



City of Oakland

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

Meeting Agenda - DRAFT

Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, March 21, 2017

5:30 PM

City Council Chamber, 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Desley Brooks, District 6; Vice Mayor Annie Campbell
Washington, District 4; Noel Gallo, District 5; Lynette Gibson McElhaney, District 3;
President Pro Tempore Abel J. Guillén, District 2; Dan Kalb, District 1; Rebecca Kaplan,
At Large; Council President Larry Reid, District 7

3 OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations From The Mayor,
Council Acknowledgements/Announcements):

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MARCH 7, 2017
16-0814

- 6** **MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS**
(Requests To: Reschedule Items From Consent To Non-Consent
To The Next Council Agenda, Speak On Consent Calendar, Register Votes,
Change Order Of Items, Reconsiderations, Pull Items Held In Committee):

- 7** **CONSENT CALENDAR (CC) ITEMS:**

- 7.1** Subject: Declaration Of Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
Crisis With Regard To The Human Immunodeficiency Virus ("HIV") I Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
16-0815

Sponsors: Office Of The City Attorney

Attachments: View Report

- 7.2** Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A
Local Public Health Emergency With Respect To Safe, Affordable Access To Medical
Cannabis In The City Of Oakland
16-0816

Sponsors: Office Of The City Attorney

Attachments: View Report

- 7.3** Subject: Mayor's Appointment To The Library Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kerrick
Goodman-Lucker And Reginald Constant As Members Of The Library Advisory
Commission
16-0845

Sponsors: Office Of The Mayor

Attachments: View Report

- 7.4 Subject: Mayor's Appointment To The Commission On Persons With Disabilities
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Alicia Contreras To The Commission On Persons With Disabilities
16-0846

Sponsors: Office Of The Mayor

Attachments: View Report

- 7.5 Subject: Mayor's Appointment To The Selection Panel Established By Measure LL (Police Commission)
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Arnold X. C. Perkins To The Selection Panel Established By Measure LL (Police Commission)
16-0847

Sponsors: Office Of The Mayor

Attachments: View Report

- 7.6 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 (Urban Search and Rescue) 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 Delete the Full-Time Classifications of Zoo Keeper and Zoo Keeper III
16-0706

Sponsors: Human Resources Management Department

Attachments: View Report

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON MARCH 7, 2017; 8 AYES.

Legislative History

2/9/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
2/9/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee

2/28/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and Finance and Management Committee <i>This item was requested to be placed on Consent.</i> <i>There was 1 speaker on this item.</i>	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
2/28/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and Finance and Management Committee <i>This item was requested to be placed on Consent.</i> <i>There was 1 speaker on this item.</i>	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
3/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 7.7** 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

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON MARCH 7, 2017; 8 AYES.

Legislative History

2/9/17 *Rules & Legislation Committee Scheduled to the *Community & Economic Development Committee
This item will also be heard as a March 7, 2017 as a Public Hearing.

2/9/17	*Rules & Legislation Committee <i>This item will also be heard as a March 7, 2017 as a Public Hearing.</i>	Scheduled to the *Community & Economic Development Committee
2/28/17	*Community & Economic Development Committee <i>The Committee Directed Staff to amend the Development agreement to include the provisions provided by Councilmember Kalb; excluding the last two provisions concerning "placement of affordable units" and "climate friendly construction, and include in a supplemental report clarification about the local hiring provisions.</i>	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
2/28/17	*Community & Economic Development Committee <i>The Committee Directed Staff to amend the Development agreement to include the provisions provided by Councilmember Kalb; excluding the last two provisions concerning "placement of affordable units" and "climate friendly construction, and include in a supplemental report clarification about the local hiring provisions.</i>	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
3/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**8 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS**

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

- 9.1 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](#)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR TBD

Legislative History

2/9/17 *Rules & Legislation Scheduled to the *Community & Economic
Committee Development Committee
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.*

2/9/17 *Rules & Legislation Scheduled to the *Community & Economic
Committee Development Committee
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.*

2/23/17 *Rules & Legislation Scheduled to the *Community & Economic
Committee Development Committee
*Rescheduling of this time would also move the Public Hearing previously
scheduled to March 7, 2017 to the March 21, 2017 City Council Meeting
agenda*

2/23/17 *Rules & Legislation Scheduled to the *Community & Economic
Committee Development Committee
*Rescheduling of this time would also move the Public Hearing previously
scheduled to March 7, 2017 to the March 21, 2017 City Council Meeting
agenda*

- 9.2** Subject: Amending The Master Fee Schedule
From: Revenue Management Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance 13363 C.M.S. (The FY 2016-17 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland, Referenced Herein
16-0773

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR TBD

Legislative History

2/23/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee <i>This item will also be scheduled as a public hearing before the March 21, 2017 City Council.</i>
2/23/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee <i>This item will also be scheduled as a public hearing before the March 21, 2017 City Council.</i>

- 9.3** 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](#)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR TBD

Legislative History

2/9/17	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee <i>This item will also be heard as a March 7, 2017 as a Public Hearing.</i>
2/9/17	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee <i>This item will also be heard as a March 7, 2017 as a Public Hearing.</i>

- 2/28/17 *Community & Economic Development Committee Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
- There were 21 speakers on this item.*
- Staff was directed to amend the ordinance to include the "phasing in" option allowing a lower number of permits in year one increasing over time, and increasing the 200 feet buffer zone between operation to operation to 300 feet. Staff was directed to bring a supplemental report to council including an analysis of the staff required to regulate and enforce food vending codes, sign requirements for mobile food vendors and non mobile food vendors.*
- 2/28/17 *Community & Economic Development Committee Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
- There were 21 speakers on this item.*
- Staff was directed to amend the ordinance to include the "phasing in" option allowing a lower number of permits in year one increasing over time, and increasing the 200 feet buffer zone between operation to operation to 300 feet. Staff was directed to bring a supplemental report to council including an analysis of the staff required to regulate and enforce food vending codes, sign requirements for mobile food vendors and non mobile food vendors.*
- 3/7/17 Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council * Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
- There was 1 speaker on this item*
- 3/7/17 Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council * Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
- There was 1 speaker on this item*

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11 Subject: Equity Analysis And Proposed Medical Cannabis Ordinances
From: Office Of The City Administrator
Recommendation: Receive A Race And Equity Report On Medical Cannabis
Regulations And Adopt The Following Pieces Of Legislation:

1. Ordinance Amending Oakland Municipal Code Chapter 5.80, Medical Cannabis
Dispensary Permits, To Clarify And Strengthen The City's Equity Permit Program And
Provide Additional Updates Consistent With State Law; And
16-0784

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF
THIS ORDINANCE.*

INTRODUCTION (First Reading) WAS PASSED ON MARCH 7, 2017; 8 AYES.

Legislative History

2/23/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/23/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
3/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>There were 108 speakers on this item</i>	Approved As Amended On Introduction and Scheduled for Final Passage
3/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>There were 108 speakers on this item</i>	Approved As Amended On Introduction and Scheduled for Final Passage

2. An Ordinance Amending Oakland Municipal Code Chapter 5.81, Medical Cannabis
Cultivation Facility Permits, To Clarify And Strengthen The City's Equity Permit
Program And Provide Additional Updates Consistent With State Law
16-0785

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF
THIS ORDINANCE.*

INTRODUCTION (First Reading) WAS PASSED ON MARCH 7, 2017; 8 AYES.

Legislative History

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CONTINUATION OF OPEN FORUM

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote
Of The Council)

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and
Committee meetings please contact the Office of the City Clerk. When possible,
please notify the City Clerk 5 days prior to the meeting so we can make
reasonable arrangements to ensure accessibility. Also, in compliance with
Oakland's policy for people with environmental illness or multiple chemical
sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE
GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF
THOSE ATTENDING MEETINGS.

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
8:30 A.M. TO 5:00 P.M.



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LaTonda Simmons, City
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Meeting Agenda - DRAFT

*Rules & Legislation Committee

Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612

City of Oakland Website: <http://www.oaklandnet.com>

Thursday, March 23, 2017

10:45 AM

City Council Chamber, 3rd Floor

DEFINITION OF TERMS:

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Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call To Order

COMMITTEE MEMBERSHIP:

Lynette Gibson McElhaney, District 3; President Pro Tempore Abel J. Guillén, District 2;
Dan Kalb, District 1; Chairperson: President Reid, District 7

- 1 Determinations Of Closed Session
16-0817
- 2 Approval Of The Draft Minutes From The Committee Meeting Of March 9, 2017
16-0818

- 3 Determination Of Schedule Of Outstanding Committee Items
16-0819
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas
(SUPPLEMENTAL)
16-0820
- 5 A Review Of The Draft Agendas For The Council Committees' Meeting Of April 11,
2017 And The Rules And Legislation Committee Of April 13, 2017
16-0813

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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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.**