



City of Oakland

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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, November 2, 2017

10:45 AM

City Council Chamber, 3rd Floor

***The Oakland City Council Rules And Legislation Committee convened at 10:57 a.m ,
with Council President Reid presiding as Chairperson.***

Roll Call / Call To Order

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

1 Determinations Of Closed Session

[17-0261](#)

Attachments: [View Report](#)

There will be a Special Closed Session on November 7, 2017 from 2-4 p.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

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of October 19, 2017

[17-0262](#)

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

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items

[17-0263](#)

Attachments: [View Report](#)

There were no changes to the pending list.

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

[17-0264](#)

Attachments: [View Report](#)

There were 2 speakers on this item.

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

NO VOTE: 0

4.1 A Review Of The Council Committees Action From The October 31, 2017 Special Community And Economic Development Committee Meeting And Determination Of Scheduling To The City Council Meeting Of November 7, 2017 (MATRIX)

[17-0324](#)

Attachments: [View Report](#)

This Report and Recommendation be Accepted.

- 4.2** Subject: Recognizing The 100 Year Anniversary Of Lakeshore Homes Association
From: Councilmember Abel J Guillén
Recommendation Adopt A Resolution Recognizing The 100-Year Anniversary Of The Lakeshore Homes Association (LHA). The Lakeshore Neighborhood Was Founded In 1917 And Designed With A Commitment To Following The Natural Contours Of The Hills And Creek, With Many Homes Designed By Some Of The Bay Area's Most Renowned Architects, Including Julia Morgan. The LHA Has Preserved The Architectural Character And Natural Beauty Of The Neighborhood For A Century
[17-0325](#)

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/12/2017

- 4.3** Subject: Resolution Recognizing and Honoring Phil Neville
From: Council President Reid And City Attorney Parker
Recommendation: Adopt A Resolution Recognizing And Honoring Deputy Executive Director For Real Estate Development Phil Neville Upon His Retirement From The Oakland Housing Authority After 43 Years of Service
[17-0316](#)

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

This City Resolution be Scheduled to go before the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council to be heard 11/28/2017

- 4.4** Subject: Graffiti Abatement Grant For Attitudinal Healing Connection
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$11,000 From Councilmember McElhaney's Graffiti Abatement Mural And Green Wall Funds To Attitudinal Healing Connection For The Fourth Mural In Their Oakland Superheroes Mural Project On The West Street Freeway Underpass Between 35th And 36th Street
[17-0320](#)

Attachments: [View Report](#)

This City Resolution be Scheduled to go before the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council to be heard 11/28/2017

- 4.5** Subject: Code Enforcement Displacement Report
From: Jonah Strauss And David Keenan
Recommendation: Receive An Informational Report And PowerPoint Presentation From Oakland Warehouse Coalition And Safer DIY Spaces On Code Enforcement Directives To Property Owners Of Non-Conforming Units That They Displace Their Residential Tenants From Existing Affordable Housing Stock, Including But Not Limited To Warehouses, Storefronts, Accessory Dwelling Units, And Mobile Homes, From December 2nd, 2016 To November 20th, 2017, Based On Code Enforcement Data Gathered From Public Records Requests, Advocacy Records By The Presenters, And Research By East Bay Express And East Bay Times: On The December 12, 2017 Special City Council Agenda As A Non-Consent Item
[17-0328](#)

This item was deferred to the City Administrators Office.

This Informational Report be No Action Taken.

- 4.6** Subject: Report And Possible Action On Cannabis Tax Policy
From: Council President Ried
Recommendation: Approve A Report And Recommendation That The City Administrator Have The Appropriate Finance And Revenue Staff Research Cannabis Tax Policy, Including The MPG Oakland Tax Policy Paper, The Ross Gordon Tax Policy Paper, And The University Of The Pacific Sacramento Area Economic Impact Analysis, And Ruling 10 As It Applies To Apportionment Of Cannabis Taxes; And Report Back To Finance Committee With Cannabis Tax Policy Options To Maximize City Tax Revenue, Economic Growth, And Jobs; On The First Finance And Management Committee Meeting In January 2018
[17-0322](#)

This item was scheduled to go to the March 27, 2018 Finance and Management Committee.

This Report and Recommendation be Scheduled.to go before the *Finance & Management Committee

- 4.7** Subject: Authorization To Add Additional Positions To The Rent Adjustment Program
From: Housing And Community Development Department
Recommendation: Adopt A Resolution To Authorizing The Department Of Housing And Community Development To Add And Recruit Additional Positions To Enable The Rent Adjustment Program To Continue To Meet Its Responsibilities And To Function In An Efficient And Responsive Manner; On The November 14, 2017 Finance And Management Committee Agenda
[17-0326](#)

This Item was consolidated with the item regarding "Amendment To Resolution No. 86179 C.M.S."

This City Resolution be No Action Taken.

4.8 Subject: Adjustment To FY 2017-18 Appropriations
From: Finance Department
Recommendation: Adopt A Resolution Adjusting Various Appropriations Including; (A) Amending Resolution No. 86179 C.M.S. To Include Provision To Authorize The City Administrator To Add And Recruit Additional Positions Devoted To Duties Administering The Two Federal Emergency Management Agency's (FEMA) Grant -Funded Seismic Retrofit Programs For The City Of Oakland. (B) Authorizing The City Administrator To Add And Recruit Additional Positions To Enable The Rent Adjustment Program To Continue To Meet Its Responsibilities And To Function In An Efficient And Responsive Manner. (C) Amending Resolution No. 86821 C.M.S. To Provide An Appropriation Of \$150,000 For Youth Together By Reducing An Appropriation Of \$150,000 In The General Purpose Fund (1010) For Subsidies To The Head Start Program. (D) Authorize A Grant Award To Youth Together For An Amount Not To Exceed \$150,000 In FY 2017- 18 With An Option To Renew For The Same Amount For One Additional Year, Contingent On Funding Availability In FY 2018-19

[17-0327](#)

Attachments: [View Report](#)
[Supplemental 11-17-2017](#)

This Item was consolidated with the item regarding "

This City Resolution be Scheduled.to go before the *Finance & Management Committee to be heard 11/14/2017

4.9 Subject: Report Regarding City Hall Security Enhancements
From: Oakland Public Works Department
Recommendation: Receive A Report with Recommendations To Select One Of Two Options To Enhance Security At City Hall, And Direct Oakland Public Works (OPW) To Work With The Finance Department To Identify Funding

[17-0317](#)

Attachments: [View Report](#)

This Report and Recommendation be Scheduled.to go before the *Public Works Committee to be heard 11/14/2017

- 4.10** Subject: Agreement With Sequoia Nursery School Inc.
From: Oakland Parks And Recreation Department
Recommendations: Adopt An Ordinance Authorizing The City Administrator To Execute A License Agreement With Sequoia Nursery School, Inc. To Operate A Cooperative Nursery School At The Sequoia Lodge For A Five-Year Term For A License Fee Of \$1,457.83 Per Month; And Amend The License Agreement For Two Consecutive Five-Year Terms Without Returning To Council
[17-0315](#)

Attachments: [View Report](#)

This Ordinance be Scheduled.to go before the *Life Enrichment Committee to be heard 12/5/2017

- 4.11** Subject: Agreement With Peter Pan Cooperative Nursery School Inc.
From: Oakland Parks And Recreation Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Execute A License Agreement With Peter Pan Nursery School, Inc. To Operate A Cooperative Nursery School At The Maxwell House And The Adjacent Play Area At Maxwell Park For A Five-Year Term With A License Fee Of \$1,123.20 Per Month; And Amend The License Agreement For Two Consecutive Five-Year Terms Without Returning To Council
[17-0318](#)

Attachments: [View Report](#)

This Ordinance be Scheduled.to go before the *Life Enrichment Committee to be heard 12/5/2017

- 4.12** Subject: State Of Commercial Sexual Exploitation of Children Annual Report
From: Vice Mayor Campbell Washington, President Pro -Tem Guillén And Councilmember McElhaney
Recommendation: Receive An Informational Report On The Status Of Commercial Sexual Exploitation Of Children In Oakland From The City Of Oakland CSEC Task Force
[17-0323](#)

This Informational Report be Scheduled.to go before the *Life Enrichment Committee to be heard 12/5/2017

- 4.13** Subject: Surveillance And Community Safety Ordinance
From: Office Of The City Administrator
Recommendation: Adopt A Surveillance And Community Safety Ordinance Which Prescribes The Rules For The Acquisition And Use Of Surveillance Equipment And Technology, Establishes Oversight, Auditing And Reporting Requirements, And Imposes Penalties For Violations; On The November 14, 2017 Public Safety Committee Agenda
[16-1028](#)

Attachments: [View Report](#)

This City Resolution be Withdrawn with No New Date.

- 4.14** Subject: OPD 2017 DNA Backlog Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Forty-Six Thousand And Two Hundred And Thirty -Seven Dollars (\$246,237) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2017 Oakland Police Department (OPD) Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program; And 2) Waiving The City Advertising And Competitive Bidding Requirements For The Purchase Of DNA Typing Supplies From: (A) Promega For Thirty-Five Thousand Eight Hundred Ninety-Two Dollars (\$35,892), And (B) Qiagen For Twenty-Seven Thousand Dollars (\$27,000)
[17-0319](#)

Attachments: [View Report](#)

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 11/14/2017

- 4.15** Subject: Purchase of OPD Body-Worn Cameras
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Contract With VIEVU LLC (VIEVU), The Vendor Selected From The Competitive Bidding Process, To Purchase New Body Worn Cameras (BWC), Related Hardware, And A Fully Hosted Digital Evidence Management Software Solution, Maintenance, Professional Services, And Training, For A Total Contract Cost Not To Exceed One Million Two Hundred Seventy-One Thousand Two Hundred Twenty-One Dollars (\$1,271,221), For A Total Contract Period Of January 1, 2018 Through December 31,2022
[17-0321](#)

Attachments: [View Report](#)

A title Change was read into record.

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 11/14/2017

Items Submitted On The Dias

Subject: Amending Chapter 8.22
From: Councilmember Brooks
Recommendation: Adopt An Ordinance To Enact The Uniform Residential Tenant Relocation Ordinance To (1) Establish An Uniform Schedule Of Relocation Payments; (2) To Extend Relocation Payments To Tenants Displaced By Owner Move-In Evictions; (3) To Extend Relocation Payments To Tenants Displaced By Condominium Conversions; (4) Conform Existing Ellis Act And Code Compliance Relocation Amounts To Those In The Uniform Schedule; (5) To Extend Relocation To Tenants In Units That Are Exempt From The Rent Arbitration Ordinance; Or Just Cause Eviction Protections And Are Evicted For No-Cause Evictions Or Receive Rent Increases Beyond 10 Percent And Move Within 12 Months Of The Rent Increase

[17-0335](#)

Attachments: [View Report](#)

This Ordinance be Scheduled to go before the *Community & Economic Development Committee to be heard 12/5/2017

Subject: Establishing The Five-Percent (5%) For Mandela And Job Center Program
From: Councilmembers Brooks, Council President Reid, And At Large Kaplan
Recommendation: Adopt An Ordinance Authorizing The Allocation Of 5% Of The City's Capital Improvement Projects Costs To The Cypress Mandela Training Program And The Citywide Job Centers For Training, Job Readiness, And Job Placement Of City Residents; Establishing A Method For Calculating Cypress Mandela Training Program And Citywide Job Centers Appropriations Of Capital Projects, Establishing A Cypress Mandela Training Program And Citywide Job Centers Project Account; Establishing Method Of Administering Cypress Mandela Training Program And Citywide Job Centers Program; And Establishing General Guidelines For The Administration Of The Cypress Mandela Training Program And Citywide Job Centers Program

[17-0336](#)

Attachments: [View Report](#)

This Ordinance be Scheduled to go before the *Community & Economic Development Committee to be heard 12/5/2017

5 A Review Of The Draft Agendas For The Council Committee Meetings Of November 14, 2017 And The Rules And Legislation Committee Of November 16, 2017

[17-0265](#)

Attachments: [View Report](#)

This Report and Recommendation be Accepted as Amended.

Changes Made To the November 14, 2017 Public Works Committee

Subject: City And BART Cooperative Agreement
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Cooperative Agreement With The San Francisco Bay Area Rapid Transit (BART) District For BART System Modernization Program For 34.5kv Cable Replacement A-Line Ana-Aco (19th Avenue To Coliseum Substations) And M03 (Surface And Tunnel Rail Tracks) Interlocking Projects
[17-0296](#)

Attachments: [View Report](#)

A Title Change ws read into record.

Open Forum (Total Time Available: 15 Minutes)

5 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 11:46 a.m.

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*** 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.**