



City of Oakland

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

Meeting Minutes - DRAFT *Rules & Legislation Committee

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

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

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

A motion was made by Abel J. Guillén, seconded by Lynette Gibson McElhaney, that this matter be Accepted. The motion carried by the following vote:

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](#)

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

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[16-0726](#)

Attachments: [View Report](#)

A motion was made by Lynette McElhane, seconded by Abel J. Guillén, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - McElhane, 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.

This Informational Report be Denied.

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

This City Resolution be 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.

This Informational Report be 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

This Informational Report be 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](#)

This City Resolution be Scheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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

Sponsors: Mr. Reid

Attachments: View Report

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

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

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

As a Public Hearing

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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

This Informational Report be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

- 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

This Informational Report be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

- 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

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/28/2017

- 4.15** Subject: Ordinance Amendment To Encourage Equity Incubators
From: Councilmembers Kaplan And Gallo
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; On The March 21, 2017 City Council Agenda
16-0844

Sponsors: Kaplan and Noel Gallo

This Ordinance be Scheduled.to go before the *Public Safety Committee to be heard 4/11/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/21/2017

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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/23/2017

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 (AB) 43, By Assemblymember Tony Thurmond To Create A State Incarceration Prevention Fund By Assessing A Tax On For-Profit Companies That Contract To 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; On The April 13, 2017 Rules And Legislation Agenda
16-0853

Sponsors: Kalb, McElhaney and Campbell Washington

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 3/30/2017

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.

This Ordinance be Rescheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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 January 31, 2016.
[16-0808](#)

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 4/11/2017

- 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](#)

This Report and Recommendation be 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.

This Ordinance be Scheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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.**