



Supplemental Memo



TO: Honorable Mayor & City Council
Members of the Public

FROM: Nikki Fortunato Bas
Council President
Council District 2

SUBJECT: Amended Council Rules of Procedure

DATE: January 26, 2023

At the January 19, 2023 Rules & Legislation Committee meeting, the committee heard and discussed the proposed amendments to the Council Rules of Procedure.

The following additional amendments have been made to the draft legislation and are highlighted in green.

Effective date

- Added effective date of March 1, 2023 in the resolved clauses

Rule 23 – Rules and Legislation Committee’s Jurisdiction

- Added: Propositions that the Council may place on the ballot on the Councils’ own motion may also be assigned, at the discretion of the Rules and Legislation Committee, to one or more additional Standing Committees as information items for their input, provided the Rules and Legislation Committee retains authority to determine whether or not to forward such propositions to the City Council.

Rule 26 A – Procedure for Councilmember to Place Items on an Agenda

- Amended as follows: Accordingly, Councilmembers ~~should~~ shall make every effort to thoroughly investigate policy issues prior to submitting proposals to a committee or the Council for action.

Rule 29 – Tie-Breaking Votes by Mayor

- Amended as follows: In accordance with Charter Section 305(i), solely for the purposes of determining whether the Mayor is eligible to cast a tie-breaking vote, abstentions and absences shall count as a “No” vote, except that where a Councilmember is absent or abstains because they were required by law to recuse themselves, such as due to a legally-recognized conflict of interests, then such a legally-required recusal shall not count as a “No” vote.

In addition, I recommend that the amendments below also be made so that the Scheduling Request Form may be updated as needed by the City Clerk.

Rule 3 – Definition of Terms

xiii. *Scheduling Request Form* shall mean the form published by the Clerk’s Office attached hereto as Attachment A, which shall be used to request scheduling a proposed agenda item by the Rules and Legislation Committee to help ensure the timely and orderly submission and scheduling of such requests.

City Council
February 7, 2023

xiv. *Agenda Report Template* shall mean the template attached hereto as Attachment A3, which shall be used to generate reports to accompany ordinances and Non-Advisory Resolutions in accordance with Rule 26(D).

For questions regarding this report, please contact Cinthya Munoz-Ramos, Chief of Staff to Council President Nikki Fortunato Bas, District 2 at cmunozramos@oaklandca.gov.

Respectfully submitted,



Nikki Fortunato Bas
Council President, District 2

Prepared by:
Nikki Fortunato Bas
Council President, District 2

Attachments (3):

1. Amended Resolution - clean version with Rules Committee feedback
2. Amended Resolution - red-lined version with Rules Committee feedback
3. Presentation to Rules & Legislation Committee, January 19, 2023