



# City of Oakland

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

## 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>*

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Thursday, March 14, 2019

10:45 AM

City Council Chamber, 3rd Floor

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The Oakland City Council Rules And Legislation Committee convened at 11:57 AM , with Council President Kaplan presiding as Chairperson.

### Roll Call / Call To Order

**Excused** 1 - Lynette McElhaney

**Present** 3 - Dan Kalb, Rebecca Kaplan, and Sheng Thao

### 1 Determinations Of Closed Session

[18-1467](#)

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

*There was 1 speaker on this item*

*A Special Closed Session is Scheduled for March 21, 2019 beginning at 10:00 a.m.*

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

**Excused:** 1 - McElhaney

**Aye:** 3 - Kalb, Kaplan, and Thao

**NO VOTE:** 0

### 2 Approval Of The Draft Minutes From The Committee Meeting Of February 28, 2019

[18-1468](#)

**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:**

**Excused:** 1 - McElhaney

**Aye:** 3 - Kalb, Kaplan, and Thao

**NO VOTE:** 0

**3** Determination Of Schedule Of Outstanding Committee Items

[18-1469](#)

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

*There was 1 speaker on this item*

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

**Excused:** 1 - McElhanev

**Aye:** 3 - Kalb, Kaplan, and Thao

**NO VOTE:** 0

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

[18-1470](#)

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

[View Draft Report 3/21/2019](#)

*There were 4 speaker on this item*

*Council President Kaplan made a motion to cancel the March 21, 2019 Rules and Legislation committee and schedule a Special City Council Meeting on March 21, 2019 at 10:30 a.m, change the April 2, 2019 City Council Agenda time to 5:00 p.m., and reschedule the items regarding "0 Mandela Parkway Appeal" and "Measure AA" from April 2, 2019 to April 16, 2019 City Council Agenda*

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

**Excused:** 1 - McElhanev

**Aye:** 3 - Kalb, Kaplan, and Thao

**NO VOTE:** 0

4.1 Subject: Delinquent Business Taxes  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation;

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[18-1523](#)

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

[87597 CMS](#)

**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 4/2/2019**

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Business Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code; Or

[18-1527](#)

**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 4/2/2019**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[18-1528](#)

**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 4/2/2019**

**4.2** Subject: Mandatory Delinquent Trash Fees 2019  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of 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 Of The Periods Monthly October, November, And December 2018 Quarterly January-March 2019; Or

[18-1536](#)

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

[87598 CMS](#)

***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 4/2/2019**

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On 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 Of The Periods Monthly October, November, And December 2018 Quarterly January-March 2019; Or

[18-1537](#)

**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 4/2/2019**

3) A Resolution Overruling Protests And Objections And 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 Of The Periods Monthly October, November, And December 2018 Quarterly January-March 2019 [18-1538](#)

**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 4/2/2019**

- 4.3** Subject: Delinquent Real Estate Property Transfer Taxes Assessment of Liens  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation;

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment, Charges Be Turned Over To The County Tax Collector For Collection; Or [18-1530](#)

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

[87599 CMS](#)

**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 4/2/2019**

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or [18-1531](#)

**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 4/2/2019**

3) A Resolution Overruling Protests And Objections And Accepting. And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant. To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection [18-1532](#)

**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 4/2/2019**

- 4.5** Subject: Salary Ordinance Amendment For City Auditor  
From: Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary Of The City Auditor [18-1529](#)

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

***As a Non-Consent item***

**This Ordinance be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/2/2019**

- 4.6** Subject: OFD 911 Upgrade  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Contract With AT&T For Equipment And Services Needed To Upgrade The City Of Oakland's Fire Dispatch Center's (FDC) 9-1-1 Phone System, Customer Service Premise Equipment (CPE), And Related Equipment At No Cost To The City Of Oakland [18-1539](#)

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

[87589 CMS](#)

***As a Consent 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 4/2/2019**

- 4.7** Subject: Resolution Supporting SB 233 Authored By Senator Wiener  
From: Councilmember Gallo And Council President Kaplan  
Recommendation: Adopt A Resolution Supporting California State Senate Bill Number 233, Authored By Senator Scott Wiener And Coauthored By Assembly Members Bill Quirk And Laura Friedman, Which Would Prohibit The Arrest Of Sex Workers When They Report Sexual Assault, Human Trafficking, Stalking, Robbery, Assault, Kidnapping, Threats, Blackmail, Extortion, Burglary Or Other Violent Crimes Against Them  
[18-1533](#)

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

*Council President Kaplan requested to be added as a co-author*

**This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 4/4/2019**

- 4.8** Subject: Deontae Bush Way  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Commemoratively Renaming Galindo Street Between 35th And Coolidge Ave As Deontae Bush Way Per The Process Established By Resolution No. 77967 C.M.S.  
[18-1535](#)

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

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 4/9/2019**

- 4.9** Subject: Urban Search And Rescue Supplemental Grant  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Amending Resolution No. 86959 C.M.S. To Allow Thee City Administrator Or Designee To Accept, Appropriate, And Administer Supplemental Fiscal Year (FY) 2017 Urban Search And Rescue (US&R) Grant Funds In An Amount Not To Exceed Seventeen Thousand Five Hundred And Seven Dollars (\$17,507) For A Cumulative FY 2017 US&R Grant Award Allocation In An Amount Not To Exceed One Million Two Hundred And Fifty-Seven Thousand Five Hundred And Twenty Dollars (\$1,257,520)  
[18-1534](#)

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

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 4/9/2019**

- 4.10** Subject: Equitable Access To Low-Income (“Equal”) Housing Ordinance  
From: City Attorney Barbara J. Parker, Councilmembers Kalb And Bas  
Recommendation: Adopt An Ordinance Adding A New Article To O.M.C. Chapter 8.22 To Increase Access To Housing For Low-Income Tenants Dependent On Housing Assistance And To Provide Remedies For Violations; On The April 9, 2019 Community An Economic Development Committee  
[18-1540](#)

**This Ordinance be No Action Taken.**

- 4.11** Subject: Additional Date Collection For Gun Tracing Reports  
From: Council President Kaplan  
Recommendation: Receive An Informational Report And Update From The Oakland Police Department (OPD) Regarding Gun Crime Prevention And Gun Tracing Data Including: 1. Total Number Of Firearms Recovered & Traced By Year; 2. Recovery By Year And Weapon Type; 3. Recovery By Year And Crime; 4. Recovery By Year & Caliber; 5. Recovery By State Of Origin; 6. Recovery By Time From Purchase Date To Use In Crime; 7. Recovery By Age Of Possessor; 8. Short Time-To-Crime (Less Than 3 Years Between Sale By Licensed Dealer And Recovery) By Where The Guns Were Purchased (County And State, As Much As Possible  
[18-1371](#)

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

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 4/9/2019**

- 4.12** Subject: Oakland Small Business Week, May 5 Through May 11, 2019  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Recognizing Oakland Entrepreneurs In Celebration Of Oakland Small Business Week, May 5 Through May 11, 2019; On The May 7, 2019 City Council Agenda As A Ceremonial  
[18-1541](#)

**As a 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 5/7/2019**



- 4.13** Subject: Honoring 2018 Youth Poet Laureate Leila Mottley  
From: Councilmember Kalb  
Recommendation: Adopt A Resolution Honoring Leila Mottley For Becoming The 2018 Oakland Youth Poet Laureate And For Her Artistic Contributions To The City Of Oakland [18-1542](#)

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

***As a consent 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 4/16/2019**

- 4.14** Subject: Informational Report On Oakland Parks And Recreation Foundation  
From: Oakland Public Works Department  
Recommendation:

**OLD TITLE:**

Receive An Informational Report Responding To Park Recommendations From The Oakland Parks And Recreation Foundation (OPRF)

**NEW TITLE:**

Receive An Informational Report Responding To Park Recommendations From The Oakland Parks And Recreation Foundation's 2018 Report On The State Of Maintenance In Oakland Parks; On The May 14, 2019 Public Works And Life Enrichment Committee Agendas  
[18-1360](#)

**Sponsors:** Oakland Parks & Recreation Department

**This Informational Report be Scheduled.to go before the \*Public Works Committee and the Life Enrichment Committee to be heard 5/14/2019**

**4.15** Subject: Oakland Raider’s Lease Extension And Parking Dispute Settlement  
From: Office Of The City Attorney And Vice Mayor Reid  
Recommendation: Adopt A Resolution Approving And Authorizing The City Administrator To Execute (A) Supplement No. 7 To The Master Agreement And Exhibits To The Master Agreement Between The Oakland Raiders And The Oakland Alameda County Coliseum Authority And (B) The Settlement Agreement For The Parking Revenue Dispute Between The Oakland Raiders And The Oakland Alameda County Coliseum Authority, In Substantially The Forms, As Amended, As Approved By The Oakland Alameda County Coliseum Relying On Categorical CEQA Exemptions Pursuant To Sections 15301, 15323 And 15061(B)(3) Of The CEQA Guidelines  
[18-1543](#)

**Attachments:** [View Report](#)  
[87585 CMS](#)

*As a non-consent item*

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/21/2019

**CHANGES TO THE PREVIOUSLY DISTRIBUTED 10 DAY AGENDAS**

**CHANGES TO THE MARCH 19, 2019 FINANCE AND MANAGEMENT COMMITTEE AGENDA**

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](#)

This Ordinance be Rescheduled.to go before the \*Finance & Management Committee to be heard 4/23/2019

**CHANGES TO THE MARCH 19, 2019 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA**

Subject: Repeal And Adopt Code For Minimum Ceiling Heights  
From: Council President Kaplan  
Recommendation: Adopt An Ordinance Repealing Part Of The Oakland Amendments To The 2016 Edition Of The State Housing Law Regulations And The California Model Building Construction Codes Implemented Through Ordinance No. 13407 And No. 13408 In The Oakland Municipal Code By Striking Out Sections 15.04.3.2545 And 15.04.3.2550 And Amending Section 15.08.210.A By Adopting The Existing 2016 California Residential Code To Require A Minimum Ceiling Height Of 7' Feet For Habitable Spaces And 6 Feet 8 Inches For Bathrooms Toilet Rooms, And Laundry Rooms In Buildings Within The Scope Of The California Residential Code As Set Forth In California Residential Code Section 1.1.3

[18-1486](#)

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

***The Rules and Legislation Committee Accepted a title change read into record.***

**This Ordinance be Accepted.**

#### **CHANGES TO THE MARCH 21, 2019 DRAFT CITY COUNCIL AGENDA**

Subject: Resolution Honoring Pelayo Llamas  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Honoring Pelayo A. Llamas, Jr. For 18 Years Of Exemplary Service To The City Of Oakland

[18-1473](#)

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

**This City Resolution be Withdrawn with No New Date.**

Subject: Resolution Allocating Funding For OUSD Transportation Costs  
From: Council President Kaplan, Councilmember Thao And Councilmember Bas  
Recommendation: Adopt A Resolution To Provide Transportation To Schools By Allocating \$500,000 In Unexpended Fiscal Year 2018-2019 City Of Oakland Measure B Actia Funds (2211) To AC Transit To Cover Oakland Unified School District Transportation Costs As Follows: \$500,000 For FY 2019- 2020

[18-1517](#)

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

[View Supplemental OakDOT Report 4/11/2019](#)

[View Supplemental Report 4/11/2019](#)

**This City Resolution be Rescheduled.to go before the \*Finance & Management Committee to be heard 4/23/2019**

Subject: Police Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Chris Brown To The Police Commission  
[18-1514](#)

**Attachments:** [View Report](#)  
[87584 CMS](#)

*As a non-consent item*

**This City Resolution be Rescheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/21/2019**

- 5** A Review Of The Cancelled Agendas For The Week of March 26, 2019 Due to Spring Break  
[18-1471](#)

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

*There was 1 speaker on this item*

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

**Excused:** 1 - McElhanev

**Aye:** 3 - Kalb, Kaplan, and Thao

**NO VOTE:** 0

**Open Forum (Total Time Available: 15 Minutes)**

*3 speakers spoke during Open Forum.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Rules and Legislation Committee adjourned the meeting at 11:59 a.m.*

## **Americans With Disabilities Act**

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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.**