



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, May 11, 2017

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules Committee convened at 10:56 a.m with Councilmember Reid presiding as Chairperson.

Roll Call / Call To Order

councilmember McElhaney arrived at 11am

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

1 Determinations Of Closed Session

[16-1042](#)

Attachments: [View Report](#)

There will be a Closed Session on May 16, 2017 that will start at 2:30 p.m.

Councilmember McElhaney arrived at 11 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: 3 - Guillén, Reid, and Campbell Washington

Absent: 1 - McElhaney

2 Approval Of The Draft Minutes From The Committee Meeting Of April 27, 2017

[16-1043](#)

Attachments: [View Report](#)

A motion was made by Lynette McElhaney, 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

3 Determination Of Schedule Of Outstanding Committee Items

[16-1044](#)

Attachments: [View Report](#)

Due To The Presence Of Councilmember Kalb, A Quorum Of The City Council Was Noted, And A Motion Was Made By Councilmember McElhaney And Seconded By Vice Mayor Campbell Washington To Adjourn The Meeting Of The Rules And Legislation, And To Convene As A Special Meeting Of The Full Council At 11:02 A.M.

A motion was made by Annie Campbell Washington, seconded by Lynette McElhaney, 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)

[16-1045](#)

Attachments: [View Report](#)

There were 2 speakers on this item

This Report and Recommendation be Accepted as Amended.

- 4.1 Subject: Establishing Independent Analysis Of Mayor's Proposed Budget
From: President Pro Tempore Guillen And President Reid
Recommendation: Adopt A Resolution Approving A Contract With Harvey M. Rose Associates, LLC, Up To \$80,000, To Conduct An Independent Analysis Of The Mayor's Proposed FY 2017-19 Budget, And Additional Analyses, As Needed And If Directed, Pending Availability Of Funds, For The Entire City Council, To Report Directly To The President Of The Council And The Chair Of The Finance And Management Committee, And To Work Collegially With The City Administrator, Or Her Designee, To Obtain Relevant Information, Including, But Not Limited To, Past Budget Documents, Memoranda, Reports And Other Information As Necessary To Execute The Analysis In A Timely Manner

[16-1119](#)

Sponsors: Guillén and Mr. Reid

Attachments: [View Report](#)

[86743 CMS](#)

*There was a title change read into record for this item
Councilmember Guillen moved the urgency seconded by Vice Mayor Campbell Washington
Non Consent*

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 5/16/2017

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

- 4.2** Subject: Amendment Of Municipal Code Section 2.29
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled "City Agencies, Departments And Offices" To Create The Community Police Review Agency; To Transfer Employee Relations To The Human Resources Department; To Transfer The Budget Office To The Finance Department; And To Remove References To Divisions And Bureaus
[16-1113](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)
[13442 CMS](#)

This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 5/30/2017

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

- 4.3** Subject: Measures M, N, Q, & Z FY 2017-18 Cost-Of-Living Tax Adjustment
From: Finance Department
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2017-18 Increase In Accordance With The Consumer Price Index, Fixing The Rate Of Property Tax, And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2017-18 For Voter Approved Measure M (The Emergency Medical Services Retention Act), Measure N (The 1997 Paramedic Services Act), Measure Q (The Library Services And Retention Act), And Measure Z (The Public Safety And Services Act Of 2014)
[16-1116](#)

Sponsors: Finance Department

Attachments: [View Report](#)
[13441 CMS](#)

Public Hearing

This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 5/30/2017

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

4.4 Subject: Recognizing The Oakland Wildfire Prevention Assessment District
From: Councilmembers Kalb And And Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Recognizing And Honoring All Members Of The Oakland Wildfire Prevention Assessment District (WPAD) Advisory Committee For Their Dedicated Service To The Residents Of The City Of Oakland Since 2004
[16-1117](#)

Sponsors: Kalb and Campbell Washington

Attachments: [View Report](#)
[View Supplemental Report](#)
[86822 CMS](#)

Ceremonial Item

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/6/2017

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

4.5 Subject: LLAD Initiation And Intention for FY 2017-2018
From: Finance Department
Recommendation: Adopt The Following;

1) A Resolution Initiating The Fiscal Year (FY) 2017-18 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District (LLAD) With The Intention To Levy Assessments For The City Of Oakland LLAD And Set June 20, 2017 At 6:30pm As The Date For A Public Hearing; And
[16-1118](#)

Sponsors: Finance Department

Attachments: [View Report](#)
[86745 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 5/30/2017

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

4.6 Subject: LLAD Confirmation For FY 2017-2018
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District For Fiscal Year (FY) 2017-18 And The Levying Of Assessments
[16-1114](#)

Sponsors: Finance Department

Attachments: [View Report](#)
[86795 CMS](#)

Public Hearing

Staff read a title change into record for this item

This City Resolution be Scheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/20/2017

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

Items Submitted Upon The Dias

The Scheduling Request Regarding "Adopt A Resolution In Support Of Senate Bill 393, By State Senators Ricardo Lara And Holly Mitchell, That Would Allow People To Petition A Court To Seal Records Of Arrests That Did Not Result In Any Conviction, With Exceptions For Domestic Violence, Elder Abuse And Child Abuse; And Require Consumer Reporting Agencies To Not Share Such Records" was scheduled to the June 1, 2017 Rules And Legislation Committee

The Item Regarding "Adopt A Resolution In Support Of Senate Bill 395, By State Senators Ricardo Lara And Holly Mitchell, That Would Require Any Youth Under The Age Of Eighteen To Consult With A Qualified Counsel Prior To Custodial Interrogation Or Any Waiving Of Specified Rights" was scheduled to go to the June 1, 2017 Rules and Legislation Committee

Subject: Support SB 355 (Mitchell)-No Reimbursement For Court-Appointed Counsel From People Found Guilty
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of California Senate Bill (SB) 355 (Senators Mitchell And Lara), Which Would Limit The Court's Ability To Order People Who Are Provided Court-Appointed Defense Counsel To Subsequently Reimburse The County For The Costs Of Such Counsel Except When They Are Convicted Of A Felony Or Misdemeanor
[16-1120](#)

Sponsors: Kalb

Attachments: [View Report](#)
[View Supplemental Report](#)
[86784 CMS](#)

- 5 A Review Of The Council Committees' Actions From May 9, 2017 And Determination Of Scheduling To The City Council Meeting Of May 16, 2017 Or Future Dates (MATRIX)
[16-1046](#)

Attachments: [View Report](#)

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

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

Item 3.1, 3.2, and 3.3 Under The Community And Economic Development Committee Matrix Review Regarding The "Intention To Form The Koreatown/Northgate Community Benefit District 2017" was clarified as being on the Consent Calendar for May 16, 2017 Special City Council Agenda

Item 8 Under the Public Safety Committee Matrix Review Regarding the "Surveillance And Community Safety Ordinance" was Withdrawn with No New Date

- 6 A Review Of The Draft Agendas For The Council Committee Meetings Of May 23, 2017 And The Rules And Legislation Committee Of May 25, 2017
[16-1047](#)

Attachments: [View Report](#)

A motion was made by Lynette McElhaney, seconded by Annie Campbell Washington, that this matter be Accepted as Amended. The motion carried by the following vote:

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

Subject: Contracts For Vehicular Maintenance and Repairs
From: Public Works Department
Recommendation: Adopt A Resolution Authorizing: (1) A Three-Year Professional Services Agreement With The Alameda County Fire Department For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Annually For The Period Of March 1, 2017 Through February 29, 2020 For Maintenance And Repair Of Fire Department Emergency Response Vehicles And Related Equipment; (2) Authorize The Execution Of Two Additional One-Year Agreement Extensions For A Grand Total Contractual Allocation In An Amount Not To Exceed Two Million Dollars (\$2,000,000.00), Without Returning To Council, And A Waiver Of The Advertising And Competitive Bidding, Request For Proposal/Qualifications (RFP/Q) And The Local And Small Local Business Enterprise (L/SLBE) Program Requirements
[16-1085](#)

A motion was made that this matter be Withdrawn with No New Date. The motion carried by the following vote:

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

The Item Regarding "Progress Of Implementation Of Measure To Aid Homeless Individuals Residing In Oakland" on the May 23, 2017 Life Enrichment Committee Agenda will have a title change with accompanying options.

7 Subject: Resolution In Support Of SB 602 - Neonicotinoid Labeling
From: Councilmember Kalb And President Pro Tempore Guillén
Recommendation: Adopt A Resolution In Support Of Senate Bill 602 (Allen & Wiener) That Would Require Labeling Of Commercially Available Seeds And Plants Treated With Neonicotinoid Pesticide
[16-1093](#)

Sponsors: Kalb and Larry Reid

Attachments: [View Report](#)
[View Supplemental Report](#)
[86736 CMS](#)

A motion was made by Abel J. Guillén, seconded by Lynette McElhaney, that this matter be Approve the Recommendation of Staff, and Forward to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 5/16/2017. The motion carried by the following vote:

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

Open Forum (Total Time Available: 15 Minutes)

1 speaker 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 11:34 a.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.