



# 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 - DRAFT \*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, February 9, 2017

10:45 AM

City Council Chamber, 3rd Floor

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*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 Gibson McElhaney, Abel J. Guillén, Dan Kalb, and Laurence E. Reid

#### 1 Determinations Of Closed Session

[16-0635](#)

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

**A motion was made by Lynette Gibson McElhaney, seconded by Abel J. Guillén,  
that this matter be Accepted. The motion carried by the following vote:**

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

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

[16-0636](#)

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

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

**Abstained:** 1 - Gibson McElhaney

**Aye:** 3 - Guillén, Kalb, and Reid

#### 3 Determination Of Schedule Of Outstanding Committee Items

[16-0637](#)

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

**A motion was made by Lynette Gibson McElhaney, seconded by Abel J. Guillén,  
that this matter be Accepted. The motion carried by the following vote:**

**Aye:** 4 - Gibson 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.*

**This Report and Recommendation be Accepted.**

**Aye:**    4 -    Gibson 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 Eligibility, Recruitment, Selection, Enrollment And Attendance (ERSEA) 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 Urban Search And Rescue (US&R) Warehouse And Logistics Specialist; To Add The Full-Time 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 Delete The Full-Time Classifications Of Zoo Keeper And Zoo Keeper III  
**16-0706**

Sponsors:    Human Resources Management Department

Attachments:    View Report

**This Ordinance be Scheduled.to go before the \*Finance & Management Committee to be heard 2/28/2017**

**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, National Association To Provide Primary Depository Services For The City At An Estimated Annual Cost Of \$275,000  
**16-0714**

Sponsors:    Finance Department

Attachments:    View Report

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 2/28/2017**

- 4.3**      Subject:    New Citywide Mobile Food Vending Program  
From:        Planning And Building Department  
Recommendation: Adopt A New Citywide Food Vending Permit Program Ordinance.  
Action Requires Replacing Existing Oakland Municipal Code ("O.M.C.") Chapters 5.49  
"Pushcart Food Vending Pilot Program," 5.51 "Food Vending Group Site Pilot  
Program" And 8.09 "Vehicular Food Vending" With A New Citywide Food Vending  
Program In O.M.C. Chapter 5.51; Making Various Conforming Changes To The  
O.M.C. And Planning Code; And Adopting California Environmental Quality Act  
(CEQA) Findings

**16-0707**

**Sponsors:** Planning & Building Department

**Attachments:** View Report

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

**This Ordinance be Scheduled.to go before the \*Community & Economic  
Development Committee to be heard 2/28/2017**

- 4.4**      Subject:    MacArthur BART Revision To PUD And Amendment To Development  
Agreement  
From:        Planning And Building Department  
Recommendation: 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,  
Finding That No Additional Environmental Review Is Needed Pursuant To California  
Environmental Quality Act (CEQA) Guidelines Sections 15162-15164, 15168 And  
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

**This City Resolution be Scheduled.to go before the \*Community & Economic  
Development Committee to be heard 2/28/2017**

2) 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 CEQA Guidelines Sections 15162-15164, 15168 And 15180, 15183, And 15183.3and Adopting Related CEQA Findings, For Parcel B, Located At 532-39th Street, Oakland, CA (Assessor Parcel Numbers 012 102501100 And 012 102501200)

**16-0709**

**Sponsors:** Planning & Building Department

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

**This Ordinance be Scheduled.to go before the \*Community & Economic Development Committee to be heard 2/28/2017**

- 4.5** Subject: Revisions To Public Art Requirements For Private Developments  
From: Planning And Building Department  
Recommendation: 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 California Environmental Quality Act (CEQA)

**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.*

**This Ordinance be Scheduled.to go before the \*Community & Economic Development Committee to be heard 2/28/2017**

- 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

**This Informational Report be Scheduled.to go before the \*Life Enrichment Committee to be heard 2/28/2017**

- 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

**This Informational Report be Scheduled.to go before the \*Life Enrichment Committee to be heard 2/28/2017**

- 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 (ACCPSA), 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

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 2/28/2017**

**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](#)

This City Resolution be Scheduled.to go before the Concurrent Meeting of the  
Oakland Redevelopment Successor Agency and the City Council to be heard  
2/21/2017

- 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*

This City Resolution be Scheduled.to go before the \*Community & Economic  
Development Committee

- 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.*

**This Report and Recommendation be Accepted as Amended.**

**Aye:** 4 - Gibson McElhaney, 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.*

**Americans With Disabilities Act**

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**Office of the City Clerk - Agenda Management Unit**

**Phone: (510) 238-6406**

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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.**