



City of Oakland

Office of the City Clerk
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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, January 24, 2019

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules & Legislation Committee convened at 10:50 a.m., with Councilmember Thao presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Present 4 - Dan Kalb, Rebecca Kaplan, Sheng Thao, and Lynette McElhaney

1 Determinations Of Closed Session

[18-1251](#)

Attachments: [View Report](#)

The February 5, 2019 Special Closed Session meeting will convene at 2 p.m.

A motion was made by Lynette McElhaney, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

2 Approval Of The Draft Minutes From The Committee Meeting Of January 10, 2019

[18-1252](#)

Attachments: [View Report](#)

A motion was made by Lynette McElhaney, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

3 Determination Of Schedule Of Outstanding Committee Items

[18-1253](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[18-1254](#)

Attachments: [View Report](#)

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

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 4.1 Subject: Ordinance Harmonizing Cannabis Business Tax Rates
From: Council President Pro Tempore Kalb And Council President Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 5, Chapter 5.04, Section 5.04.481, Non-Medical Cannabis Businesses, To Reduce The Tax Rate For Non-Medical Cannabis Businesses To Be The Same As The 2019 Medical Cannabis Business Tax Rate Of \$50.00 Per \$1,000.00 Of Gross Receipts Or Fraction Thereof
[18-1321](#)

Attachments: [View Report](#)

[View City Administrator Report](#)

President Kaplan requested to be added as a co-sponsor

A motion was made that this matter be Scheduled to go before the *Special Finance & Management Committee, to be heard 1/29/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 4.2 Subject: Naming A Room Of The Oakland Lake View Branch Library
From: Vice Mayor Reid And Councilmember McElhaney
Recommendations: Adopt A Resolution Naming A Reading Room Of The Lake View Branch Library After The Late Charles Brown
[18-1308](#)

Attachments: [View Report](#)

Councilmember McElhaney requested to be added as a co-sponsor

A motion was made that this matter be Scheduled to go before the *Special Life Enrichment Committee, to be heard 1/29/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 4.3 Subject: Informational Presentation On Fairyland
From: Councilmember McElhaney
Recommendation: Receive An Informational Report From Fairyland On Their Programmatic And Financial Performance
[18-1307](#)

A motion was made that this matter be Scheduled to go before the *Special Life Enrichment Committee, to be heard 2/19/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 4.4 Subject: Status Of Implementation Of Homelessness Solutions In Resolution 87121
From: Council President Kaplan
Recommendation: Receive An Informational Report From the City Administrator On The Status Of Implementation of Homelessness Solutions Approved by the City Council in Resolution No. 87121 - Encouraging The Private Development Of Expanded Housing Options, Including For Non-Profits, Faith-Based Organizations, Private Property Owners, And Service Providers Working On Private Land, To Provide Housing And Sanitary Facilities For The Homeless Through Strategies Including "Small Homes," Shipping Container Conversion Homes, Recreational Vehicles, Unattached Trailers, Restroom Structures, And Other Options To Provide Dignity, Privacy, And Disease Control Which Was Passed On April 17, 2018; On The February 19, 2019 Specialil Life Enrichment Committee Agenda
[18-1317](#)

Councilmember Thao requested to be added as a co-sponsor

The Committee change the scheduling date from February 19, 2019 to March 5, 2019 Special Life Enrichment Committee

A motion was made that this matter be Scheduled to go before the *Special Life Enrichment Committee, to be heard 3/5/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.5 Subject: Presentation On IMAN Export Conference
From: Member Of The Public / Commander Samuel Patterson Jr.
Recommendation: Receive An Informational Presentation To The Full City Council On IMAN Export Conference, Jobs, Training And Housing: Veteran's And Community Social Empowerment Under The African Growth And Development Act; As Soon As Possible On The City Council Agenda
[18-1318](#)

A motion was made that this matter be No Action Taken. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.6 Subject: Settle The Claim Of Marna Javete
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Directing The City Attorney To Compromise And Settle The Claim Of Marna Javete In The Amount Of Sixty Four Thousand Three Hundred Sixteen Dollars And 64/100 Cents (\$64,316.64) (Public Works - Failed Storm Pipe)
[18-1319](#)

Attachments: [View Report](#)

A motion was made that this matter be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 2/5/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.7 Subject: Celebrating Black History And Heritage Month
From: Councilmember McElhaney, Vice Mayor Reid, And Councilmember Taylor
Recommendation: Adopt A Resolution In Celebration Of Black History Month Honoring Courageous Black Individuals And Organizations, Who Through Their Innovative, Groundbreaking Work, Have Promoted Positive Change And Uplift For The City Of Oakland; On The February 26, 2019 Special City Council Agenda As A Ceremonial Item
[18-1314](#)

A motion was made that this matter be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 2/26/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.8 Subject: Board Of Trustees Of The Youth Ventures Joint Powers Authority Appointment
From: Council President Kaplan
Recommendation: Adopt A Resolution Appointing Councilmember Loren Taylor To The Board Of Trustees Of The Youth Ventures Joint Powers Authority To The Seat Formerly Held By Councilmember Annie Campbell Washington For The Remainder Of Her Term [18-1315](#)

Attachments: [View Report](#)

The Committee change the scheduling date from February 26, 2019 to February 5, 2019 Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

A motion was made that this matter be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 2/5/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.9 Subject: Appointment To The Annual League of California Cities
From: Council President Kaplan
Recommendation: Adopt A Resolution Appointing Councilmember Noel Gallo As Alternate Voting Delegate To Represent The City Of Oakland At The Annual League Of California Cities' 2019 Conference, And Authorizing Councilmember Noel Gallo To Travel To Long Beach, California To Attend The 2019 Annual League Of California Cities Conference From October 16-19, 2019 And Approving Related Travel Expenses [18-1316](#)

Attachments: [View Report](#)

Staff read a title change into record

A motion was made that this matter be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 2/26/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.10 Subject: Housing, Residential Rent And Relocation Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Kathleen Sims As An Alternate Landlord Member, Hannah Flanery As An Alternate Tenant Member, Julia Ma Powers As An Alternate Neutral Member To The Housing, Residential Rent And Relocation Board
[18-1320](#)

Attachments: [View Report](#)
[View Supplemental Report 1/25/19](#)
[View Revised Supplemental Report 2/8/19](#)

A motion was made that this matter be Scheduled to go before the *Rules & Legislation Committee, to be heard 2/7/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

4.11 Subject: Amending The City Council Rules Of Procedures
 From: Councilmember Kalb
 Recommendation: TITLE CHANGE:

Adopt A Resolution Amending And Superseding The Council's Rules Of Procedure Currently Set Forth In Resolution No. 87044 C.M.S., To Amend: (1) The Order Of Business To Have Ceremonial Items Occur After Roll Call And Before Open Forum, (2) Rule 4 To Provide For The Appointment Of A Designated Alternate For The Rules Committee To Maintain A Quorum, (3) Rule 5 To Clarify And Limit The Authority Of Committees, Other Than The Rules Committee, And Committee Chairs To Designate Items As Consent And Non-Consent Items, (4) The Council Meeting Time, Order Of Business, And Rule 7 To Begin Council Meetings At 4:30 P.M. And The Non-Consent Calendar At 5:30 Pm, (5) Rule 7 To Require Action On Consent Items For Which There Is No Council Comment Or Public Speaker Card Prior To Taking Action On Other Consent Items, (6) Rule 18 To Clarify Requirements For The Council To Endorse Or Oppose Ballot Measures Submitted By The Electorate And To Approve Measures On The Council's Own Motion To Be Placed On The Ballot, (7) Rule 19 To Add The Oakland Housing Authority To The List Of Bodies Whose Appointments Must Be Reviewed By The Rules Committee, (8) Rule 23 To Clarify Rules Committee Jurisdiction Over City Proposed Ballot Measures, And (9) Rule 24 To Allow Submission Of Scheduling Requests From The Public Only If Requested In Writing By Ten Members Of The Public Or If Sponsored By A Councilmember
 [OLD TITLE]

Adopt A Resolution Amending And Superseding The Council's Rules Of Procedure Currently Set Forth In Resolution No. 87044 C.M.S., To Adjust The Order Of Business, Begin Council Meetings At 4:30 PM, Provide For The Appointment Of A Designated Alternate For The Rules Committee, Limit Presentations To Generally 10 Minutes, And Provide Various Other Clarifications And Adjustments; On The February 21, 2019 Rules And Legislation Committee Agenda
 [NEW TITLE]
[18-1258](#)

The Committee deferred this item to Rules Pending List No Date specific

A motion was made that this matter be Deferred - DEFUNCT to go before the *Rules & Legislation Committee. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 5 A Review Of The Draft Agendas For The City Council Meeting Of February 5, 2019 And The Rules And Legislation Committee Of February 7, 2019
[18-1255](#)

Attachments: [View Report](#)

A motion was made by Lynette McElhaney, seconded by Rebecca Kaplan, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

- 6 Subject: Appointments To The Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Terrence Williams As A Regular Landlord Member, Kathleen Sims As An Alternate Landlord Member, Tanaiia Hall As A Regular Tenant Member, And Hannah Flanery As An Alternate Tenant Member To The Housing, Residential Rent And Relocation Board
[18-1256](#)

Attachments: [View Report](#)

[View Supplemental Report 1/25/2019](#)

The Committee approved the staff recommendation as amended to only appoint Terrence Williams and Tanaiia Hall As Regular Members of the Residential Rent And Relocation Board Appointee's

A motion was made by Rebecca Kaplan, seconded by Lynette McElhaney, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 2/5/2019. The motion carried by the following vote:

Aye: 4 - Kalb, Kaplan, Thao, and McElhaney

NO VOTE: 0

Open Forum (Total Time Available: 15 Minutes)

There were 3 speakers on this item

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:53 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.**