie Breaking Votes by Mayor
 - If Councilmembers are evenly divided in their vote on an item, the Mayor will break the tie. For the purposes of determining whether Mayor is eligible to cast a tie-breaking vote, abstentions and absences shall count as a “No” vote, but a legally-required recusal shall not count as a “No” vote.
- **Rule 30** – Resolution or ordinance required to approve contracts

Council Rules of Procedure

Rule 31 - Code of Conduct

Each member of the City Council has a duty to:

1. Respect and adhere to the American ideals of government, the rule of law, the principles of public administration and high ethical conduct in the performance of public duties.
2. Represent and work for the common good of the City and not for any private interest.
3. Refrain from accepting gifts or favors or promises for future benefits which might compromise or tend to impair independence of judgment or action.
4. Provide fair and equal treatment for all persons and matters coming before the Council.

Council Meeting Procedures and Legislative Process

Council Rules of Procedure

Rule 31 - Code of Conduct (continued)

5. Learn and study the background and purposes of important items of business before voting, including reviewing agendas and agenda materials, and reading eComments, sufficiently in advance of meetings to allow for consultation and coordination with other Councilmembers, staff, legal counsel, and/or members of the public as permitted by law.
6. Faithfully perform all duties of office.
7. Refrain from disclosing any information received confidentially concerning the business of the City or received during any closed session of the Council held pursuant to state law.
8. Decline any employment incompatible with public duty.

Council Rules of Procedure

Rule 31 - Code of Conduct (continued)

9. Refrain from abusive conduct, personal charges or verbal attacks upon the character, motives, ethics or morals of other Councilmembers, staff or public, or other personal comments not germane to the issues before the Council.
10. Listen courteously and attentively to all public discussions at Council meetings and avoid interrupting other speakers, including other Councilmembers, except as may be permitted by established Rules of Order.
11. Faithfully attend all sessions of the Council unless unable to do so because of disability or some other compelling reason; and inform, as soon as possible, the Council President or Committee Chair when unable to attend a scheduled meeting, or needing to arrive late or leave early.

Council Rules of Procedure

Rule 31 - Code of Conduct (continued)

12. Maintain the highest standard of public conduct by refusing to condone breaches of public trust or improper attempts to influence legislation, and by being willing to censure any member who negligently, willfully or intentionally violates the rules of conduct contained in this Rule 31
13. Abide by federal and state law, the City Charter, City legislation and City Council policies.

Council Rules of Procedure

Rule 32 – Censure of Councilmembers

Censure Policy

Censure is a formal resolution of the City Council officially reprimanding one of its members. Censure serves to formally put a censured councilmember on notice of the Council's disapprobation of conduct that has violated laws or policies, but carries no fine or suspension of the rights of the member as an elected official. Censure is an appropriate punitive measure when the violation of law or policy is deemed by the City Council to be a serious offense.

Council Rules of Procedure

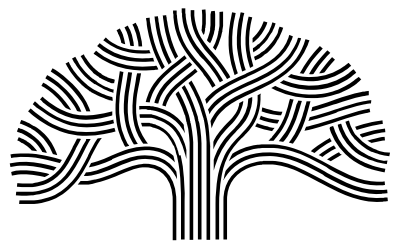
Rule 32 – Censure of Councilmembers

Censure Procedure

- Request to schedule a “censure” hearing by member of Council
- Censure resolution setting forth specific charges and grounds
- Censure hearing
- Decision to censure must be made by resolution and based on conduct found to have been negligent, willful or intentional. Decision to censure requires five (5) votes of Council adopting a resolution: 1) finding there is substantial evidence in the record to support the specific charges alleged, 2) finding that the conduct supporting the censure was negligent, willful or intentional, and 3) approving censure.

Legislative Process

Asha Reed
City Clerk
City Clerk's Office



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“...it is a government's duty to serve the public, and in reaching its decisions, to accommodate those who wish to obtain information about or participate in the process.”

[The Sunshine Ordinance](#) (Title 2, Chapter 2.20) in 1997

Legislative Process

- Legislative Workflow established 1985 modified in 2001 by vote of the Council
- Alignment with the City's Sunshine Policy of 1991 and the State Brown Act
- Extends opportunities for public participation so that the City's receives thoughtful feedback
- Affords opportunities for change management of policy proposals
- Modeled after the California State Legislature

Legislative Process

Legislative Workflow Scope

The City's legislative workflow covers wide ranges of authority.

- The authorities of the governing bodies, Administration, City Attorney, Clerk, and Council President, etc.
- The permitted actions that may be taken on legislative matters by the governing bodies and members.
- The deadlines when which to make agendas available to the City Council and public.
- The details that set forth the elements of agenda reports
- The information that contributes to the City Council's and public's understanding of the matter of interest and aid in the ability to track the matters.

Legislative Process

Legislative Workflow Rules

- City of Oakland's Sunshine Ordinance (12463, 12483, 12668)
- Council's Rules of Procedures (87044 CMS)
- Ralph M. Brown Act
- Charter of the City of Oakland
- Maddy Act*
- Robert's Rules of Order
- Various Other Government Codes**
- Other Council Resolutions and Ordinances, i.e. Consolidated Fiscal Policy, etc.

* *In Limited Form*

** *Publication and other notification codes*

Council Meeting Procedures and Legislative Process

Legislative Process

Types of Legislative Matters

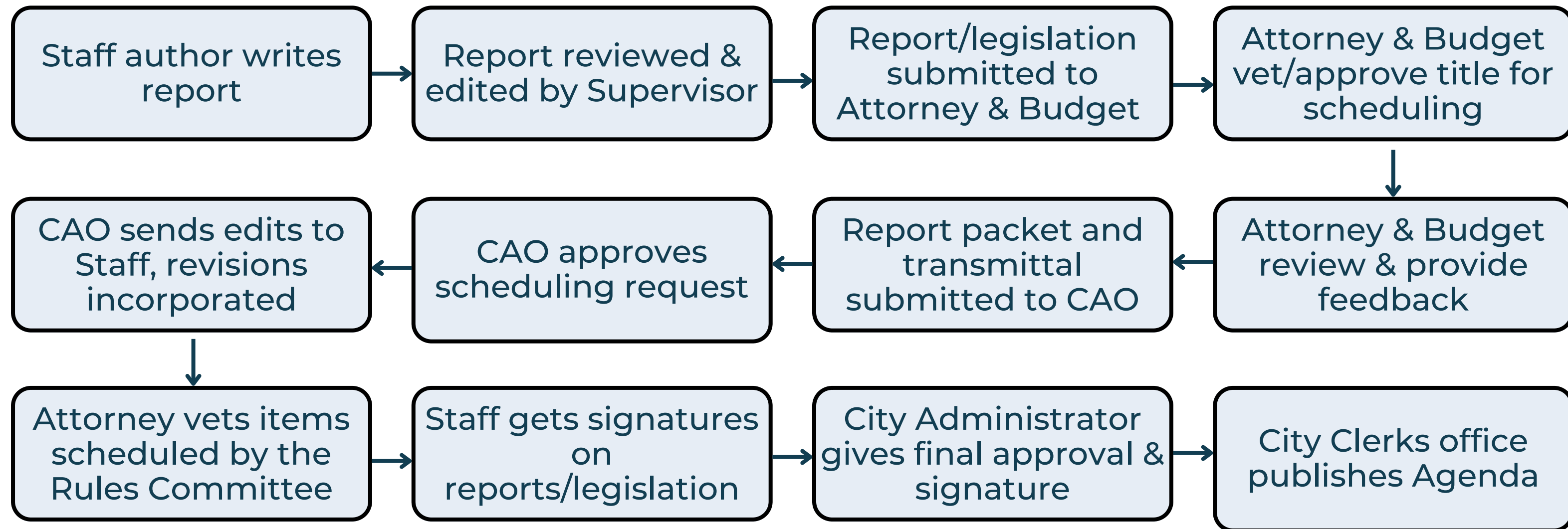
- An “Informational Report” informs and allows Council to provide follow up instructions, but does not permit operational or policy approval.
- “Reports and Recommendations” seek to inform and direct staff to perform development work and return with a proposal for policy or legislation.
- “Resolutions” permit policy changes; approval of programs; release, pursuit, and acceptance of funds; authorize contracts and agreements, etc.
- “Ordinances” change legal requirements; provide for changes to fee structures, change organizational structure, when applicable, also authorize contracts and agreements, etc.

Legislative Process Routing Agenda Items

- Internal Department Review
- External Multi-Departmental Review: City Attorney, Budget, HR, Other affected depts.
- City Administrator's Review *
- Scheduling at Rules Committee
- Discussion at Committee and/or
- Discussion/Action at Council

** Members of the Council are not subject to the authority of the administration per the City Charter*

Legislative Process Routing Diagram



Council Meeting Procedures and Legislative Process

Legislative Process

The Scheduling Committee

The Rules and Legislation Committee is the scheduling body. The Rules and Legislation Committee has jurisdiction to assign all agenda items to Committees or full Council.*

** If Rules Committee doesn't meet, items are scheduled by Rule 28 of Council's Rules of Procedures*



Council Meeting Procedures and Legislative Process

Legislative Process

Rules and Legislation Committee Authority

1. One or more members of the City Council, a committee of the City Council, the Mayor, the City Administrator, City Attorney, City Auditor and any member of the public may propose an agenda item
2. Can assign and schedule to: a. to a subject-matter committee, or b. to staff for review and report back to the requestor, or c. directly to City Council pursuant to “3” below.
3. Shall not refer any action item directly to the full City Council unless the Committee determines by a majority vote of those present that the item should proceed directly to the City Council for a specified reason.
4. Shall assign and schedule any informational item for consideration and acceptance either by a committee or directly by the full Council.

Legislative Process

Rules and Legislation Committee Authority

5. Shall have sole authority in establishing specific agenda items to be placed on the agenda. Rules and Legislation Committee shall establish the consent and non-consent agenda items of the City Council agenda.
6. Shall have the power to place an item that is urgent on the supplemental agenda for a Council meeting agenda if no action was taken on the item (1) due to the cancellation of a committee meeting, (2) due to lack of a quorum, (3) because the committee ran out of time, or (4) because the committee was not able to approve any recommended action and the Committee passes a motion by the affirmative votes of the majority of the members who are present.

Legislative Process

Standing Committee Meetings

- Finance and Management Committee – Monday preceding 2nd and 4th Tuesdays at 10:30am
- Public Safety Committee – Monday preceding 2nd and 4th Tuesday at 1:30pm
- Life Enrichment Committee – Monday preceding 2nd and 4th Tuesday at 4:30pm
- Public Works Committee – 2nd and 4th Tuesday at 10:30am
- Community and Economic Development – 2nd and 4th Tuesday at 2pm
- Rules and Legislation Committee* - Thursday Committee – Every Thursday at 10:30am

**Super committee*

Legislative Process

Standing Committee Purview

- **Finance and Management** – General management, financial revenue and expenditure reporting, administrative operations, etc.
- **Public Works Committee** – Public infrastructure, transportation, streets, potholes, sewers, etc.
- **Community and Economic Development Committee** – Housing, Economic Development, Workforce Development, General Planning, Zoning, etc.
- **Life Enrichment Committee** – Health and Human Services, Library Services, Department of Race and Equity, Parks and Recreation, Cultural Affairs *
- **Public Safety Committee** – Police, Fire, Health and Human Services, Department of Violence Prevention
- **Rules and Legislation Committee** – Scheduling Body, Authority over the Rules, Review of Assembly/Senate Bills, Ballot Measures of the City Council, General Oversight to the Offices of the City Administrator, City Clerk, and City Attorney

Council Meeting Procedures and Legislative Process

Legislative Process

Action by Subject Matter Committees

The assigned subject matter committee shall have initial jurisdiction over any item assigned to it by the Rules Committee and may take any of the following actions with respect to the assigned item:

1. The Committee Chair shall develop with staff the schedule to hear items to be confirmed by a majority of the Committee
2. The Committee may, by a vote of the majority of the members present, decide to postpone, continue or table an item on the agenda
3. On any item on an agenda, the Committee Chair may allow for an informational presentation by City staff relating to the item
4. Each Committee shall review the minutes of its previous meeting, make corrections to mistakes, if any, and approve the minutes by majority vote of the members present.

Legislative Process

Subject Matter Committees - Action Items

After discussion and consideration of the item, committee may take one of the following actions:

1. Approve the recommendation of staff or the originator of the proposed action item and forward the recommendation onto the full Council
2. Fail to approve the recommendation and not forward to the full City Council (**see following exception*)
3. Approve alternative recommendations(s) and forward to City Council
4. Reject jurisdiction – refer to Rules for reassignment to committee
5. Request additional information from staff/originator

Legislative Process

Subject Matter Committees - Action Items

**The Rules and Legislation Committee shall have the power to place an item that is urgent on the supplemental or special Council meeting agenda, if no action was taken on the item:*

- 1. due to the cancellation of a committee meeting*
- 2. due to lack of a quorum*
- 3. because the committee ran out of time*
- 4. because the committee was not able to approve any recommended action and the Committee passes a motion by the affirmative votes of the majority of the members who are present requesting that the Rules Committee schedule the item for a Council meeting.*

Legislative Process

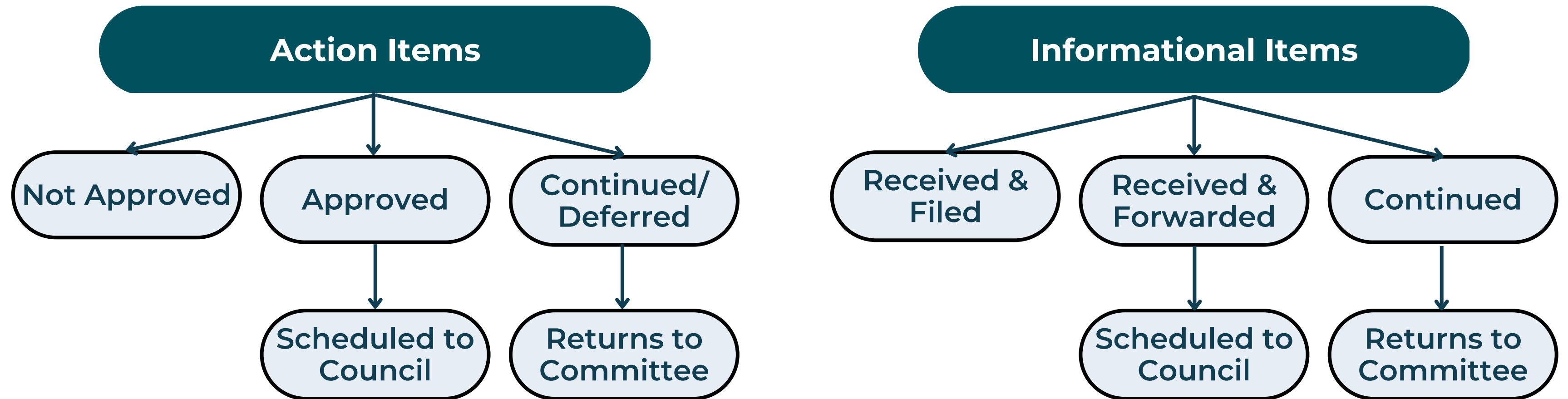
Subject Matter Committees - Informational Items

After discussion and consideration, committee shall take one of the following actions:

1. **Receive the informational report** by majority vote of those present without forwarding the report to the full City Council;
2. **Receive the informational report and forward the report onto the full City Council** by majority vote of those present;
3. **Request by motion and second more specific information** from staff or the originator of the proposed informational item. The item may be continued or rescheduled for further consideration at the soonest feasible date available, allowing time for appropriate notice pursuant to the Sunshine Ordinance.

Legislative Process

Action by Subject Matter Committees



Legislative Process

Possible Delays

- Substantive Change – Action Items
 - Amendments beyond the scope of what was noticed which require notice (10 day posting) on a future Council agenda
- More Information Is Necessary
 - More information must be prepared for further discussion and brought back to Committee/Council
- Body Fails To Act; Requests Reassignment
 - The body determines the item is not under the purview of the committee and requests for Rules to reassign
- Meeting Cancellation

The above delays could extend approval 2 or more weeks.

Legislative Process

Actions of the City Council

- On any action item, the City Council may, by the requisite number of votes:
 - a. Approve the Committee's recommendation, select one of the Committee's suggested alternatives or approve an alternative recommendation proposed at the full Council in compliance with the Brown Act and Sunshine Ordinance;
 - b. By a majority of the Council members present, continue the item to the next regular Council meeting if permitted by Sunshine Ordinance and Brown Act;
 - c. By a majority of the Council members present, refer the item to any subject-matter Committee for reconsideration; or
 - d. With respect to an item that the Rules Committee referred directly to Council, the Council may take any action subject to the Brown Act and the Sunshine Ordinance.

Legislative Process

Actions of the City Council

On any agenda item, the City Council may receive the report either by oral presentation by staff or as written.

The City Council may choose to NOT take action on any agenda item.

Legislative Process

Council Adoption

- Action items require a majority vote by the full Council, for passage or approval.
 - Resolutions require one reading
 - Ordinances* (Regular) require two readings — an introduction and final passage.
 - Resolutions and regular Ordinances require 5 Ayes for passage
 - Other ordinances such as Urgency or Emergency Ordinances require specific findings and may be adopted with only 1 reading
 - Charter section 213 and government code 65858
- Reports with Recommendations require one reading
 - Requires 4 Ayes for passage, without a tie vote

Legislative Process

How can I access agenda materials?

Agenda materials are published and finalized on Fridays, and can be accessed on the Insite Calendar or via iLegislate.

<https://oakland.legistar.com/calendar.aspx>

The screenshot shows the City of Oakland Legistar website's calendar page. The page header includes the City of Oakland logo and navigation links for City Home, Legislation, Calendar, and City Council. Below the header, there are search and filter options, including a search bar, a year dropdown set to 2019, and a department dropdown set to All Departments. The main content area displays a table of meeting records for 2019, with 218 records in total. The table has columns for Name, Meeting Date, Meeting Time, Meeting Location, Meeting Details, Agenda, Minutes, Video, and eComment. The first row shows a meeting on 12/31/2019 at 5:30 PM in the City Council Chamber, 3rd Floor, which has been cancelled. Subsequent rows show cancelled meetings for the Rules and Legislation Committee, Public Safety Committee, Life Enrichment Committee, and Community and Economic Development on 12/24/2019. The table also includes a 'Page 1 of 3, items 1 to 100 of 218' indicator and a 'Show all' button.

Name	Meeting Date	Meeting Time	Meeting Location	Meeting Details	Agenda	Minutes	Video	eComment
Meeting of the Oakland City Council - CANCELLATION	12/31/2019	5:30 PM	City Council Chamber, 3rd Floor	CANCELLATION NOTICE: The Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council has been cancelled in observance of Winter Recess. The next regularly scheduled meeting will be held on Tuesday January 21, 2020	Meeting details	Not available	Not available	Not available
*Rules and Legislation Committee - CANCELLED	12/26/2019	10:45 AM	City Council Chamber, 3rd Floor	CANCELLATION NOTICE: The regularly scheduled meeting of the Rules And Legislation Committee has been cancelled in observance of Winter Recess. The next regularly scheduled meeting will be held on Thursday January 16, 2020	Meeting details	Agenda	Not available	Not available
*Public Safety Committee - CANCELLED	12/24/2019	6:00 PM	Sgt. Mark Dunakin Room - 1st Floor	CANCELLATION NOTICE: The regularly scheduled meeting of the Public Safety Committee has been cancelled in observance of Winter Recess. The next Regularly Scheduled Committee Meeting will be held on Tuesday January 14, 2020	Meeting details	Agenda	Not available	Not available
*Life Enrichment Committee - CANCELLED	12/24/2019	4:00 PM	Sgt. Mark Dunakin Room - 1st Floor	CANCELLATION NOTICE: The regularly scheduled meeting of the Life Enrichment Committee has been cancelled in observance of Winter Recess. The next Regularly Scheduled Committee Meeting will be held on Tuesday January 14, 2020	Meeting details	Agenda	Not available	Not available
*Community and Economic Development	12/24/2019	1:30 PM	Sat. Mark Dunakin Room - 1st Floor		Meeting details	Agenda	Not available	Not available

Council Meeting Procedures and Legislative Process

Legislative Process

Final Legislation

- Once legislation is adopted, it goes through final processing. This process takes about 7 days to complete.
- Legislation is given an enactment number, scanned and posted online, and sent to the Record's division to be stored in the vault as a permanent City record.

Final Legislation, Agenda Reports and Past Meeting details can be found here.

<https://oakland.legistar.com/calendar.aspx>

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2018 JUN -9 PM 3: 14

Approved as to Form and Legality
James S. Scott
City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION NO. 86231 C.M.S.

INTRODUCED BY MAYOR LIBBY SCHAAF

RESOLUTION CONFIRMING THE APPOINTMENT OF LOU KATZ, BRIAN M. HOFER, WILLS DEVRIES, REEM SULEIMAN, CLINT M. JOHNSON, SAIED R. KARAMOOZ AND RAYMUNDO JACQUEZ III AS MEMBERS OF THE PRIVACY ADVISORY COMMISSION.

WHEREAS, Section 601 of the City Charter provides that members, of City boards and commissions shall be appointed by the Mayor subject to confirmation by the affirmative vote of five members of the City Council; and

WHEREAS, the Privacy Advisory Commission (Commission) was created by Ordinance No. 13349 C.M.S., adopted January 19, 2016; and

WHEREAS, As provided by Ordinance No. 13349 C.M.S. the duties and functions of the Commission are as follows:

- (1) Provide advice and technical assistance to the City of Oakland on best practices to protect citizen privacy rights in connection with the City's purchase and use of surveillance equipment and other technology that collects or stores citizen data;
- (2) Conduct meetings and use other public forums to collect and receive public input on the above subject matter;
- (3) Draft for City Council consideration, model legislation relevant to the above subject matter, including a Surveillance Equipment Usage Ordinance;
- (4) Review and make recommendations to the City Council regarding any proposed changes to the operations of the Domain Awareness Center ("DAC") and/or proposed changes to the City's Policy for Privacy and Data Retention for the Domain Awareness Center ("DAC Policy") as specified in Resolution 85638 C.M.S.;
- (5) Submit annual reports and recommendations to the City Council regarding:
(a) the City's use of surveillance equipment, and (b) whether new City

Legislative Process

The Agenda Management Team

DL-AgendaTeam@oaklandca.gov

Office of the City Administrator

Analyst

- Jennifer Wood
- Winne Woo

Office of the City Clerk

Assistant City Clerk

Britney Davis

Legislative Recorder

Ajane Landingham

Candice Parker-Trigg

Council Meeting Procedures and Legislative Process

City Relationships

The background features a complex, abstract pattern of overlapping, curved lines in a lighter shade of blue. These lines form a dense, interlocking structure that resembles a stylized map or a network of connections, primarily concentrated on the right side of the image.

City Boards and Commissions

- City has established numerous Boards and Commissions, some via the Charter, others via Council legislation
- Some (e.g., Police Commission, Planning Commission) have significant authority
- Others (e.g., various oversight bodies) are advisory to the Mayor and City Council
- Many appointments to these bodies require City Council approval

External Boards and Commissions

- City has membership on or other relationships to local, regional, and state bodies
- Memberships include: Metropolitan Transportation Commission, Association of Bay Area Governments, Alameda County Transportation Commission, Alameda County Waste Management Authority, East Bay Regional Communications System Authority
- Other relevant regulatory agencies include Bay Conservation and Development Commission, Bay Area Air Quality Management District, Regional Water Quality Control Board

External Boards & Commissions (12/27/22)

Metropolitan Transportation Commission (MTC)/ABAG <small>Alameda and Santa Clara counties each have three representatives, one selected by the county Board of Supervisors; one selected by the mayors of the cities in each county; and one appointed by the mayors of the counties' largest cities — Oakland and San Jose.</small>	Libby Schaaf
Association of Bay Area Governments (ABAG)/MTC Executive Board	Nikki Fortunato Bas Carroll Fife Loren Taylor Alternate: Dan Kalb
Alameda County Transportation Commission (ACTC)	Rebecca Kaplan Sheng Thao Alternate: Dan Kalb
AC Transit Inter-Agency Liaison Committee	Noel Gallo Rebecca Kaplan Loren Taylor Alternate: Dan Kalb

External Boards & Commissions (12/27/22)

East Bay Regional Communications System Authority Board of Directors	Ed <u>Reiskin</u> Reginald Freeman Noel Gallo Alternate: Sheng Thao
Coliseum Joint Powers Authority (JPA) <i>Through January 14, 2023</i>	Rebecca Kaplan Trevia Reid
<i>Through October 7, 2023</i>	Jacqueline A. Thompson Chuck Baker
Youth Ventures JPA / Oakland Thrives <i>Through March 1, 2025</i>	Libby Schaaf (also Oak Thrives Executive Board) Sheng Thao (also Oak Thrives Executive Board) Nikki Fortunato Bas Ed <u>Reiskin</u> Estelle Clemmons
Lead Poisoning Prevention Program JPA <i>Through December 31, 2022</i>	Noel Gallo Alternate: William Gilchrist

External Boards & Commissions (12/27/22)

OAK Community Noise Management Forum <i>Through April 20, 2023</i>	Treva Reid
Stop Waste (Alameda Co. Waste Management Authority)	Dan Kalb
East Bay Community Choice Energy	Dan Kalb
East Bay Economic Development Alliance <i>1 year term beginning July 1</i>	Loren Taylor Alternate: Treva Reid
CA LEAGUE OF CITIES <i>(1 voting appointee, 1 alternate)</i> <i>Annual Conference, Sept. 20-22, Sacramento</i>	Dan Kalb Alternate: Noel Gallo
NATIONAL LEAGUE OF CITIES <i>(1 voting appointee, 1 alternate)</i> <i>Congressional Cities Conf, Mar 26-28, DC</i> <i>City Summit, Fall <u>tbd</u></i>	Noel Gallo Alternate: Dan Kalb

Port of Oakland

- Established in 1927 as a department of the City
- Charter (Sec 700) grants the Port significant autonomy from the City
- Governed by a seven-member Board of Commissioners, appointed by the City Council upon nomination by the Mayor
- Operates the City's seaport and airport
- Controls "Port Area", which covers much of Oakland's waterfront

Alameda County

- Responsible for
 - Healthcare Services (public health, behavioral health, environmental health)
 - Social Services
 - Justice Services (DA, Public Defender, Sheriff)
- Oakland representation
 - District 3, Central Oakland, airport – Lena Tam
 - District 4, East Oakland – Nate Miley
 - District 5, North and West Oakland – Keith Carson

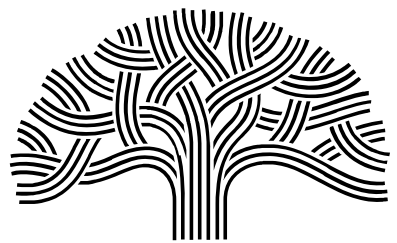
State and Federal

- Legislative agenda set each year by City Council
- City Council can take action to support or oppose specific state or federal legislative proposals
- City contracts with public affairs firm to represent the City in Sacramento and Washington
- Executive branch engagements managed through Mayor's Office
- Oakland representation
 - State Assembly – 14th (Wicks) and 18th (Bonta) districts
 - State Senate – 9th (Skinner) district
 - Congress – 13th (Lee) district

Ethics & Civil Rights Compliance



City Auditor



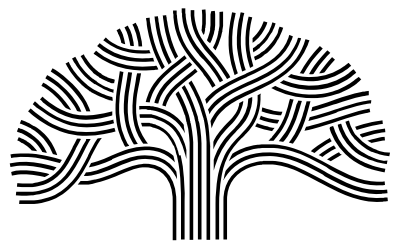
CITY OF
OAKLAND



Public Ethics Commission

Building Public Trust Through Good
Governance

Suzanne Doran, Acting Executive Director
Jelani Killings, Ethics Analyst
Public Ethics Commission



CITY OF
OAKLAND

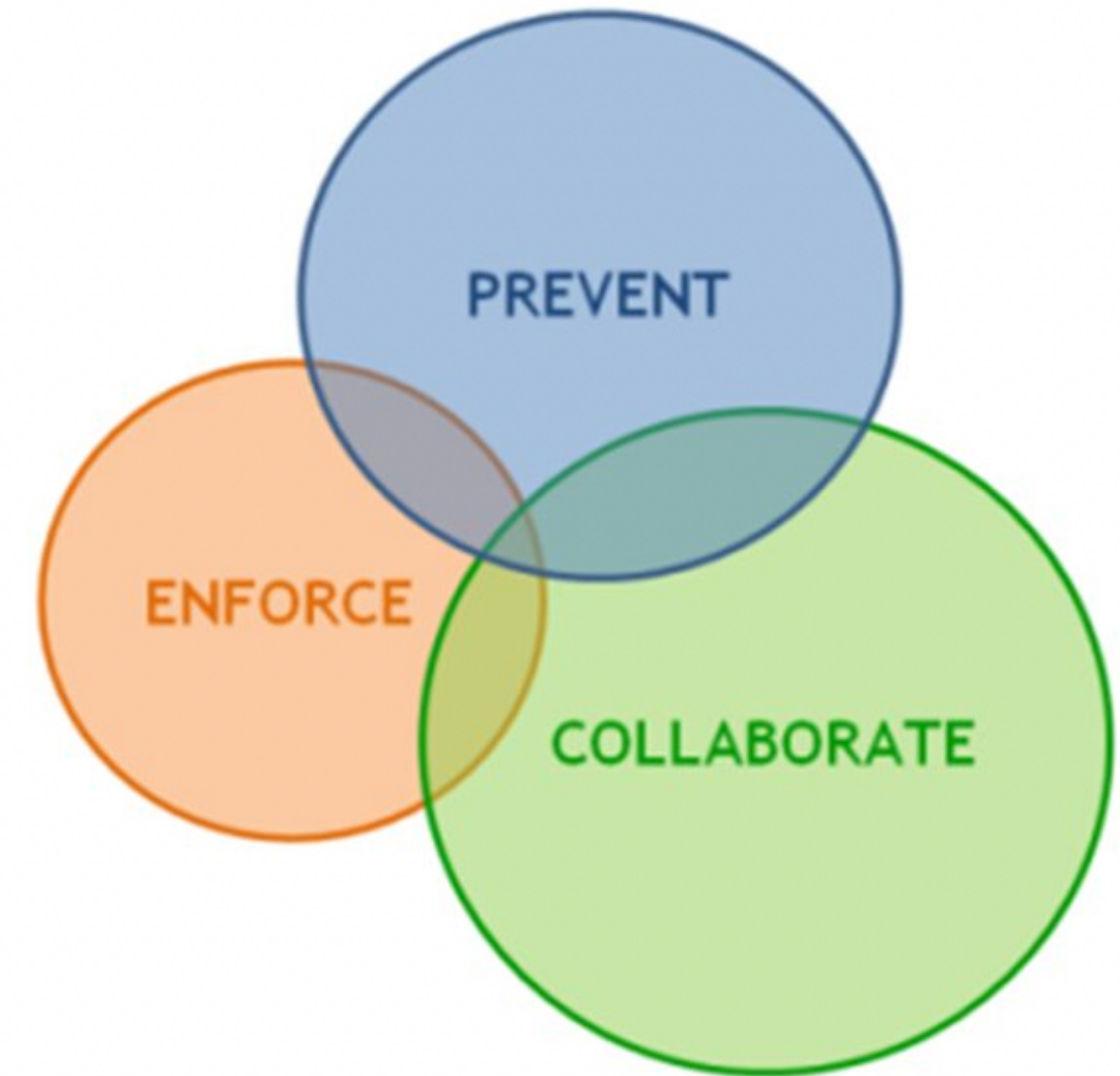


Public Ethics Commission

Mission and Role

Our goal is to help you:

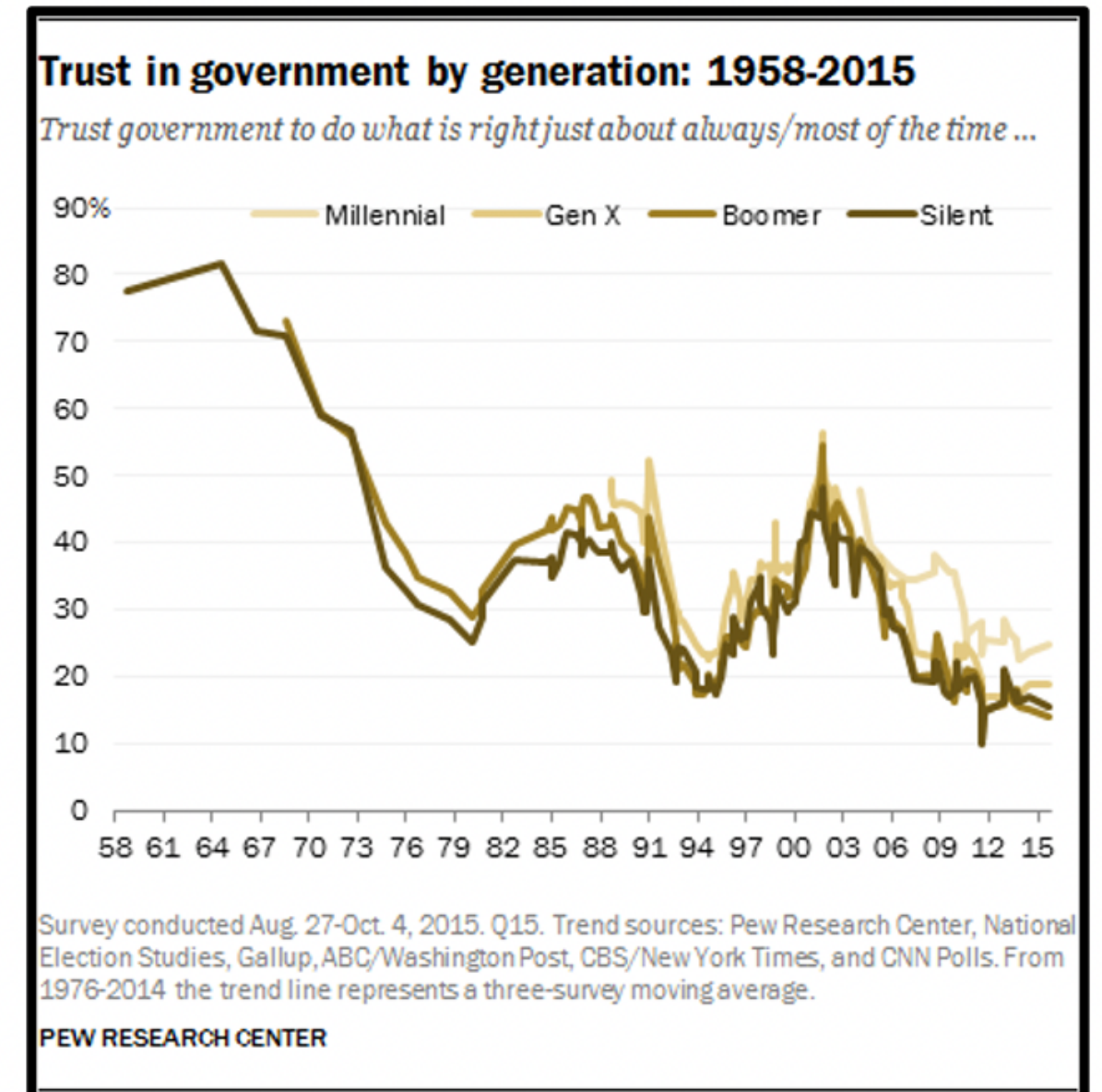
- Be aware of government ethics laws
- Spot ethical issues (yellow flags) when they arise
- Know where to go for help
- Serve as a conduit to promote ethical service



Ethics & Civil Rights Compliance

Public Ethics Commission Public Office is a Public Trust

City staff and officials are empowered and entrusted by the public to use City time, money and property in a legal and responsible manner.



Ethics & Civil Rights Compliance

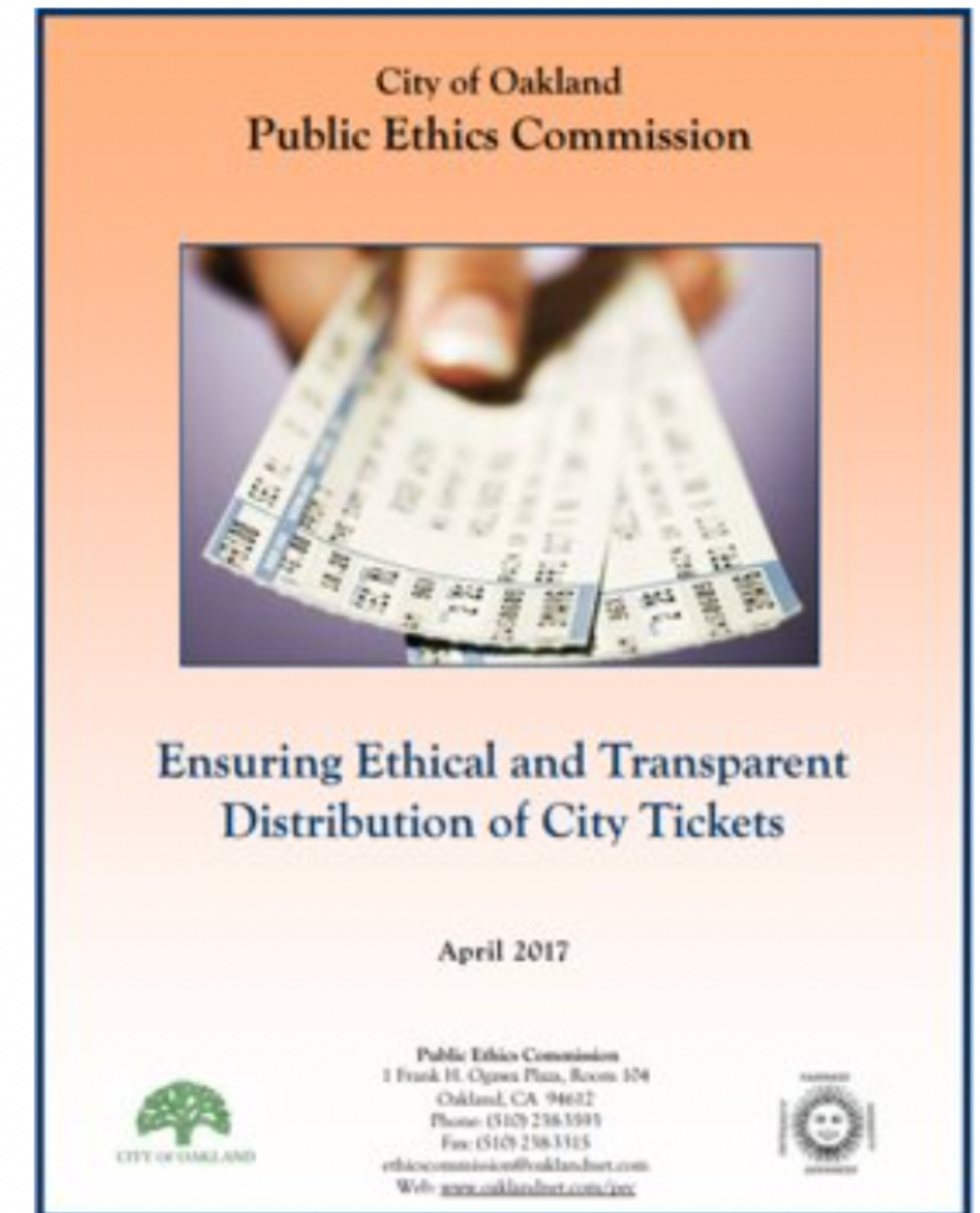
Public Ethics Commission

Local Ethics and Transparency Laws

CAMPAIGN FINANCE	TRANSPARENCY	ETHICS
<ul style="list-style-type: none">• Oakland Campaign Reform Act• Fair Elections Act	<ul style="list-style-type: none">• Sunshine Ordinance• Lobbyist Registration Act	<ul style="list-style-type: none">• Government Ethics Act• Conflict of Interest Code (Form 700)

Public Ethics Commission Ticket Distribution Policy

- Governs the distribution of tickets by all departments and offices of elected officials
- Ensures that tickets, which are City resources, are appropriately distributed to Public Servants or non-City individuals for City purposes



Public Ethics Commission

Campaign Activity by Officeholders

- City resources cannot be used for any campaign-related activities
- Organizing, coordinating, planning or otherwise setting-up campaign meetings or events using City property such as telephones or City offices is prohibited.



The law is a floor, not the ideal.
Public perception matters.

Public Ethics Commission

1st 30 Days Ethics Checklist

1. Watch the Public Ethics Commission's Introduction to the Oakland Government Ethics Act Video
2. File Form 700 – Statement of Economic Interests
3. Take the state's online AB1234 Ethics Training for local officials*
4. Take the Public Ethics Commission's online Government Ethics Training for Form 700 Filers on the City's NEOGOV LEARN platform*
5. Review the PEC's ethics resource binder and included policies with staff
6. Ask the Public Ethics Commission for advice or assistance

**Must be completed every two years*

Ethics & Civil Rights Compliance

Public Ethics Commission

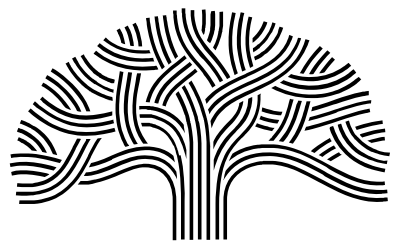
Ethics Resources

The PEC Ethics Resource Binder provides elected officials with an ethics checklist, fact sheets, FAQ, and additional resources to assist with compliance of ethics and transparency laws.

<https://www.oaklandca.gov/documents/pec-ethics-overview-for-elected-officials>

Form 700 - Statement of Economic Interest

Asha Reed
City Clerk
City Clerk's Office



CITY OF
OAKLAND



Form 700

Statement of Economic Interest

1. Form 700 is a tool used to disclose financial interests and/or identify potential conflicts of interest of public officials, designated government employees and consultants.
2. Form 700 helps to ensure that the public is aware of a public official's or government employee's financial interests and potential conflicts.
3. Another name for Form 700 is Statement of Economic Interest

Form 700

Who Must File?

- Elected officials, public employees and consultants who make governmental decisions or could influence governmental decisions that could impact their personal financial interests must file the form 700.
- The Conflict of interest Code determines exactly which departmental positions must file a Form 700. Each iteration of the Code is prepared by the respective department, reviewed by the City Clerk's Office and the City Attorney's Office and approved by Ordinance at a City Council meeting.
- Government Code Section 87200 identifies City Council Members, Mayor, Planning Commissioners (including alternates), City Administrator, City Attorney and City Treasurer/Finance Director as statutory filers who are required to file Form 700.

Council Meeting Procedures and Legislative Process

Form 700

Financial Interests

1. Stocks
2. Owning a business in Oakland or a owning a business outside of Oakland that conducts business with the City of Oakland
3. Oakland rental property income
4. Income from a non-government entity within Oakland
5. Gifts from businesses, vendors, contractors or public officials of \$50 or more
6. Travel reimbursements made to you by someone other than your employer

Form 700

Due Dates

Types of Statements	Due Date
Assuming Office	Within 30 Days of Assuming Office Date
Annual Statement	April 1st Every Year
Leaving Office	Within 30 Days of Separation
Amendments	Immediately Upon Discovery Of Error

Form 700 Account Creation

- **Incoming filers:** Contact the Clerk's Office and provide: Employee's Full Name, Work Email Address, Work Phone Number, Work Address, Department Name and Organization Number, Position Title, Start Date.
- **Outgoing filers:** Provide the date of separation immediately upon notification. Leaving Office Form 700s are required.

This will allow the Clerk's office to create or adjust the account and give the employee the ability to file timely and efficiently

Form 700

How to File

- Once the account has been created, filers can submit an electronic form via NetFile : <https://netfile.com/filer>
- Or visit the Office of the [City Clerk's website](#) to obtain the current year's form to file a paper copy with wet signature. Please note: We cannot accept scanned filings/photocopies or electronic signature.

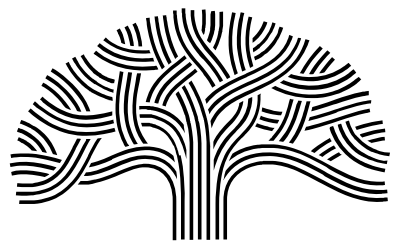
Form 700 Enforcement

- Late statements are subject to a fine of \$10 per day for each day the statement is late, up to \$100.
- Failing to file can result in referral to the California Fair Political Practices Commission (FPPC) for investigation and possible prosecution. In addition to the late filing penalties from the Office of the City Clerk, a fine of up to \$5,000 per violation may also be imposed
- Disciplinary action can also occur

Questions contact Elections Services: electionservices@oaklandnet.com

Employment Investigations and Civil Rights

Artisha McCullough
Equal Employment Opportunity and
Civil Rights Director
City Administrator's Office



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Employment Investigations and Civil Rights (EICRC) Mission Statement

EICRC oversees, administers and enforces the City of Oakland's Equal Employment Opportunity policy, Administrative Instruction 71 and Title VI compliance. The City's Equal Employment Opportunity policy is intended to ensure that all employees have a work environment that is free of conduct that could be considered discriminatory or harassing based on an employee's protected status.

Employment Investigations and Civil Rights (EICRC)

Why Equal Employment Opportunity Matters

- It's the law
- It's City policy
- It's good for recruitment, retention and morale
- It's the right thing to do

Employment Investigations and Civil Rights (EICRC)

Authority Sources of Laws & Rules

Federal

- Title VII of the Civil Rights Act of 1964
- Title VI of the Civil Rights Act
- The Equal Pay Act (EPA)
- The Age Discrimination in Employment Act (ADEA)
- Americans with Disabilities Act (ADA)

State

- California Fair Employment and Housing Act (FEHA)

City of Oakland

- AI 71 - Equal Employment Opportunity
- AI 596 Code of Conduct

Ethics & Civil Rights Compliance

Employment Investigations and Civil Rights (EICRC)

Sources of Oversight

- Federal - Equal Employment Opportunity Commission (EEOC)
- State - Civil Rights Department (CRD)
- City of Oakland - Employment Investigations & Civil Rights Compliance (EICRC)

City employees have the right to file complaints with all of these bodies. They are not required to file a complaint with EICRC first.

Employment Investigations and Civil Rights (EICRC) Administrative Instruction (AI) 71

1. Outlines the City of Oakland's Policy, standards, requirements, complaint procedures and disciplinary guidelines regarding inappropriate and/or unprofessional conduct that could potentially rise to the level of discrimination and/or harassment; and
2. Sets out complaint and investigation procedures for all employees and job applicants who believe they have been subjected to inappropriate workplace conduct based on their protected status.

Employment Investigations and Civil Rights (EICRC)

Who and What the Policy Covers

Who: All full-time employees, part-time employees, temporary employees, interns, volunteers, contractors and job applicants.

What: The Policy covers all terms and conditions of employment, including but not limited to: recruitment, hiring, promotion, termination, discipline, layoff, recall, transfer, leaves of absence, position classification, training, compensation and benefits.

Employment Investigations and Civil Rights (EICRC)

Employment Conditions

- hiring
- awards
- promotion
- demotion
- reprimand
- suspension
- termination / discipline
- duty hours
- hostile work environment
- performance evaluation
- harassment
- sexual harassment
- pay/overtime
- reassignment
- time and attendance
- training
- retirement
- accommodation
- leave of absence

Employment Investigations and Civil Rights (EICRC)

Hostile Work Environment

- Intimidating, abusive or offensive conduct, based on a protected status, which interferes with an employee's ability to do their job
- A hostile work environment can be created by anyone, not just supervisors and managers
- Pranks, jokes, ridicule and stereotypes can all create a hostile work environment, even when they are not directed at any one person

Employment Investigations and Civil Rights (EICRC)

Protected Status

- race
- color
- ancestry
- national origin
- immigration status
- religion
- creed
- age (over 40)
- disability
- sex
- pregnancy
- breastfeeding
- sexual orientation
- gender identity
- gender expression
- medical condition
- genetic information
- marital status
- military and veteran status

Also covered:

- association
- retaliation

Ethics & Civil Rights Compliance

Employment Investigations and Civil Rights (EICRC)

Basis + Issue

The issue must involve an adverse employment action causing the individual an injury (i.e., a present harm or loss with respect to a term, condition, or privilege of employment.)

There must be a NEXUS between the protected basis and the adverse action.

For example: I believe I have been discriminated against on my **bases of race, color and age [bases]** when on June 5, 2022, I received a **letter of reprimand [issue]**.

○

Employment Investigations and Civil Rights (EICRC) Sexual Harassment



Ethics & Civil Rights Compliance

Employment Investigations and Civil Rights (EICRC)

Sexual Harassment Defined

- Hostile Work Environment: Unwelcome sexual advances, or visual, verbal, physical or other conduct of a sexual or gender-based nature, or which creates an intimidating, hostile or offensive work environment, or which substantially interferes with an individual's work performance based on gender.
- Quid Pro Quo: Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature that is made a term or condition of an individual's employment.

Employment Investigations and Civil Rights (EICRC)

Let's talk harassment and liability...

- **Federal Law:** Under Title VII of the Civil Rights Act of 1964, an employer is vicariously liable for sexual harassment by supervisors. An employer can be liable under a negligence theory for sexual harassment by non supervisors if the employer knew or should have known of the misconduct.
- **California Law:** Under the California Fair Employment and Housing Act, an employer is strictly (automatically) liable for harassment by supervisors. An employer is liable under a negligence theory for non supervisors and non-employees. Also, supervisors and non supervisors can be held individually liable for sexual harassment. Supervisors can also be held individually liable for aiding and abetting the harassment.

Employment Investigations and Civil Rights (EICRC) Retaliation

AI 71 prohibits retaliating against a person for...

- Expressing a concern about discrimination or harassment.
- Filing a complaint, whether with EICRC or with a state or federal agency.
- Opposing a practice that violates AI 71.
- Cooperating with a related investigation.

These activities are protected!

Employment Investigations and Civil Rights (EICRC) Retaliation

What is retaliation?

Retaliation is any adverse employment action, such as discipline, demotion, or discharge in response to a protected activity.

How is retaliation shown?

The timing of an adverse employment action is usually considered circumstantial evidence.

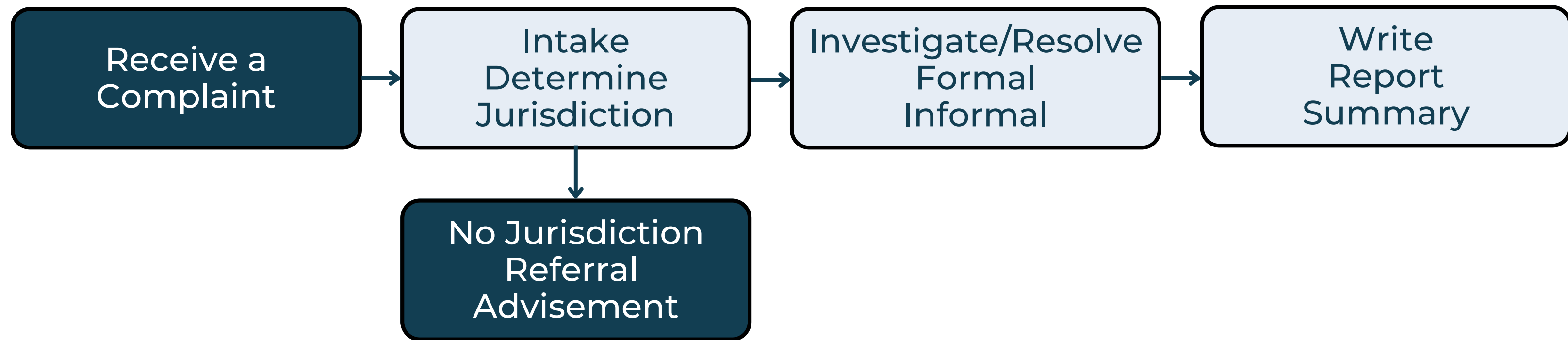
Employment Investigations and Civil Rights (EICRC)

Investigation Process

- Anyone who observes or otherwise becomes aware of a possible violation can complain.
- Managers and supervisors with knowledge of a possible violation must report it.
- Complaints may be initiated either verbally or in writing.

Employment Investigations and Civil Rights (EICRC)

Investigation Process



Employment Investigations and Civil Rights (EICRC)

Investigation Process

- The investigative process is confidential.
 - We only discuss complaints on a need-to-know basis.
 - You must do the same.
 - Confidentiality protects all the parties involved.
 - Fewer people knowing also reduces the risk of a retaliation claim

Employment Investigations and Civil Rights (EICRC)

Investigation Process

- Managers must report allegations of harassment and discrimination.
 - Don't assume someone else will report it, follow up
 - Report violations, even if the complaining party wants to "let it go"
 - All allegations of sexual harassment complaints must be reported to EICRC
 - Make sure EICRC knows

Employment Investigations and Civil Rights (EICRC) Contact Information

Phone: 510-238-3500

150 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612

Artisha McCullough, EEO & Civil Rights Director 510-238-6468

Barbara Sylvester, Equal Opportunity Specialist 510-238-2038

Kate Massie, Equal Opportunity Specialist 510-238-3279

Davide Sahnner, Administrative Assistant II 510-238-3500

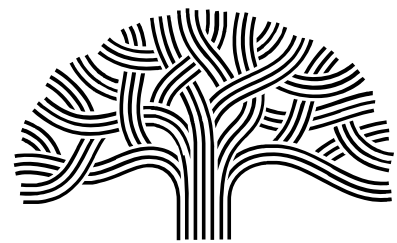
Ethics & Civil Rights Compliance

ADA Programs

Anh Nguyen

Manager, ADA Programs Division

City Administrator's Office



CITY OF
OAKLAND



ADA Programs Mission Statement

ADA Programs Division promotes equity for persons with disabilities by coordinating physical and programmatic access compliance in all city programs, activities, and services.

ADA Programs Core Services

- Resolves disability civil rights grievances and formal complaints
- Develop and implement ADA Transition Plans
- Implements ADA settlement agreements
- Coordinates infrastructure improvement programs, reviewing and sign-off on major capital improvement projects
- Develop Trainings, Policies, and Procedures regarding ADA access compliance
- Provide technical assistance to departments in making their programs, activities, and services welcoming and accessible to all
- Staffs the Mayor's Commission on Persons with Disabilities (MPCD)

Ethics & Civil Rights Compliance

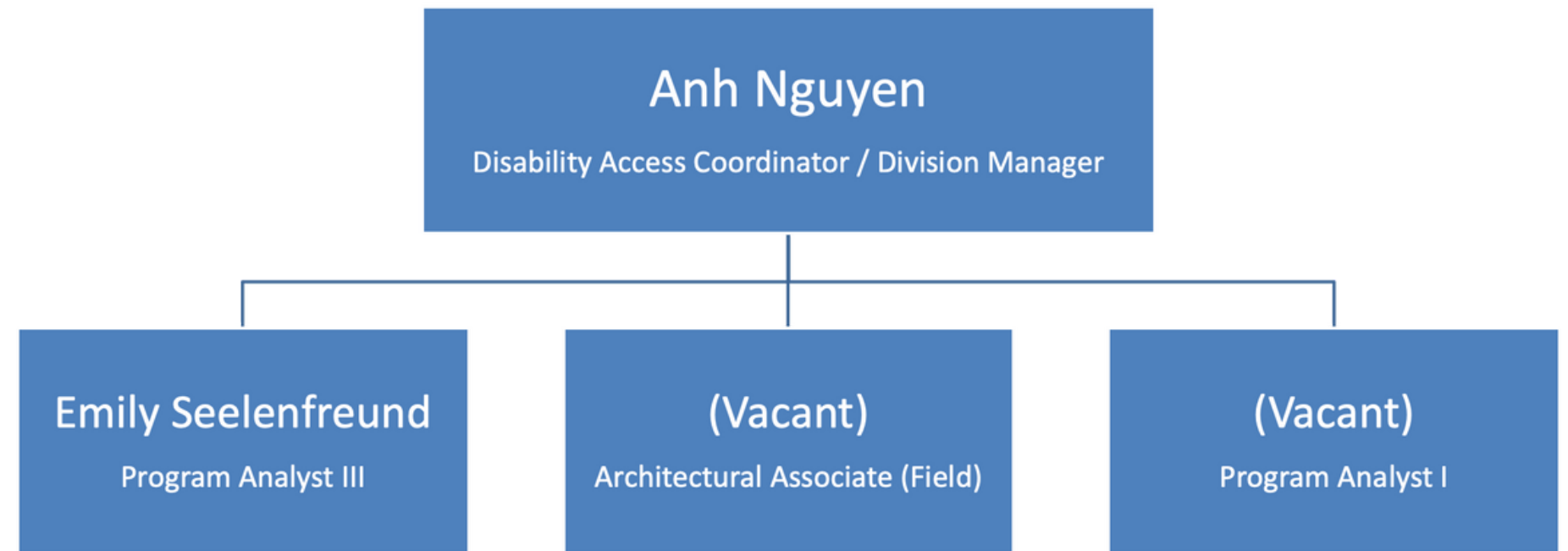
ADA Programs

Mayor's Commission on Persons with Disabilities

Represents and addresses the concerns of the disability community. Established by City ordinance in 1980, the MCPD is an appointed group of volunteers who are committed to integrating people with disabilities into all aspects of the community. MCPD has acted as the City's designated advisory body for ADA compliance. MCPD responsibilities include:

- Advising the Mayor and City Council on matters affecting the disability community
- Reviewing and commenting on City policies, programs and actions
- Providing advice and assistance to other City boards and commissions
- Participating at the local, state and national levels for the advancement of disability rights

ADA Programs Organization & Budget Sources



During the fiscal year 2022-23 Midcycle Budget, the ADA Programs Division moved from the Department of Transportation to the City Administrator's Office on the recommendation of the MCPD to become more autonomous within the City organization hierarchy, to be effective at coordinating physical and programmatic access compliance in all City programs, activities, and services citywide per State and Federal requirements.

Ethics & Civil Rights Compliance

ADA Programs Resources

External

- ADA grievance form
- Citywide policies (e.g. Curb ramp, Accessible On-Street Parking)
- Departmental Access Coordinators (DACs)
- Major ADA activities (e.g. Adaptive Bike Share)
- Community resource lists

Internal

- Auxiliary Aids and Services request forms
 - Sign Language
 - Captions
- ADA Policies
 - Service Animals
 - Special Events
- Administrative Instructions (123, 181)
- Trainings and Guidelines

Ethics & Civil Rights Compliance

ADA Programs Contact Information

For questions regarding the content of this this presentation, please contact:

Anh Nguyen

anguyen2@oaklandca.gov

510-238-7915

For questions direct constituent concerns to:

ADA Programs

adaprograms@oaklandca.gov

510-238-5219

<https://oaklandca.gov/topics/americans-with-disabilities-act-ada-services>

Ethics & Civil Rights Compliance