



City of Oakland

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City
Clerk

Meeting Minutes - FINAL *Rules & Legislation Committee

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

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

Thursday, March 29, 2018

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

*The Oakland City Council Rules And Legislation Committee convened at 10:46
A.M, with Council President Reid presiding as Chairperson.*

Present 3 - Abel J. Guillén, Laurence E. Reid, and Annie Campbell Washington

Absent 1 - Lynette McElhaney

COMMITTEE MEMBERSHIP:

1 Determinations Of Closed Session

[18-0257](#)

No Action Taken

2 Approval Of The Draft Minutes From The Committee Meeting Of March 15, 2018

[18-0258](#)

Attachments: [View Report](#)

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

Aye: 3 - Guillén, Reid, and Campbell Washington

Absent: 1 - McElhaney

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items

[18-0259](#)

Attachments: [View Report](#)

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

Aye: 3 - Guillén, Reid, and Campbell Washington

Absent: 1 - McElhaney

NO VOTE: 0

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day
[18-0260](#)

Attachments: [View Report](#)

There were 2 speakers on this item

The Roll Call was modified to note Councilmember McElhaney present at 10:53 a.m..

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

Aye: 4 - McElhaney, Guillén, Reid, and Campbell Washington

NO VOTE: 0

4.1 Subject: Measure To Tax Transportation Network Companies (TNC's) In The City Of Oakland
From: Councilmember Kaplan
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The Statewide General Election On November 6, 2018, A Proposed Ordinance To Impose A General 50 Cent Per Ride Tax On Passengers Of Transportation Network Companies; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 Statewide General Election
[NEW TITLE]
[17-0148](#)

Attachments: [View Report](#)

[View Supplemental Report 5-11-2018](#)

[View Finance Supplemental Report 5-11-2018](#)

There was a title change read into record.

This Ordinance be Scheduled to go before the *Finance & Management Committee to be heard 4/10/2018

2) A Resolution, On The City Council's Own Motion, Submitting This Item To The Voters At The 2018 Election

NEW TITLE:

Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The Statewide General Election On November 6, 2018, A Proposed Ordinance To Impose A General 50 Cent Per Ride Tax On Passengers Of Transportation Network Companies; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 Statewide General Election; On The April 10, 2018 Finance And Management Committee Agenda

[17-0149](#)

This City Resolution be Scheduled.to go before the *Finance & Management Committee to be heard 4/10/2018

4.2 Subject: Measure To Authorize Council To Amend The Business Tax On Non-Medical Cannabis

From: Councilmember Kalb And Councilmember Kaplan

Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The Statewide General Election On November 6, 2018, A Proposed Ordinance (1) Amending Sections 5.04.480 And 5.04.481 To Allow Cannabis Manufacturing Businesses To Make Deductions From Gross Receipts In The Manner Applicable To Manufacturing Businesses Subject To Section 5.04.590; (2) Amending Sections 5.04.480 And 5.04.481, To Allow Cannabis Business To Elect To Remit Business Taxes On A Quarterly Basis; And, (3) Authorizing The City Council To Amend The Business Tax On Non-Medical Cannabis Contained In Oakland Municipal Code Sections 5.04.480 And 5.04.481 In Any Manner That Does Not Increase The Tax Rate; Directing The City Clerk To Fix The Date For Submission Of Arguments, Provide For Notice And Publication In Accordance With The November 6, 2018 Statewide General Election, And Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 Statewide General Election

[18-0322](#)

Attachments: [View Report](#)

[View Report 5-11-2018](#)

This item was also scheduled to the May 10, 2018 Rules and Legislation Committee Agenda

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 5/10/2018

4.3 Subject: Single-Use Plastic Straws Ordinance
From: President Pro Tempore Guillén And Councilmember Kalb
Recommendation: Adopt An Ordinance Amending And Restating Chapter 8.07 Of The Oakland Municipal Code, "Polystyrene Foam Food Service Ware," Renaming The Chapter As "Disposable Food Service Ware" And Additionally Establishing Procedures And Prohibitions Regarding The Distribution Of Single-Use Beverage Straws To Customers Of Restaurants
[TITLE CHANGE]
[18-0263](#)

Sponsors: Guillén

Attachments: [View Report](#)
[View Supplemental Report 4/6/2018](#)

The title change was accepted

This Ordinance be Scheduled.to go before the *Community & Economic Development Committee to be heard 4/10/2018

4.4 Subject: OPRYD Mission And Vision
From: Councilmember McElhaney
Recommendation: Receive An Informational Report On Oakland Parks And Recreation
[18-0191](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the *Life Enrichment Committee to be heard 4/24/2018

4.5 Subject: Travel Authorization - Councilmember Kalb
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Authorizing Councilmember Dan Kalb To Travel To Sacramento, California To Attend The League Of California Cities' Housing And Community Development Committee Meetings On January 19, 2018 And April 13, 2018, And Be Reimbursed For Necessary Expenses
[18-0323](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[87120 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/17/2018

- 4.6** Subject: Resolution In Support Of SB 822 - Restoring Net Neutrality In California
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 822 (Wiener) That Would Reinstate Net Neutrality Protections In California And Prohibit Internet Service Providers From Engaging In Practices That Are Inconsistent With A Free And Fair Internet
[18-0324](#)

Attachments: [View Report](#)
[View Report 4-26-18](#)

This City Resolution be Scheduled to go before the *Rules & Legislation Committee to be heard 4/26/2018

5 There Are No Committees' Actions From March 27, 2018 And No City Council Meeting Of April 3, 2018 Due To Councils' Spring Recess

- 6** A Review Of The Draft Agendas For The Council Committee Meetings Of April 10, 2018 And The Rules And Legislation Committee Of April 12, 2018
[18-0261](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

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

Aye: 4 - McElhaney, Guillén, Reid, and Campbell Washington

NO VOTE: 0

Changes Made to the April 10, 2018 Finance And Management Committee

Subject: Measure To Tax Transportation Network Companies (TNC's) In The City Of Oakland
From: Councilmember Kaplan
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The Statewide General Election On November 6, 2018, A Proposed Ordinance To Impose A General 50 Cent Per Ride Tax On Passengers Of Transportation Network Companies; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 Statewide General Election
[NEW TITLE]
[17-0148](#)

Attachments: [View Report](#)
[View Supplemental Report 5-11-2018](#)
[View Finance Supplemental Report 5-11-2018](#)

This item was rescheduled to the April 24, 2018 Finance And Management Meeting Agenda

This Ordinance be Rescheduled.to go before the *Finance & Management Committee to be heard 4/24/2018

2) A Resolution, On The City Council's Own Motion, Submitting This Item To The Voters At The 2018 Election

NEW TITLE:
Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The Statewide General Election On November 6, 2018, A Proposed Ordinance To Impose A General 50 Cent Per Ride Tax On Passengers Of Transportation Network Companies; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 Statewide General Election; On The April 10, 2018 Finance And Management Committee Agenda
[17-0149](#)

This item was rescheduled to the April 24, 2018 Finance And Management Meeting Agenda

This City Resolution be Rescheduled.to go before the *Finance & Management Committee to be heard 4/24/2018

Subject: Proposed Ballot Measure To Tax Vacant Properties
From: Councilmember Kaplan And Kalb
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Proposed Ordinance To Authorize The City Of Oakland To Collect A Tax On Vacant Properties; And
[17-0453](#)

- Attachments:** [View Report](#)
[View Report](#)
[View Kaplan Report 3/29/18](#)
[View Kaplan Report 4/13/18](#)
[View Supplemental Report 5-11-218](#)

This item was rescheduled to the April 24, 2018 Finance And Management Committee and Community And Economic Development Committee Agendas

This Ordinance be Rescheduled.to go before the *Finance & Management Committee to be heard 4/24/2018

2) A Resolution, On The City Council's Own Motion, Submitting This Item To The Voters At The 2018 Election
[17-0454](#)

This item was rescheduled to the April 24, 2018 Finance And Management Committee and Community And Economic Development Committee Agendas

This City Resolution be Rescheduled.to go before the *Finance & Management Committee to be heard 4/24/2018

Subject: Oakland Children's Initiative Of 2018
From: Office Of The Mayor
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The November 6, 2018 Statewide Election, A Proposed Ordinance To Adopt A Special Parcel Tax To Improve Preschool, Elementary, High School, And College Success And Career Readiness By Expanding Access To And Quality Of Preschool As Well As Increase High School And College Graduation Rates; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 6, 2018 Statewide Election
[18-0303](#)

- Attachments:** [View Report](#)
[View Report 4/5/2018](#)
[View Report-Color Attachment 4/5/2018](#)
[View Supplemental Report 4-12-2018](#)

There was a title change read into record.

Subject: Oakland JPFA Lease Revenue Refunding Bonds Series 2018
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Issuance By The Oakland Joint Powers Financing Authority Of One Or More Series Of Lease Revenue Refunding Bonds In An Aggregate Principal Amount Not To Exceed \$75,000,000; Approving The Form Of And Authorizing The Execution And Delivery Of A Second Amended And Restated Lease, A Second Amended And Restated Sublease And Bond Purchase Contract; Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Bonds And Authorizing Necessary Actions Relating To The Lease Financing With The Oakland Joint Powers Financing Authority; And
[18-0284](#)

Attachments: [View Report](#)
[87141 CMS](#)

There was a title change read into record.

2) A Resolution Authorizing The Issuance And Sale Of Lease Revenue Refunding Bonds (Oakland Administration Buildings) Series 2018 In An Aggregate Principal Amount Not To Exceed \$75,000,000; Authorizing The Execution And Delivery Of A Trust Agreement, Second Amended And Restated Lease, Second Amended And Restated Sublease, Escrow Agreement, Bond Purchase Contract, Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; Approving The Retention Of Bond Counsel, Disclosure Counsel, Municipal Advisor And Underwriters; And Authorizing Payment Of Costs Of Issuance
[18-0285](#)

Attachments: [87142 CMS](#)

There was a title change read into record.

Changes Made to April 10, 2018 Community And Economic Development Committee

Subject: The Affordable Housing And Sustainable Communities Program
From: Housing Community And Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No. 85414 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Camino 23 Project At 1233-1253 23rd Avenue And 2285 International Boulevard, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And
[18-0268](#)

Attachments: [View Report](#)
[87133 CMS](#)

This City Resolution be Scheduled to go before the *Community & Economic Development Committee to be heard 4/10/2018

2) A Resolution Amending Resolution No. 86798 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Coliseum Connections Project At 801-844 71st Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements
[18-0270](#)

Attachments: [87134 CMS](#)

This City Resolution be Scheduled to go before the *Community & Economic Development Committee to be heard 4/10/2018

3) A Resolution Amending Resolution No. 86217 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Lakehouse Commons Project At E 12th And Lake Merrit Boulevard, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements; And
[18-0272](#)

This City Resolution be Withdrawn with No New Date.

4) A Resolution Amending Resolution No. 86216 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Empyrean & Harrison Hotel At 1300 Webster Street And 1415 Harrison Street, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements; And
[18-0273](#)

This City Resolution be Withdrawn with No New Date.

5) A Resolution Amending Resolution No. 86995 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Coliseum Place Project At 905 72nd Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And
[18-0274](#)

This City Resolution be Withdrawn with No New Date.

6) A Resolution Amending Resolution No. 86993 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The 7th And Campbell Project At 1664-1676 7th Street, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements; And
[18-0275](#)

This City Resolution be Withdrawn with No New Date.

7) A Resolution Amending Resolution No. 86994 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The 3268 San Pablo Project At 3268 San Pablo Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart, AC Transit And Bay Area Motivate, LLC For Transportation-Related Improvements
[18-0276](#)

This City Resolution be Withdrawn with No New Date.

7 Subject: Resolution Supporting AB 1884, Straw Upon Request
From: President Pro Tempore Guillén
Recommendation: Adopt A Resolution Supporting AB 1884, Introduced By California Assembly Member Calderon, Which Would Prohibit Specified Food Facilities From Providing Single-Use Plastic Straws To Customers Except Upon Request
[18-0262](#)

Attachments: [View Report](#)
[87121 CMS](#)

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
4/10/2018

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 Oakland City Council Rules And Legislation Committee adjourned the meeting at 11:29 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.