



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 9, 2017

10:45 AM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Oakland City Council Rules and Legislation Committee convened at 11:00 a.m. with Council President Reid presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Present 4 - Lynette McElhaney, Abel J. Guillén, Laurence E. Reid, and Annie Campbell Washington

1 Determinations Of Closed Session

[16-0723](#)

*The City Attorney announced there would be a special closed session March 21, 2017 at 2:30 pm
Accepted*

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

2 Approval Of The Draft Minutes From The Committee Meeting Of February 23, 2017

[16-0724](#)

There were no minutes in the packet for approval.

3 Determination Of Schedule Of Outstanding Committee Items

[16-0725](#)

Attachments: [View Report](#)

[View Report](#)

Accepted

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

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

[16-0726](#)

Attachments: [View Report](#)

Accepted as Amended

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

4.1 Subject: Divesting From Financial Institutions Supporting The Building Of The Dakota Pipeline
From: Gene Hazzard - Member Of The Public
Recommendation: Receive An Informational Report For The Council's Consideration For Divesting All City Funds From Financial Institutions Who Are Providing Financial Assistance To Supporting The Building Of The Dakota Pipeline And Placing The Funds In Those Financial Institutions Who Are Not Providing Financial Assistance To The Dakota Pipeline; As Soon As Possible On The Finance And Management Committee Agenda
[16-0843](#)

Sponsors: Member(s) of the Public

This item was referred to the City Administrator's Office for additional work.

No Action Taken

4.2 Subject: Resolution To Bank With Socially Responsible Financial Institutions
From: Councilmembers Kaplan And Gallo
Recommendation: Adopt A Resolution Declaring The City Of Oakland's Policy Not To Do Business With Financial Institutions That Have Direct Investments In The Dakota Access Pipeline, And To Seek To Do Business With Financial Institutions That Are Committed To Fair And Responsible Business Practices; On The April 11, 2017 Finance And Management Committee Agenda
[16-0839](#)

Sponsors: Kaplan and Gallo

No Action Taken

4.3 Subject: Debarment Of Wells Fargo
From: Debbie Notkin - Member Of The Public
Recommendation: Receive An Oral Report From The City Administrator On A Letter Sent In October 2016 And Resent Twice Since Regarding The Debarment Of Wells Fargo; As Soon As Possible On The Finance And Management Committee Agenda
[16-0833](#)

Sponsors: Member(s) of the Public

Attachments: [View Report](#)

This item was referred to the City Administrator for additional work.

No Action Taken

4.4 Subject: Use Of Eminent Domain, Receivership, And Lien Foreclosure
From: Councilmember Kaplan
Recommendation: Receive An Informational Report On Options, Including The Use Of Eminent Domain, Receivership, And Lien Foreclosure, For Addressing: (1) Blighted Properties; (2) Properties With Unpaid Bills To The City Of Oakland; (3) Properties Which Are Kept In A Vacant/Abandoned State For An Extended Period Of Time; And (4) For The Purpose Of Preserving Affordable Housing; On The July 11, 2017 Life Enrichment Committee Agenda
[16-0838](#)

Sponsors: Kaplan

Denied

4.5 Subject: Reappointment To The Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jessica Warner And Edward Lai To The Housing, Residential Rent And Relocation Board
[16-0821](#)

Sponsors: Office Of The Mayor

Attachments: [View Report](#)

[View Report](#)

Scheduled

4.6 Subject: Honoring Donald R. White Upon His Retirement As Alameda County Treasurer
From: Council President Larry Reid
Recommendation: Adopt A Resolution Recognizing And Honoring The Honorable Donald R. White Upon His Retirement As Alameda County Treasurer After 32 Years Of Dedicated Service
[16-0822](#)

Sponsors: Mr. Reid

Attachments: [View Report](#)

[View Report](#)

[86634 CMS](#)

Scheduled

4.7 Subject: Resolution Honoring The Life And Legacy Of Anne Woodell
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution Honoring The Life And Legacy Of Anne Woodell And Recognizing Her Everlasting Impact On The City Of Oakland, Its Parks, And Its Citizens
[16-0842](#)

Sponsors: Campbell Washington

Attachments: [View Report](#)
[View Supplemental Report](#)
[86642 CMS](#)
Scheduled

4.8 Subject: The Month Of March As Red Cross Month
From: Council President Larry Reid And Councilmember Kalb
Recommendation: Adopt A Resolution Recognizing The Month Of March (2017) As Red Cross Month
[16-0835](#)

Sponsors: Mr. Reid and Kalb

Attachments: [View Report](#)
[86636 CMS](#)
Scheduled

4.9 Subject: Workenesh Demeku-Ousman V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Related Cases: (1) Workenesh Demeku-Ousman V. City Of Oakland, Et Al., Alameda County Superior Court No. RG15788993 In The Amount Of Twenty Six Thousand Dollars And No Cents (\$26,000.00) And (2) Allstate Northbrook Indemnity V. City Of Oakland, Alameda County Superior Court, Case No. RG15794570 In The Amount Of Seven Thousand Dollars And No Cents (\$7,000.00), For A Total Settlement Amount Of Thirty-Three Thousand Dollars And No Cents (\$33,000.00), As A Result Of An Auto Collision On February 13, 2015 (Oakland Police Department- Auto Collision)
[16-0840](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)
[86643 CMS](#)
Scheduled

4.10 Subject: Sale Of Oakport Property To Oakland Acura At \$5.2 Million
From: Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing The City Administrator Or Designee, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland And Oakland Acura, Or A Related Entity For The Sale Of The Oakport Property (APN 041-3902-021) At The Agreed Upon Sales Price Of \$5.2 Million For The Development Of An Acura Dealership And Adopting CEQA Exemption Findings
[16-0832](#)

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)
[13422 CMS](#)

As A Public Hearing 3/21/2017 and for final passage 3/28/2017
Scheduled

4.11 Subject: Mandatory Trash Delinquent Fees And Special Assessment Charges 2016
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection; And
[16-0829](#)

Sponsors: Finance Department

Attachments: [View Report](#)
[86661 CMS](#)

As a Public Hearing
Scheduled

4.12 Subject: ORSA Audit Report
From: Oakland Finance Department
Recommendation: Receive An Informational Report On The Oakland Redevelopment
Successor Agency (ORSA) Audit Report For The Year Ended June 30, 2016

[16-0837](#)

Sponsors: Finance Department

Attachments: [View Report](#)

on the consent calendar

Scheduled

4.13 Subject: Comprehensive Annual Financial Report (CAFR) Audit Report
From: Oakland Finance Department
Recommendation: Receive An Informational Report On The Comprehensive Annual
Financial Report (CAFR) And The Management Letter For The Year Ended June 30,
2016

[16-0836](#)

Sponsors: Finance Department

Attachments: [View Report](#)

As a consent calendar item

Scheduled

4.14 Subject: Appointments To The Chabot Space & Science Center JPA
From: Council President Larry Reid
Recommendation: To Adopt a Resolution Confirming The Appointments Of Vice
Mayor Annie Campbell- Washington And Jean Quan To The Chabot Space And
Science Center Joint Powers Authority (JPA)

[16-0841](#)

Sponsors: Mr. Reid

Attachments: [View Report](#)

Scheduled

4.15 Subject: Ordinance Amendment To Encourage Equity Incubators
From: Councilmember Kaplan, Councilmember Gallo, and Councilmember Kalb
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.81, Section 5.81.060(D)(3), To Declare That A General Applicant Will Be Exempt From A Residency Requirement If It Serves As An Equity Incubator
[16-0844](#)

Sponsors: Kaplan and Noel Gallo

Attachments: [View Report](#)

Scheduled

4.16 Subject: Schedule of Fiscal Year (FY) 2017-19 Budget Hearings
From: Budget Department
Recommendation: Set the Budget Hearing Meeting Schedule As Follows;

FY2017-19 Budet Meetings

May 16, 2017 Special Budget Meeting (Tuesday) -- 5:00pm Budget Presentation

May 30, 2017 Special Budget Meeting (5th Tuesday) -- 5:30pm

June 12, 2017 Special Budget Meeting (Monday) -- 5:30pm

June 26, 2017 Special Budget Meeting (Monday) -- 5:30pm

June 29, 2017 Special Budget Meeting (Thuesday) -- 5:30pm *If Needed"

[16-0831](#)

Sponsors: Office Of The City Administrator

4.17 Subject: Amendments To The Salary Schedule
From: Human Resources Management Department
Recommendation: Adopt The Following Six (6) Pieces Of Legislation:

1) An Ordinances An Ordinance Setting Forth The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") Effective July 1,2012; And

[16-0823](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)

[View Report](#)

[View Report](#)

Scheduled

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") Effective July 1, 2013; And [16-0824](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)

[View Report](#)

Scheduled

3) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") Effective July 1,2014; And [16-0825](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)

[View Report](#)

Scheduled

4) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") Effective July 1, 2015; And [16-0826](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)

[View Report](#)

Scheduled

5) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") Effective July 1, 2016; And [16-0827](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)

[View Report](#)

Scheduled

6) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") Effective January 14, 2017

[16-0828](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)

[View Report](#)

Scheduled

REQUESTS SUBMITTED ON THE DIAS

Subject: Travel Authorization - Councilmember Kalb

From: Councilmember Dan Kalb

Recommendation: Adopt A Resolution Authorizing Councilmembers Dan Kalb & Lynette Gibson McElhaney And President Pro Tempore Abel Guillen To Travel To Ontario, California To Attend League Of California Cities' Policy Committee Meetings On March 30 And 31,2017

[16-0848](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

[86644 CMS](#)

Scheduled

Subject: Honoring The Oakland Jr. Raiders Youth Football And Cheer Program

From: Vice Mayor Annie Campbell Washington

Recommendation: Adopt A Resolution Honoring The Oakland Jr. Raiders Youth Football And Cheer Program On Their 2016 State Championship

[16-0851](#)

Sponsors: Campbell Washington

Attachments: [View Report](#)

[View Supplemental Report](#)

[86635 CMS](#)

Scheduled

Subject: Support For SB 300 - Health Warning Label On Sugar Sweetened Beverages
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution In Support For Sb 300 (Monning) Requiring A Health Warning Label Be Placed On Sugar Sweetened Beverages Sold In California That Contain Added Sweeteners And 75 Calories Or More Per 12 Ounces.
[16-0852](#)

Sponsors: Campbell Washington

Attachments: [View Report](#)

[View Report](#)

Scheduled

Subject: Support AB 43 - State Incarceration Prevention Fund
From: Councilmember Dan Kalb, Lynette McElhaney And Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution In Support Of Assembly Bill 43 (Thurmond) To Create A State Incarceration Prevention Fund By Assessing A Tax On For-Profit Companies That Contract To Do Business With A State Prison Or The Ca Department Of Corrections Or The Department Of General Services To Provide A State Prison With A Good Or Service
[16-0853](#)

Sponsors: Kalb, McElhaney and Campbell Washington

Attachments: [View Report](#)

Scheduled

ADJUSTMENTS TO THE MARCH 14, 2017 COMMITTEE AGENDAS

Subject: Revisions To Public Art Requirements For Private Developments
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Repealing Ordinance No. 13275 C.M.S., Amending The Oakland Municipal Code To Adopt Chapter 15.78, Public Art Requirements For Private Development, And Adopting CEQA Exemption Findings
[16-0710](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

This item was withdrawn from the March 14, 2017 Community and Economic Development Committee Agenda, and removed as a Public Hearing from the March 21, 2017 City Council Agenda.
Rescheduled

Subject: 30 Day Monthly Police Staffing Report
From: Oakland Police Department
Recommendation: Receive The Oakland Police Department's (OPD) Monthly Informational Report On Recruiting And Sworn Staffing Levels As Of February 28, 2016
[16-0808](#)

Attachments: [View Report](#)

Scheduled

- 5** A Review Of The Draft Agendas For The Council Committee Meetings Of March 21, 2017 And The Rules And Legislation Committee Of March 23, 2017
[16-0728](#)

Attachments: [View Report](#)

Accepted as Amended

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

Subject: Amending The Master Fee Schedule
From: Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance 13363 C.M.S. (The FY 2016-17 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland, Referenced Herein
[16-0773](#)

This item will be part of the budget discussions.

Scheduled

Open Forum (Total Time Available: 15 Minutes)

There were 3 speakers 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 12:14 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.