



City of Oakland

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Oakland, California 94612
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Meeting Minutes - FINAL *Rules & Legislation Committee

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

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

Thursday, June 20, 2019

10:45 AM

City Council Chamber, 3rd Floor

The Rules & Legislation Committee convened at 11:09 A.M. with Councilmember Thao presiding as Chairperson.

Roll Call / Call To Order

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

1 Determinations Of Closed Session

[18-1984](#)

Attachments: [View Report](#)

There will be a Closed Session held on July 9, 2019 at 1:00 p.m.

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

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

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of June 6, 2019

[18-1982](#)

Attachments: [View Report](#)

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

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

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items

[18-1989](#)

Attachments: [View Report](#)

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

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

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-1985](#)

Attachments: [View Report](#)
[View June 24, 2019 Special Budget Agenda](#)

There were 2 speakers on this item

A motion was made that this matter be Accepted as Amended. The motion carried by the following vote:

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

NO VOTE: 0

4.1 Subject: Oakland Promise
From: Member Of The Public
Recommendation: Receive An Informational Report To The Finance Committee Regarding Oakland Promise And Who Authorized The Use Of City Hall Facility For Oakland Promise Operation And The Cost Associated With This Use Include Payroll Of Staff, Office Space And Telephone Etc. Schedule For July 2019 Finance Committee; On The Finance And Management Committee As Soon As Possible
[18-2033](#)

This Informational Report be Scheduled.to go before the *Special Education Partnership Committee to be heard 9/16/2019

4.2 Subject: Modify Residential Parking Permit Area "C" On Birch Court
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Amending Council Resolution No. 83119 C.M.S. To Increase The Restricted Street Parking Limit From Two Hours To Four Hours Maximum For The South Side Of Birch Court From College Avenue To The End Of The Street, Monday Through Friday, Except For Vehicles Displaying RPP Area "C" Permits
[18-2034](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 6/25/2019

- 4.3** Subject: First Responder Advanced Life Support Services (FRALS) Extension
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A First Responder Advanced Life Support (FRALS) Services Agreement (Agreement) With Alameda County Emergency Medical Services Agency (County) To Provide Paramedic Services For The Term Of July 1, 2019 To June 30, 2024
[18-2040](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the * Special Meeting of the Oakland City Council to be heard 6/24/2019

- 4.4** 2) Receive Additional Information From The Administration Requested By the Council in Verbal or Written Form, Including But Not Limited To The Following: 1) The Breakdown Of The Project Carry Forward Funds; 2) The Underlying Scoring Numbers, By Category Of Score, For The Projects Scores In The Capital Improvement Program; 3) The Formulas And Source Data Used To Calculate The Budget Projections For The Real Estate Transfer Tax And Property Tax; 4) Fiscal Year 2018-19 Third Quarter Revenue And Expenditure Actuals For Funds In The Vehicle Registration Fee and Alameda County Transportation Measure BB And B Funds; And 5) The Amount Of The Percent Increase In Healthcare Premiums That Was Used For The Budget Projections In The Fiscal Year 2010-21 Proposed Budget; And
[18-2042](#)

A Title Change was read into record

This Informational Report be Scheduled.to go before the * Special Meeting of the Oakland City Council to be heard 6/24/2019

- 4.5** Subject: Equitable Access To Low-Income ("Equal") Housing Ordinance
From: City Attorney Parker, Pro Tempore Kalb, And Councilmember Bas
Recommendation: Adopt An Ordinance Adding A New Article To O.M.C. Chapter 8.22 To Increase Access To Housing For Low-Income Tenants Dependent On Housing Assistance And To Provide Remedies For Violations
[18-2041](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

[View Supplemental Report 7/3/2019](#)

Councilmember McElhaneey made a motion seconded by Councilmember Kaplan to approve the urgency finding on item 4.5 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;

This Ordinance be Scheduled.to go before the *Community & Economic Development Committee to be heard 6/25/2019

4.6 Subject: Resolution In Support Of AB 836 - Clean Air Grant Program
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 836 (WICKS) That Would Establish A Grant Program, To Be Administered By The California Air Resources Board (Arb), To Create A Network Of Clean Air Centers To Mitigate Adverse Health Impacts Due To Wildfires And Other Smoke Events, Prioritizing Areas With A High Cumulative Smoke Exposure Burden
[18-2036](#)

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

This City Resolution be Scheduled to go before the *Rules & Legislation Committee to be heard 7/11/2019

4.7 Subject: Resolution In Support Of SB 44 - Ditch Dirty Diesel
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 44 (SKINNER) That Would Direct The California Air Resources Board (CARB) To Plan For The Reduction, Over Time, Of Diesel-Fueled Medium- And Heavy-Duty Vehicles And The Transition To Clean Vehicle Technologies
[18-2038](#)

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

This City Resolution be Scheduled to go before the *Rules & Legislation Committee to be heard 7/11/2019

COUNCILMEMBER GALLO WAS NOTED PRESENT AT 11:48 A.M. AND A QUORUM WAS DECLARED.

4.8 Subject: Emergency Street Closure 37th Avenue
From: Councilmember Gallo
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Temporarily Close The 600-700 Block Of 37Th Avenue For A Period Of Eighteen Months, Due To Serious And Continual Criminal Activity And Illegal Dumping
[18-2019](#)

Attachments: [View Report](#)

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

4.9 Subject: Major Encroachment Permit At 1431 Jefferson Street.
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Grant A Conditional And Revocable Major Encroachment Permit To Jefferson Street Hotel, LLC, A Delaware Limited Li Abut Y Company, To Allow Portions Of The New Building Above Grade At 1431 Jefferson Street To Encroach Into The Public Right-Of-Way On 15th Street And Jefferson Street, Major Encroachment Permit ENMJ19055
[18-2026](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)

As a Consent Item

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

4.10 Subject: Caltrans Sustainable Communities Grant Approval
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate A Grant From The California Department Of Transportation (Caltrans), Sustainable Communities Grant Program In An Amount Of Four Hundred Forty Thousand Dollars (\$440,000.00) To Develop A City Of Oakland Zero Emission Vehicle Action Plan; And To Commit A Local Match Of Fifty Seven Thousand, Five Hundred Dollars (\$57,500.00)
[18-2027](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)

As a Consent Item

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

- 4.11** Subject: 7th And Campbell Affordable Housing Unsecured Predevelopment Loan
From: Housing And Community Development Department
Recommendation: Adopt Resolution Authorizing An Unsecured Predevelopment Loan In The Amount Of \$650,000 To Oakland And The World Enterprises, Inc. And McCormack Baron Salazar, Or Affiliated Entities, To Support The Development Of Affordable Housing At The 7th & Campbell Project; And Making California Environmental Quality Act Findings For This Action
[18-2028](#)

Attachments: [View Report](#)

As a Consent Item

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

- 4.12** Subject: Alcoholic Beverage Control Department OPD Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Allow The Oakland Police Department (OPD) To Accept A Grant Award From The California Department Of Alcoholic Beverage Control (ABC) Alcohol Policing Partnership (App) Program, And Appropriate Ninety-Three Thousand Seven Hundred Dollars (\$93,700) For The Federal Fiscal Year Of 2019-2020 Implementation Of OPD'S Alcohol Control Enforcement Program, And Authorize The General Purpose Services Fund To Contribute Thirteen Thousand Eight Hundred Fifty Three Dollars (\$13,853) To Cover The Associated Central Services Overhead (CSO) Costs
[18-2030](#)

Attachments: [View Report](#)

As a Consent Item

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

4.13 Subject: "Lock To" Fee Master Fee Schedule Amendment
From: Council President Kaplan
Recommendation: Adopt An Ordinance Amending The Fiscal Year 2019-20 Master Fee Schedule, Ordinance No. 13533 C.M.S., To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland, Including The Addition Of A "Lock To" Fee Under The Department Of Transportation, Mobility Management For Scooters And Bicycles, To Allow Vendors To Use The City's Scooter And Bicycle Racks For Rented Scooters And Bicycles
[18-2031](#)

Attachments: [No Written Material Was Submitted - 7/3/2019](#)

This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/16/2019

4.14 Subject: POST Use Of Force Curriculum Development Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds To The Oakland Police Department (OPD) In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The State Of California Commission On Peace Officer Standards And Training (Post) For The Innovative Grant Program During The Grant Period Of April 1,2019 Through March 31, 2021, To Fund The Development Of Use Of Force And De-Escalation Curricula And Delivery Of Training To OPD Sworn Staff, And To Authorize The General Purpose Services Fund To Contribute Twenty Seven Thousand Eight Hundred And Twenty Seven Dollars (\$27,827) To Cover The Central Services Overhead Charges
[18-2032](#)

Attachments: [View Report](#)

As a Consent Item

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

4.15 Subject: Grant For Artists Debra Koppman And Laurie Polster
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Rescinding Resolution No. 86394 And Authorizing A Grant Of \$9,000 From Councilmember Kalb’s Graffiti Abatement Mural And Green Wall Funds To Artist Laurie Polster, With The Support Of Artist Debra Koppman, For A Mural On The Outside Of St. Columba Church At 6401 San Pablo Avenue In Oakland In The Golden Gate Neighborhood
[TITLE CHANGE]
[18-2035](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)

As a Consent item

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/9/2019

4.16 Subject: Resolution In Support Of AB 1022 (Wicks)
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1022 (Wicks) That Would Establish The California Anti-Hunger Response And Employment Training (CARET) Program To Fight Hunger And Support Work Among Individuals Who Have Been Determined Ineligible For The Federal Supplemental Nutrition Assistance Program (SNAP)
[18-2039](#)

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

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 7/11/2019

4.17 Subject: Resolution In Support Of AB 1603 (Wicks)
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1603 (Wicks) That Would Codify The Establishment Of The California Violence Intervention And Prevention Grant Program And The Authority And Duties Of The Board In Administering The Program, Including The Selection Criteria For Grants And Reporting Requirements To The Legislature
[18-2037](#)

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

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 7/11/2019

- 4.18** Subject: The Alameda County Illegal Dumping Pilot Program
From: Councilmember Thao
Recommendation: Receive An Informational Report On The Alameda County Illegal Dumping Pilot Program; On The September 10, 2019 Public Works Committee Agenda [18-2025](#)

A Title Change was read into record

This Informational Report be Scheduled.to go before the *Public Works Committee to be heard 9/10/2019

- 4.19** Subject: Amending Rules Of Procedure To Add Chamber/Hearing Room Scheduling
From: Council President Kaplan
Recommendation: Adopt A Resolution Amending And Superseding The Council's Rules Of Procedure Currently Set Forth In Resolution C.M.S. 86034 (Policy And Procedures) By Adding Rule 31, Establishing Rules And Procedures To Book And Schedule Hearing Rooms And The Council Chambers For Council And Council Committee Meetings; On The September 12, 2019 Rules And Legislation Committee Agenda [18-2029](#)

Pending No Date Specific

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee Pending No Date Specific

CHANGES TO THE PREVIOUSLY DISTRIBUTED 10 DAY AGENDAS

CHANGES MADE TO THE JUNE 25, 2019 FINANCE & MANAGEMENT COMMITTEE AGENDA

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

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

This City Resolution be * Withdrawn and Rescheduled.to go before the *Finance & Management Committee to be heard 9/10/2019

Subject: Establishing The Process For Adopting City Sponsored Ballot Measures
 From: Councilmembers McElhaney And Taylor
 Recommendation: Adopt An Ordinance Amending Chapter 3.08 'Elections' To Add Article Iv, Which Would Create A Formal Process For The City Council To Place City Sponsored Measures On The Ballot To Improve Transparency, Analysis And Accuracy Of City Sponsored Ballot Measures
[18-1987](#)

Attachments: [View Report](#)

Councilmember Thao requested to be removed as a Co-Sponsor on this item

This Ordinance be Accepted.

CHANGES MADE TO THE JUNE 25, 2019 PUBLIC WORKS COMMITTEE AGENDA

The was a motion made to change the Public Works Committee time to 11:00 A.M.

This be Accepted.

Subject: MacArthur Maze Vertical Clearance Project
 From: President Kaplan
 Recommendation: Adopt A Resolution Requesting That Caltrans Provide Transit Priority Improvements To Mitigate Congestion Associated With The MacArthur Maze Vertical Clearance Project
[18-1823](#)

Attachments: [View Report](#)

[View DOT Supplemental Report 6/14/2019](#)

This City Resolution be * Withdrawn and Rescheduled.to go before the *Public Works Committee to be heard 9/10/2019

CHANGES MADE TO THE JUNE 25, 2019 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA

The was a motion made to change move Community And Economic Development Committee to Chambers

This be Accepted.

5 A Review Of The Cancelled July 2, 2019 City Council Agenda, The Draft Special Community And Economic Development Committee Agenda Of July 2, 2019 And The Cancelled July 4, 2019 Rules And Legislation Committee Agenda
[18-1986](#)

Attachments: [View Report](#)

There were 2 speakers on this item

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

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

NO VOTE: 0

- 6 Subject: Board Of Port Commissioners Reappointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Reappointments Of Joan Story And Cestra "Ces" Butner To The Board Of Port Commissioners
[18-1939](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Lynette McElhaney, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/9/2019. The motion carried by the following vote:

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

NO VOTE: 0

7 The Item Regarding "Denouncing The Attack On Women's Reproductive Rights" Was Removed At The June 13, 2019 Rules And Legislation Committee

Open Forum (Total Time Available: 15 Minutes)

3 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Rules & Legislation Committee adjourned the meeting at 12:46 p.m.

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MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

*** In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.**