



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>

Thursday, February 9, 2017

10:45 AM

City Council Chamber, 3rd Floor

The Oakland City Council Rules and Legislation Committee convened at 10:50 A.M., with Council President Reid presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Lynette McElhaney, Abel J. Guillén, Dan Kalb, and Laurence E. Reid

1 Determinations Of Closed Session

[16-0635](#)

Attachments: [View Report](#)

Accepted

Aye: 4 - McElhaney, Guillén, Kalb, and Reid

2 Approval Of The Draft Minutes From The Committee Meeting Of January 26, 2017

[16-0636](#)

Attachments: [View Report](#)

Accepted

Abstained: 1 - McElhaney

Aye: 3 - Guillén, Kalb, and Reid

3 Determination Of Schedule Of Outstanding Committee Items

[16-0637](#)

Attachments: [View Report](#)

Accepted

Aye: 4 - McElhaney, Guillén, Kalb, and Reid

4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
[16-0638](#)

Attachments: [View Report](#)

There were 2 speakers on a number of the scheduling items.

Accepted as Amended

Aye: 4 - McElhaney, Guillén, Kalb, and Reid

4.1 Subject: Salary Ordinance Amendment
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance. No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Head Start ERSEA (Eligibility, Recruitment, Selection, Enrollment And Attendance) And Data Program Coordinator; To Add The Part-Time Classification Of Fireboat Attendant, PT; To Add The Full-Time And Permanent Part-Time Classifications Of US&R Warehouse And Logistics Specialist; To Add The Fulltime Classification Of Van Driver; To Amend The Title Of Head Start Nutrition Coordinator To Head Start Health And Nutrition Coordinator; To Adjust The Representation Unit Of The Classification Of Energy Engineer III; And To Delete The Full-Time Classifications Of Zoo Keeper And Zoo Keeper III
[16-0706](#)

Sponsors: Human Resources Management Department

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

Scheduled

4.2 Subject: Extension Of Primary Depository Services Agreement Through June 30, 2018
From: Oakland Treasury Bureau
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Negotiate And Execute An Extension Through June 30, 2018 Of The Current Agreement With J.P. Morgan Chase, N.A. To Provide Primary Depository Services For The City At An Estimated Annual Cost Of \$275,000
[16-0714](#)

Sponsors: Finance Department

Attachments: [View Report](#)
[86631 CMS](#)

Scheduled

4.3 Subject: New Citywide Mobile Food Vending Program
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Municipal Code ("OMC") To Adopt A New Citywide Food Vending Program, Delete Chapters 5.49 Push Cart Food Vending Pilot Program, 5.51 Food Vending Group Site Pilot Program, And 8.09 Vehicular Food Vending, Adopt New Chapter 5.51 Food Vending Program And Various Conforming Changes To The OMC And City Planning Code, And Adopting CEQA Findings [16-0707](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)
[View Supplemental Report](#)
[View Supplemental Report](#)
[13421 CMS](#)

This item will also be heard as a March 7, 2017 as a Public Hearing.

Scheduled

4.4 Subject: MacArthur BART Revision To PUD And Amendment To Development Agreement

From: Planning And Building Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution, As Recommended By The City Planning Commission, (A) Revising The MacArthur Bart Planned Unit Development; (B) Adopting A Final Development Permit, Vesting Tentative Parcel Map 10561, And Design Review; And (C) Relying On The 2008 MacArthur Station Project Environmental Impact Report And Addenda, And Other Documents, Finding That No Additional Environmental Review Is Needed Pursuant To California Environmental Quality Act Guidelines Sections 15162-15164, 15168, 15180, 15183, And 15183.3 And Adopting Related CEQA Findings, For Parcel B, Located At 532-39Th Street, Oakland, Ca (Assessor Parcel Numbers 012 102501100 And 012 102501200); And

[16-0708](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

[View Report-Attachment A](#)

[View Report-Attachment B](#)

[View Report-Attachment C](#)

[View Supplemental Report](#)

[View Supplemental Report](#)

[86630 CMS](#)

Scheduled

Subject: MacArthur BART Revision To PUD And Amendment To Development Agreement
From: Planning And Building Department
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, (A) Amending The Development Agreement By And Between City Of Oakland And MacArthur Transit Community Partners, LLC Regarding The Property And Project Known As "MacArthur Transit Village" To Allow For Increased Height On Parcel B, And (B) Relying On The 2008 MacArthur Station Project Environmental Impact Report And Addenda, Finding That No Additional Environmental Review Is Needed Pursuant To California Environmental Quality Act Guidelines Sections 15162-15164, 15168 And 15180, 15183, And 15183.3 And Adopting Related CEQA Findings, For Parcel B, Located At 532-391th Street, Oakland, Ca (Assessor Parcel Numbers 012 102501100 And 012 102501200)
[16-0709](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

This item will also be heard as a March 7, 2017 as a Public Hearing.

Scheduled

4.5 Subject: Revisions To Public Art Requirements For Private Developments
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Repealing Ordinance No. 13275 C.M.S., Amending The Oakland Municipal Code To Adopt Chapter 15.78, Public Art Requirements For Private Development, And Adopting CEQA Exemption Findings
[16-0710](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

This item will also be heard as a March 7, 2017 as a Public Hearing.

The committee also requested this item be scheduled to the February 21, 2017 City Council Closed Session.

Scheduled

4.6 Subject: Library Services And Programs For Children
From: Oakland Public Library
Recommendation: Receive An Informational Report, "Library Services And Programs For Children" From The Children's Services Division Of The Oakland Public Library
[16-0711](#)

Sponsors: Oakland Public Library

Attachments: [View Report](#)

[View Report](#)

Scheduled

4.7 Subject: Pop-Up Mobile Library And Services To Youth
From: Oakland Public Library
Recommendation: Receive An Informational Report, "Pop-Up Mobile Library And Services To Youth" From The Special Projects And Teen Services Division of The Oakland Public Library
[16-0712](#)

Sponsors: Oakland Public Library

Attachments: [View Report](#)

[View Report](#)

Scheduled

4.8 Subject: Realignment Funds Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: (1) Accept And Appropriate Ninety Thousand Six Hundred And Sixty-Three Dollars (\$90,663) In Fiscal Year 2016-2017 California Board Of State And Community Corrections (BSCC) Grant Funds, Disbursed From The City Of Fremont As Fiscal Agent For The Alameda County Chiefs Of Police And Sheriffs Association (ACCPA), To Mitigate The Impacts Of California Assembly Bill 109; (2) Contribute Thirteen Thousand Nine Hundred Twenty-Six Dollars (\$13,926) For The Central Services Overhead Cost; And (3) Allocate The Grant Funds To Oakland Police Department (OPD) Projects In Accordance With The BSCC Grant Restrictions
[16-0713](#)

Sponsors: Oakland Police Department

Attachments: [View Report](#)

[86629 CMS](#)

Scheduled

REQUESTS SUBMITTED ON THE DIAS

- 1 Subject: Honoring African American Leaders for Black History and Heritage Month
From: Councilmember Gibson McElhaney
Recommendation: Adopt A Resolution In Celebration Of Black History Month Honoring The Following Courageous African American Individuals And Organizations, Who Through Their Innovative, Groundbreaking Work, Have Promoted Positive Change And Uplift For The City Of Oakland In The Fields Of Social Justice, Advocacy, Arts And Culture, Business And Faith: Stanley "Mistah F.A.B." Cox, Angela Glover Blackwell, Clem Daniels, Tonya Holland, Terence Butler, Dr. Eleanor Mason Ramsey, Katano Kasaine, LaTonda Simmons, Roots Community Health Center, And Regina Jackson
[16-0717](#)

Attachments: [View Report](#)

[86597 CMS](#)

Scheduled

- 2 Subject: Request For Reconsideration
From: Member Of The Public
Recommendation: Reconsider The Vote Approving Oakland Police Chief Contract At February 7, 2017 Council Meeting

This request was denied.

CHANGES TO THE FEBRUARY 28, 2017 CED PENDING LIST

- 1 Subject: Lead Hazard Prevention And Control To Eliminate Lead Hazards And Prevent Lead Poisoning
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt An City Of Oakland Lead Hazard Prevention And Control Ordinance To Eliminate Lead Hazards And Prevent Lead Poisoning Through Lead-Safe Housing, Ensuring Lead-Safe Work Practices, And Mandate Lead Testing In Children Between The Ages Of 9 And 12 Months And 24 To 36 Months Of Age By Requiring: (1) Renovators To Use Lead- Safe Work Practices When Disturbing Lead Paint With Specific Lead Concentrations; (2) Visual Verification By Inspectors Depending On The Lead Concentrations And The Quantities Of Paint Being Disturbed, Lead Dust Clearances May Also Be Required; (3) Property Owners To Correct Lead Hazards In Pre-1979 Buildings After A Notice Of Lead Hazard; (4) Home Improvement/Water Pressure Equipment Rental Stores To Make Available Lead Education Material To Customers; (5) Childcare Facilities And Elementary Schools To Obtain Proof Of Blood Lead Testing At Enrollment In Pre-School And Kindergarten
[16-0618](#)

This item is being pulled from the February 28, 2017 agenda and placed on the Committee pending list

Scheduled

- 5 A Review Of The Draft Agendas For The City Council Meeting February 21, 2017 And The Rules And Legislation Committee Of February 23, 2017
[16-0639](#)

Attachments: [View Report](#)

There was 1 speaker during this item.

Accepted as Amended

Aye: 4 - McElhane, Guillén, Kalb, and Reid

Open Forum (Total Time Available: 15 Minutes)

There were 3 speakers during open forum.

Adjournment

There being no further business, and upon the motion duly made, the Special Meeting of the City Council adjourned the meeting at 11:27 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.