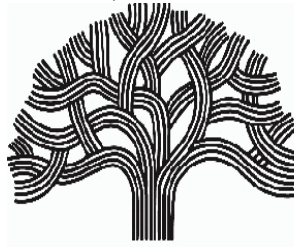


# City of Oakland

*Office of the City Clerk  
Oakland City Hall,  
1 Frank H. Ogawa Plaza, Room 201  
Oakland, California 94612*



CITY OF OAKLAND

## **Meeting Minutes - DRAFT**

**Tuesday, December 15, 2020**

**1:00 PM**

**Please See The Agenda To Participate In The Meeting**

**Tele-Conference**

**Special Concurrent Meeting of the Oakland  
Redevelopment Successor Agency/City Council**

**Pursuant to the Governor's Executive Order N-29-20, all members of the City Council as well as the City Administrator, City Attorney and City Clerk will join the meeting via phone/video conference and no teleconference locations are required**

#### PUBLIC PARTICIPATION

The public may observe and/or participate in this meeting many ways.

#### OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on <https://oakland.legistar.com/calendar.aspx> and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/87676752881> at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799  
Webinar ID: 876 7675 2881

If asked for a participant ID or code, press #.

#### COMMENT:

ALL PUBLIC COMMENT ON ACTION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE MEETING UNDER ITEM 1. COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING

There are three ways to submit public comments.

- eComment. To send your comment directly to Council members and staff BEFORE the meeting starts please click on <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes five (5) minutes before posted meeting time.
- To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing "\*9" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute your self by pressing \*6.

If you have any questions, please email Asha Reed, Assistant City Clerk at [AReed@oaklandca.gov](mailto:AReed@oaklandca.gov).

- Office of the City Clerk

The Special Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date and was convened at 1:00 PM

## ROLL CALL / CITY COUNCIL

**Present** 8 - Dan Kalb, Larry Reid, Lynette McElhane, Noel Gallo, Sheng Thao, Loren Taylor, Nikki Bas, and Rebecca Kaplan

**1 PUBLIC COMMENT COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM.**

## 2 CONSENT CALENDAR (CC) ITEMS:

### *Approval of the Consent Agenda*

A motion was made by Kalb, seconded by Bas, to approve the Consent Agenda.  
The motion carried by the following vote:

**Aye:** 7 - Kalb, McElhane, Gallo, Thao, Taylor, Bas, and Kaplan

**Absent:** 1 - Reid

**NO VOTE:** 0

- 2.1** Subject: Declaration Of A 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")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic  
[20-0899](#)

**Attachments:** [View Report](#)  
[88425 CMS](#)

**This City Resolution was Adopted.**

- 2.2** Subject: Declaration Of 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  
[20-0900](#)

**Attachments:** [View Report](#)  
[88426 CMS](#)

**This City Resolution was Adopted.**

- 2.3** Subject: Declaration Of A Local Emergency On Homelessness  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness  
Crisis  
[20-0901](#)

**Attachments:** [View Report](#)  
[88427 CMS](#)

**This City Resolution was Adopted.**

- 2.4** Subject: Public Ethics Commission Enabling Ordinance  
From: Public Ethics Commission  
Recommendation: Adopt An Ordinance Amending The "Public Ethics Commission"  
Enabling Ordinance To Update The Ordinance To Conform With City Charter Section  
603, Delete Duplicative Language That Now Appears In The City Charter, And Codify  
The Commission's Administrative Hearing And Fine Collection Process  
[20-0749](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[13628 CMS](#)

**This Ordinance was Approved for Final Passage.**

**2.5** Subject: Fox Theater Asset Transfer And Loan Termination  
From: Economic Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) An Ordinance Authorizing The City Administrator Or Designee To: (1) Accept From The Oakland Redevelopment Successor Agency ("ORSA") By Grant Deed, A Fee Simple Interest In The Fox Theater, Pursuant To The Long-Range Property Management Plan; (2) Execute An Assignment Of The Amended Ground Lease For The Fox Theater With ORSA As Assignor And Current Ground Lessor, The City As Assignee And New Ground Lessor, And The Fox Oakland Theater, Inc. ("FOT") As Ground Lessee, For A Term Of 16 Years; And (3) Execute A Leaseback Agreement For The Fox Theater Between FOT As Lessor And The City As Lessee For A Term Of 16 Years At A Rate Of \$247,500 Per Year, Totaling Approximately \$3.96 Million, With A City Option To Purchase The Improvements For A Nominal Amount Of One Dollar Upon FOT's Satisfaction Of A Pledge To Pay ORSA The Amount Of \$3.96 Million, Payable In Annual Installments Of \$247,500 For A Term Of 16 Years; And  
[20-0807](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Legislation](#)  
[View Presentation - 11/25/2020](#)  
[13629 CMS](#)

**This Ordinance was Approved for Final Passage.**

2) An Ordinance Authorizing The City Administrator Or Designee To Execute An Assignment Pursuant To Which The City, As Assignee Would Assume From The Fox Oakland Theater, Inc., ("FOT") As Assignor, FOT's Interests As Landlord Under The Following Subleases: (1) The Amended And Restated Fox Theater Sublease With Oakland School For The Arts As Subtenant, Dated January 16, 2016, For A Term Ending June 30, 2021 At An Annual Rent Of Approximately \$940,500; (2) The Fox Theater Building Sublease With GASS Entertainment, LLC As Subtenant, Dated As Of December 2006, As Amended, With Options To Extend Until February 6, 2034, For The 69,450 Square Feet Concert Hall At An Annual Percentage Rent Based On Paid Admissions And The 1,300 Square Feet Bar And Event Space At A Base Rent Of Approximately \$2,813.56 Per Month, Increased By 10% In 2024 And Every Five Years Thereafter Upon Renewal; And (3) The Amended And Restated Fox Theater Restaurant Lease Agreement With The Emporium Oakland LLC, As Subtenant, Dated August 29, 2018, For \$110,774 In Annual Rent For The 4,503 Square Feet Arcade Bar Venue, With Options To Extend Until 2036

[20-0810](#)

**Attachments:** [View Legislation](#)  
[13630 CMS](#)

**This Ordinance was Approved for Final Passage.**

- 2.7** Subject Former Raiders Training Facility 1150 And 1220 Harbor Bay Pkwy  
From: Economic Workforce Development Department  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To: (1) Negotiate And Enter Into A Tenancy In Common Agreement (Agreement) With The County Of Alameda (County) To Set Forth The Processes For Management, Maintenance And Future Disposition, Including The Designation Of The County As The Lead Agency Under Such Agreement, Of The Property Formerly Known As The Raiders Training Facility And Located At 1150 And 1220 Harbor Bay Parkway, Alameda Ca (Property), Owned By The City And County, Each, With An Undivided 50 Percent Interest; And (2) Authorize The Expenditure Of Funds For Management, Maintenance And Repairs Of The Property Consistent With The Agreement (A) In The Amount Of \$81,250.00 In Excess Of The City Administrator's Authority From The Funds Held By The County For Prior Rental Income Received And (B) Authorize The Re-Appropriation And Expenditure Of Funds In The Amount Of \$170,000.00 From Coliseum Projects Fund (5650)  
[20-0859](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Legislation](#)  
[13631 CMS](#)

**This Ordinance was Approved for Final Passage.**

- 2.8** Subject: Proposed Reach Code For All- Electric Construction In Newly Constructed Buildings  
From: Pro Tem Kalb, Mayor Schaaf, Councilmember Bas And Planning And Building Department  
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code (O.M.C.) To Add Building And Construction Code Chapter 15.37 Entitled "All-Electric Construction In Newly Constructed Buildings"; And Adopting CEQA Exemption Findings  
[20-0824](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[13632 CMS](#)

**This Ordinance was Approved for Final Passage.**

- 2.11** Subject: Informational Report From Assemblymember Robert Bonta  
From: Council President Kaplan  
Recommendation: Receive An Informational Report From Assemblymember Robert Bonta For Assembly Legislative Update For The City Of Oakland  
[20-0847](#)

**Attachments:** [NO WRITTEN MATERIALS SUBMITTED](#)

**This Informational Report was Received and Filed.**

- 2.12** Subject: Major Encroachment Permit At 7032 Sayre Drive  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To David Bailey And Shewit Bailey, To Allow Portions Of An Existing Three-Story Building To Encroach Into The Public Right-Of-Way Fronting 7032 Sayre Drive, Major Encroachment Permit ENMJ17067  
[20-0817](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
[View Supplemental Legislation - 12/4/2020](#)  
[View Supplemental Exhibit B - 12/4/2020](#)  
[88428 CMS](#)

**This City Resolution was Adopted.**

- 2.13** Subject: Report On Henry J. Kaiser Convention Center Execution Of Benefits Agreement  
From: Councilmember Bas  
Recommendation: Receive An Informational Report From The City Administrator On The Execution Of 1) The Community Benefits Agreement And 2) The Letter Of Intent On The Project Labor Agreement For The Henry J. Kaiser Convention Center Development Project  
[20-0877](#)

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

**This Informational Report was Received and Filed.**



- 2.14** Subject: Black Arts And Movement And Business District Grant Authorization  
From: Councilmember Bas  
Recommendation: Adopt A Resolution Awarding A Grant To The Black Arts Movement And Business District Community Development Corporation Of Oakland In An Amount Not To Exceed \$75,000 For Signage And Organizational Capacity Building To Mitigate The Erosion Of Cultural Identity And Diversity Within The Designated Black Arts Movement And Business District  
[20-0876](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88429 CMS](#)

**This City Resolution was Adopted.**

- 2.15** Subject: Urging Prioritization Of Public-School Educators For COVID-19 Vaccine Access  
From: Councilmember Bas  
Recommendation: Adopt A Resolution Urging Governor Newsom And The California Department Of Public Health To Prioritize California Public School Educators For Phase One COVID-19 Vaccine Access  
[20-0887](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88430 CMS](#)

**This City Resolution was Adopted.**

- 2.16** Subject: Honoring Larry Reid For His Service To The City Of Oakland  
From: Council President Kaplan And Mayor Schaaf  
Recommendation: Adopt A Resolution Thanking And Appreciating Vice Mayor Laurence E. Reid For His Years Of Meritorious And Dedicated Service To The City Of Oakland And The City Council  
[20-0882](#)

**Attachments:** [View Legislation](#)  
[88431 CMS](#)

**This City Resolution was Adopted.**

- 2.17** Subject: Honoring Lynette Gibson McElhaney For Her Service To The City Of Oakland  
From: Council President Kaplan And Mayor Schaaf  
Recommendation: Adopt A Resolution Thanking And Appreciating Council Member  
Lynette Gibson McElhaney For Her Years of Meritorious And Dedicated Service To The  
City Of Oakland And the City Council  
[20-0881](#)

**Attachments:** [View Legislation](#)  
[88432 CMS](#)

**This City Resolution was Adopted.**

- 2.18** Subject: Resolution to Pursue Option For In-House Hiring Process For MACRO  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Directing The City Administrator And Their  
Designees To Begin The Process Of Reviewing Options For The Creation Of Oakland  
City Staff Civilian Response Positions For The MACRO Program Pursuant To Resolution  
No. 87759 C.M.S. And Report Back To Council  
[20-0880](#)

**Attachments:** [View Memo](#)  
[View Legislation](#)  
[88433 CMS](#)

**This City Resolution was Adopted.**

- 2.19** Subject: Honoring Valorie Winn On Her Retirement  
From: Councilmember McElhaney  
Recommendation: Adopt A Resolution Congratulating Valorie Winn On Her Retirement  
And Thanking Her For 42 Years Of Exemplary Service To The City Of Oakland  
[20-0867](#)

**Attachments:** [View Report](#)  
[88434 CMS](#)

**This City Resolution was Adopted.**

- 2.20** Subject: Longfellow Corner Exclusive Negotiation Agreement (ENA) Extension  
From: Housing & Community Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Amend An Existing Exclusive Negotiation Agreement Between The City And Longfellow Corner L.P., An Affiliate Of Resources For Community Development, For The Development Of The City Owned Real Property Located At 3823-3829 Martin Luther King Jr. Way, To Extend The Term By An Additional Eighteen Months From December 12, 2020, To June 12, 2022, With One Administrative Option To Extend The Term An Additional Six Months To December 12, 2022, To Allow The Parties To Negotiate The Terms Of A Lease / Disposition And Development Agreement And Related Documents For Future Consideration By The City Council  
[20-0878](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88435 CMS](#)

**This City Resolution was Adopted.**

- 2.21** Subject: Purchase Of Paving Materials For In-House Paving Operations  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Awarding A Purchasing Contract To Lehigh Hanson, Inc., Doing Business As Hanson Aggregates Mid Pacific Inc., In An Amount Not To Exceed One Million Dollars (\$1,000,000) Per Year For Two (2) Years With An Option To Renew The Contract For Two (2) Additional One-Year Terms In An Amount Not To Exceed One Million Dollars (\$1,000,000) Per Year Without Returning To Council For A Total Contract Amount Not To Exceed Four Million Dollars (\$4,000,000) In Accordance With Request For Quotation (RFQ) Specification No. 20-745-00/RFQ 1925000 And Contractor's Bid Proposal; And  
[20-0868](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88436 CMS](#)

**This City Resolution was Adopted.**

2) A Resolution Awarding A Purchasing Contract To Granite Rock Company In An Amount Not To Exceed Three Hundred Seventy-Five Thousand Dollars (\$375,000) Per Year For Two (2) Years With An Option To Renew The Contract For Two (2) Additional One-Year Terms In An Amount Not To Exceed Three Hundred Seventy-Five Thousand Dollars (\$375,000) Per Year Without Returning To Council For A Total Contract Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) In Accordance With Request For Quotation (RFQ) Specification No. 20-745-00/RFQ 1925000 And Contractor's Bid Proposal

[20-0869](#)

**Attachments:** [View Report](#)  
[88437 CMS](#)

**This City Resolution was Adopted.**

**2.22** Subject: Legislative Agenda 2021  
From: Office Of The Mayor  
Recommendation: Receive An Informational Report On The City's 2021 State And Federal Legislative Agenda And Summary Of 2020 State And Federal Legislative Efforts  
[20-0793](#)

**Attachments:** [View Report](#)  
[View Memo](#)  
[View Supplemental Memo - 12/11/2020](#)

**This Informational Report was Received and Filed.**

**2.23** Subject: 2021 Schedule Of The City Council And Council Committee Meetings  
From: Council President Kaplan And Office Of The City Administrator  
Recommendation: Approve The Report And Recommendations For The 2021 Schedule Of City Council And Council Committee Meetings, Agenda Materials Deadlines, And Agenda Distribution Dates  
[20-0792](#)

**Attachments:** [View Report](#)  
[View Supplemental Report - 11/20/2020](#)

**This Report and Recommendation was Approve with the following amendments.**

- 2.24** Subject: Homelessness Commission Unhoused Working Group  
From: Councilmember Bas  
Recommendation: Adopt A Resolution Recommending That The Commission On Homelessness Establish A Working Group Of Unhoused Residents To Advise The Commission On A Quarterly Basis And Requesting That The City Administrator Assess The Feasibility Of Establishing A Stipend Program For Members Of The Working Group  
[20-0903](#)

**Attachments:** [View Memo](#)  
[View Legislation](#)  
[88438 CMS](#)

**This City Resolution was Adopted.**

- 2.25** Subject: Appointment To The Community Jobs Oversight Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Brian Beveridge, Doug Bloch, Margaret Gordon, Danny Lau, Liz Ortega, Megan Morodomi, And Len Turner To The Community Jobs Oversight Commission  
[20-0904](#)

**Attachments:** [View Report](#)  
[88439 CMS](#)

**This City Resolution was Adopted.**

- 2.26** Subject: Appointment To The Commission On Persons With Disabilities  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Cathy Eberhardt To The Commission On Persons With Disabilities  
[20-0905](#)

**Attachments:** [View Report](#)  
[88440 CMS](#)

**This City Resolution was Adopted.**

**2.27** Subject: Appointment To The Parks And Recreation Advisory Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Appointment Of Princess K. Allen  
And Sheryl Watson As Members Of The Parks And Recreation Advisory Board  
[20-0906](#)

**Attachments:** [View Report](#)  
[88441 CMS](#)

**This City Resolution was Adopted.**

**2.28** Subject: Sugar-Sweetened Beverages Community Advisory Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ali Obad  
As A Member Of The Sugar-Sweetened Beverages Community Advisory Board  
[20-0907](#)

**Attachments:** [View Report](#)  
[88442 CMS](#)

**This City Resolution was Adopted.**

**S2.29** Subject: Honoring The Late David Perez  
From: Councilmember McElhaney  
Recommendation: Adopt A Resolution Honoring David Perez And Extending Our Sincere  
And Deepest Condolences To His Family, Friends And Colleagues  
[20-0912](#)

**Sponsors:** McElhaney

**Attachments:** [View Legislation](#)  
[88443 CMS](#)

**This City Resolution was Adopted.**

**S2.30** Subject: Naming "Daisaku Ikeda Way" To Opal St. Between 38th St. And 40th St.  
From: President Pro Tem Kalb  
Recommendation: Adopt A Resolution Commemoratively Adding The Name: "Daisaku  
Ikeda Way" To Opal Street Between 38th Street And 40th Street In Recognition Of The  
Service Of Third President Of Soka Gakkai And Their Presence In The Neighborhood  
[20-0911](#)

**Attachments:** [View Report](#)  
[88444 CMS](#)

**This City Resolution was Adopted.**

**S2.31** Subject: Oak Grove Apt's Preservation Loan  
From: Housing And Community Development  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into An Affordable Housing Preservation Loan With Watt Companies, Inc. Or Its Affiliate In An Amount Not To Exceed \$5,000 From The Affordable Housing Trust Fund To Support The Preservation Of Affordability At Oak Grove Apartments, A Scattered-Site Project Consisting Of Eight Properties Located In Oakland; And Adopting Appropriate California Environmental Quality Act Findings  
[20-0917](#)

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

**This City Resolution was Adopted.**

**S2.32** Subject: City Of Oakland V. Southwest Airlines Company  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle Claims Against Southwest Airlines Company For Payment To The City Of Oakland In The Amount Of Fifty-Three Thousand Dollars And No Cents (\$53,000.00) And Restoration Of Earned Sick Leave To Ground Crew Employees At Oakland International Airport Arising From The Investigation Of Southwest's Sick Leave Policies And Practices  
[20-0919](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88445 CMS](#)

**This City Resolution was Adopted.**

**S2.33** Subject: Todd Johnson Settlement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Todd Johnson In The Amount Of Forty-Five Thousand Dollars And No Cents (\$45,000.00) (Department Of Transportation - Dangerous Conditions)  
[20-0913](#)

**Sponsors:** Office Of The City Attorney

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88446 CMS](#)

**This City Resolution was Adopted.**

**S2.34** Subject: Governor Newsom's Appointment To Alameda County Superior Court Judge  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Congratulating David Alejandro Pereda On His Appointment As Alameda County Superior Court Judge And Commending Him And Expressing Profound Gratitude For His Stellar Service To The City Of Oakland As Deputy City Attorney, Supervising Deputy City Attorney And Special Counsel Supervising The General And Complex Litigation Division Of The Oakland City Attorney's Office  
[20-0916](#)

Attachments: [View Report](#)

[88447 CMS](#)

**This City Resolution was Adopted.**



**S2.35** Subject: Clifton Hall  
From: Housing And Community Development  
Recommendation: Adopt A Resolution To: 1) Amend Resolution No. 88280 C.M.S. Which, Among Other Things, Allocated \$5,220,000 In Homeless, Housing, Assistance And Prevention (HHAP) Funds For 13 Years Of Operating Subsidy For The Permanent Affordable Housing At Clifton Hall, Awarded A Grant To An Operator Selected By The City Administrator, And Allocated \$2 Million Of Funds From The Affordable Housing Trust Fund (Boomerang Funds) For The Rehabilitation Of Clifton Hall And Closing Costs, To: A. Increase The Allocated HHAP Funds For Clifton Hall By \$1,780,000, For A Total Amount Of \$7,000,000; B. Reduce The Allocated HHAP Funds For The Operating Subsidy By \$400,000; And C. Allow Up To \$30,000 Of The Allocated Boomerang Funds To Also Be Used For Ongoing Property Management Services At Clifton Hall (2) Amend Resolution No. 88281 C.M.S Which, Among Other Things, Allocated \$1.2 Million Of The FY 2020-21 Measure Q Funds (Fund 2244) For The Cost Of Operating A Family Shelter By East Oakland Community Project (EOCP) At Its Current Emeryville Location And Relocating To Clifton Hall And Awarded A Grant Agreement To EOCP For The Same, To: A. Increase The Allocated Measure Q Funds By \$719,000 For 15 Years Of Utilities; And B. Increase The Allocated Measure Q Funds For FY 20/21 By \$262,740 And Increase The Grant Award To EOCP By Same, For A Total Grant Award Of \$1,462,740 (3) Waive Competitive Bidding And Award, To An Entity Selected By The City Administrator, A Professional Services Agreement For Property Management Services At Clifton Hall For A Term Of 15 Years, In An Amount Not To Exceed \$2,929,000, Consisting Of \$2,180,000 Of HHAP Funds, \$30,000 Of Boomerang Funds, And \$719,000 Of Measure Q Funds

[TITLE CHANGE]

[20-0920](#)

**Attachments:** [View Report](#)  
[View Report Attachment A](#)  
[View Report Attachment B](#)  
[View Legislation](#)  
[88448 CMS](#)

**This City Resolution was Adopted.**

**S2.36** Subject: AC-OCAP 2021 CSBG Resolution and CSBG CARES Act Resolution  
From: Human Services Department  
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution: 1. Accepting Anti-Poverty Community Services Block Grant (CSBG) In The Amount Of One Million Three Hundred Ninety-Six Thousand One Hundred Fifty-Eight Dollars (\$1,396,158) Awarded By The California Department Of Community Services And Development For The 2021 Program Year; 2. Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Amendments, To Appropriate The Additional Sixty Thousand Two Hundred Seventy-Six Dollars (\$60,276) In CSBG Grant Funds Awarded By The California Department Of Community Services And Development For The 2021 Program Year; 3. Authorizing The City Administrator To Accept And Appropriate Any Additional CSBG Funds Awarded By The California Department Of Community Services And Development For The 2021 Program Year, Without Returning To Council; 4. Authorizing The City Administrator To Amend Existing Agreements To Increase The Amount And Extend The Term As Permitted By The California Department Of Community Services And Development, Without Returning To Council; And 5. Authorizing The Use Of General Purpose Funds To Pay The Human Services Department's Central Services Overhead Charges For 2021 CSBG Programs, Which Are Estimated To Be One Hundred Twenty-Seven Thousand Two Hundred Thirty-Five Dollars (\$127,235); And

[20-0884](#)

**Attachments:** [View Report](#)  
[View Report Attachment A](#)  
[View Legislation](#)  
[88449 CMS](#)

**This City Resolution was Adopted.**

2) A Resolution: 1. Accepting And Appropriating Supplemental Community Services Block Grant (CSBG) Funds In The Amount Of One Million Nine Hundred Thirty-Three Thousand Eight Hundred Thirty Dollars (\$1,933,830) Awarded By The California Department Of Community Services And Development Under The Coronavirus Aid, Relief And Economic Security Act To Prevent, Prepare For And Respond To The Coronavirus (Covid-19) Pandemic; And 2. Waiving The Competitive Bidding Process And Awarding A Professional Services Agreement To The Family Independence Initiative In An Amount Not To Exceed One Million Two Hundred Sixty Thousand Dollars (\$1,260,000) To Administer Critical Economic Relief Assistance To CSBG Eligible Clients Impacted  
By Covid-19  
[20-0885](#)

**Attachments:** [View Legislation](#)  
[88450 CMS](#)

**This City Resolution was Adopted.**

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

- 3.1 Subject: The Piedmont Homeowners Association Of 70 Yosemite Avenue  
From: President Pro Tempore Kalb  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Of Necessity For The Acquisition, By Eminent Domain, Of A Temporary Right Of Entry To The Property Located At 58 Yosemite Avenue, Oakland, California, Pursuant To California Civil Code Section 1002 And Code Of Civil Procedure Sections 1245.326 Et Seq., By The Piedmont Walk Homeowners Association Of 70 Yosemite Avenue, Oakland, To Complete Necessary Repair Work  
[20-0517](#)

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

[View Presentation](#)

[View Supplemental Response - 7/20/2020](#)

[View Supplemental Legislation - 7/20/2020](#)

[View Supplemental Exhibit A - 7/20/2020](#)

[View Supplemental Response - 7/27/2020 Ntc of City Council Hearing to Bethoven Payumo](#)

[View Supplemental Response - 7/27/2020 Final Letter to Neighbor](#)

[View Supplemental Response - 7/27/2020 Supplemental Response to City Council re Resolution of Necessity](#)

[View Supplemental Response - 7/27/2020 Letr to neighbor requesting access for repairs](#)

[View Supplemental Response - 7/27/2020 Right of Entry](#)

[View Supplemental Response - 7/27/2020 Letter to Dina Payumo re Right of Entry](#)

[View Supplemental Response - 7/27/2020 Response to City Council 7-27-20](#)

[View Supplemental Response - 7/27/2020 Exhibits to Response to City Council 7-27-20](#)

[View Supplemental Response - 7/27/2020 Proposed DT License Agreement 7-20-20](#)

[View Supplemental Response - 7/27/2020 Piedmont Murray 2014](#)

[View Supplemental Response - 7/27/2020 70 Yosemite Investigative Stucco Removal Photo report](#)

[View Supplemental Response - 7/27/2020 Piedmont Walk DT Phase Construction Plan SEND](#)

**Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 9:45 p.m.**

**3 individuals spoke on this item.**

**Council President Kaplan made a motion, seconded by President Pro Tem Kalb, to continue the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan**

A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 1/12/2021. The motion carried by the following vote:

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

- 2.9** Subject: Clarifying Alternative Shelter  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Amending Resolution Number 88077 C.M.S. Requesting The City Administrator To Follow The Center For Disease Control (CDC) Interim Guidelines On Homelessness And Covid-19 To Only Clear Encampments If Individual Housing Units Or Alternative Shelter Is Provided; Clarifying The Requirements For The Provision Of Individual Housing Units And Alternative Shelter  
[20-0759](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Report - Bas & Kaplan](#)  
[View Supplemental Legislation - Kaplan & Bas 1/8/2021](#)

A motion was made by Nikki Bas, seconded by Rebecca Kaplan, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 1/12/2021. The motion carried by the following vote:

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

7 Subject: Oral Report On 2018 Homeless Resolution  
From: Council President Kaplan  
Recommendation: Receive An Oral Report On Implementation Of The Resolution No. 87129 C.M.S., 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, Adopted On April 17, 2018  
[20-0886](#)

**Attachments:** [87129 CMS- 2018](#)

**A motion was made by Larry Reid, seconded by Lynette McElhaney, that this matter be Received and Filed. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

**S20** Subject: Homelessness Funding Report FY 2020-22  
From: Human Services Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution: 1. Amending Resolution No. 88174 C.M.S., Which Adopted Fiscal Year (FY) 2020-21 Mid-Cycle Budget Amendments, To Re-Allocate Previously Allocated Measure Q Funds For Third Party Homeless Services; 2. Awarding Grant Agreements To Homeless Service Providers For The Provision Of Homeless Intervention Services For FY 2020-21; 3. Authorizing The City Administrator To Award Additional Grant Agreements And Professional Service Agreements To Public And Private Entities To Be Selected Through The Human Services Department's Request For Qualifications Process For The Provision Of Homeless Intervention Services In An Amount Not To Exceed One Million Dollars (\$1,000,000) Each In Fy 2020-21 Using Measure Q Funds, Without Returning To Council; And 4. Authorizing The City Administrator To Modify Grant Agreements And Professional Service Agreements For Homeless Intervention Services Awarded Pursuant To This Resolution To Extend The Term And/Or To Change The Amount Based On Service Demand And Fund Availability, Without Returning To Council;  
And

[20-0892](#)

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

[View Report Attachment A](#)

[View Report Attachment B](#)

[View Legislation](#)

[88451 CMS](#)

**A motion was made by Loren Taylor, seconded by Rebecca Kaplan, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 7 - Kalb, Reid, Gallo, Thao, Taylor, Bas, and Kaplan

**Absent:** 1 - McElhaney

**NO VOTE:** 0

2) A Resolution: 1. Amending Resolution No. 88109 C.M.S. Which, Among Other Things, Awarded Grant Agreements And Professional Service Agreements To Fourteen (14) Homeless Service Providers Using Homeless Emergency Aid Program (HEAP) And Homeless, Housing, Assistance And Prevention (HHAP) Funds To Modify The Funding Source For The 14 Grants And Professional Service Agreements To Include Covid-19 Emergency Solutions Grant (ESG-CV) Funds, And 2. Authorizing The City Administrator To Award New Grant Agreements And Professional Service Agreements For Homeless Intervention Services In An Amount Not To Exceed One Million Dollars (\$1,000,000) Through June 30, 2021 Using Any Combination Of Accepted And Appropriated Funds, Including Heap, HHAP And ESG-CV Funds, Subject To Any Applicable Funding Regulations And Requirements, Without Returning To Council; And 3. Authorizing The City Administrator To Amend Existing Grant Agreements And Professional Service Agreements For Homeless Intervention Services To Extend The Term Through June 30, 2021 And To Increase The Amount Using Any Combination Of Accepted And Appropriated Funds, Including HEAP, HHAP And ESG-CV Funds, Subject To Any Applicable Funding Regulations And Requirements, Without Returning To Council  
[20-0893](#)

**Attachments:** [View Legislation](#)  
[88452 CMS](#)

**A motion was made by Loren Taylor, seconded by Rebecca Kaplan, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 7 - Kalb, Reid, Gallo, Thao, Taylor, Bas, and Kaplan

**Absent:** 1 - McElhaney

**NO VOTE:** 0



**S22** Subject: Resolution Approving MOU With Oakland Fund For Public Innovation  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving Three-Year Term Memorandum Of Understanding Between The City Of Oakland And The New Venture Fund (NVF), As Fiscal Agent For The Oakland Fund For Public Innovation, To Formally Create A Partnership Between The City And NVF With The Goal Of Developing Privately Funded Projects And Programs That Address Oakland's Most Complex Issues And Promote Equity, Economic Empowerment, And Cultural Preservation And Enrichment In Oakland [20-0908](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Legislation](#)  
[88453 CMS](#)

*Vice Mayor Reid made a motion seconded by Councilmember Gallo to approve the urgency finding on item --- for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action:*

*(1) is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;*

*and hearing no objections, the motion passed by with the following vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan*

*Council President Kaplan made a motion, seconded by Councilmember Taylor, to adopt the resolution on Item S22, as amended to include the following language;*

*"C. Rights and responsibilities of each party*

*3. Miscellaneous*

*a. Absent City Council approval, employees of OFPI/ New Venture Fund shall not be identified or described, orally or in writing, as a representative of the City of Oakland and shall not be permitted to speak or act on behalf of the City of Oakland.*

*b. Absent City Council approval, employees of OFPI/New Venture Fund shall not manage, supervise or be permitted to give orders or directives to City of Oakland employees.*

*c. City Council approval shall be required for use of City funds or resources (e.g. office space, computer equipment for personnel funded by OFPI/New Venture Fund;"*

*and hearing no objections, the motion passed by with the following vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan*

*A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this*

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matter be Adopted as Amended. The motion carried by the following vote:

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

**2.10** Subject: Unmanned Aerial Systems (UAS) Privacy Policy  
From: Oakland Police Department  
Recommendations: Adopt A Resolution Approving The Oakland Police Department  
(OPD) Unmanned Aerial System (UAS) Surveillance Use Policy  
[20-0828](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Legislation](#)  
[88454 CMS](#)

*Councilmember Gallo made a motion seconded by Vice Mayor Reid to approve the urgency finding on item 2.10 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action:*

*(1) is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;*

*and hearing no objections, the motion passed by with the following vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan*

*Councilmember Gallo made a motion, seconded by Vice Mayor Reid, to adopt the resolution on Item 2.10 as amended, to include the following language Adding;*

*“Further Resolved: that the City only acquire a drone with the capabilities allowed in the Use Policy (ie, no added features that would require added features that would require future modifications to the policy; and be it*

*Further Resolved: that due to the economic fragility of the City during the downturn, that the City only use grant funds to purchase a drone and not general fund; and be it”*

*and hearing no objections, the motion passed by with the following vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan*

**A motion was made by Noel Gallo, seconded by Larry Reid, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

**2.6** Subject: Henry J. Kaiser Convention Center - LDDA Second Amendment  
From: Economic & Workforce Development Department  
Recommendation: Adopt An Ordinance That Authorizes The City Administrator Or Designee To Negotiate And Execute A Second Amendment To The Lease Disposition And Development Agreement (LDDA) Between The City Of Oakland (City) And Oakland Civic, LLC (Oakland Civic), And Related Documents, For Renovation And Rehabilitation Of Cityowned Property Located At 10 Tenth Street, Commonly Known As The Henry J. Kaiser Convention Center (Property), That (A) (I) Modifies Certain Closing Requirements, Including Eliminating Non-Binding Letters Of Intent Pre-Lease Requirement And Surety Bonds And Increasing Required Guarantor Minimum Net Worth From 25 Percent To 50 Percent, And (II) Adds Notice And Cure Rights For Tax Credit Investors; And (B) Makes Amendments To The Form Of The Lease Attached As Exhibit C To The LDDA To: (1) Revise And Insert Definitions Of Sponsorship/Donation Agreements And Naming Rights, As Applicable, And Specify When Proceeds Of Such Agreements Will Be Considered As Gross Income For Calculation Of Rent Participation; (2) Document Rights Of Oakland Civic And Calvin Simmons Theatre (CST) To Enter Into An Event Use/Sponsorship Agreement With The Kaiser Foundation Health Plan, Inc. (Kaiser Foundation) For A Term Of Up To 20 Years, For A Maximum Payment Of \$1.5 Million To Be Used For Renovation Of The Theatre Consistent With The LDDA And Lease, And Related Documents, And (B) Authorize The City Administrator Or Designee To Negotiate And Enter Into A Recognition Agreement With Kaiser Foundation For Such Event Use/Sponsorship Agreement, Subject To Certain Termination Rights And City Protections; (3) Document Oakland Civic's Consent To The City Entering Into A Naming Rights Agreement And Related Documents With Kaiser Foundation For The Property; And (4) Make Minor Revisions To (A) Add Notice And Cure Rights For Tax Credit Investors; And (B) Correspond With The Agreed-Upon Community Benefits Agreement Between Oakland Civic, CST And Black Arts Movement And Business District Community Development Corporation  
[20-0794](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Legislation](#)  
[13633 CMS](#)

**A motion was made by Nikki Bas, seconded by Larry Reid, that this matter be Approved for Final Passage. The motion carried by the following vote:**

**Abstained:** 1 - Kaplan

**Aye:** 6 - Kalb, Reid, Gallo, Thao, Taylor, and Bas

**Absent:** 1 - McElhaney

**NO VOTE:** 0

- 6 Subject: Results Of The November 3, 2020 General Municipal Election  
From: Office Of The City Clerk  
Recommendation: Adopt A Resolution Certifying The Results Of The City Of Oakland  
General Municipal Election Held On Tuesday, November 3, 2020  
[20-0871](#)

**Attachments:** [View Report](#)  
[88455 CMS](#)

**A motion was made by Noel Gallo, seconded by Larry Reid, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 8 Subject: OMCA Grant Agreement Extension  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The  
Grant Agreement With The Oakland Museum Of California For The Continued Care And  
Conservation Of The City's Collection Of Art And Artifacts To Extend The Grant Term For  
An Additional Ten Years To June 30, 2031 And To Increase The Amount Of The Grant By  
Thirty Million Dollars (\$30,000,000) For A Total Grant Amount Not To Exceed Seventy  
Three Million Dollars (\$73,000,000)  
[20-0875](#)

**Attachments:** [View Report](#)  
[88456 CMS](#)

***Councilmember Bas made a motion, seconded by Vice Mayor Reid, to adopt the resolution on Item 8, directing the city administrator to "return annually to Council with a grant report", and hearing no objections, the motion passed by with the following vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan***

**A motion was made by Nikki Bas, seconded by Larry Reid, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 9 Subject: Accepting In-Kind Services For Fuse Corp Equitable Recovery Fellows  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Their Designee, To (1) Accept A Gift Of In-Kind Services Valued Up To One Million, Four Hundred Thousand And Forty Thousand Dollars (\$1,440,000) From Fuse Corps To Host Up To Eight (8) Executive-Level Fellows In Multiple City Departments To Support Equitable Recovery Projects; And (2) Negotiate And Execute An Agreement Between Fuse Corps And The City Of Oakland  
[20-0872](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Legislation](#)  
[88457 CMS](#)

*Councilmember Kalb made a motion, seconded by Councilmember Kaplan, to adopt the resolution on Item 9, as amended adding to the end of the title and legislation "to return to council with an MOU", and hearing no objections, the motion passed by with the following vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan*

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

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 10** Subject: Amendments To The Surveillance Technology Ordinance  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 9.64, Which Regulates The City's Acquisition And Use Of Surveillance Technology, By (A): (1) Clarifying Existing Definitions And Adding New Ones; (2) Clarifying When City Staff Must Notify The Privacy Advisory Commission And/Or Seek City Council Approval In Regards To The Acquisition Of Surveillance Technology; (3) Prohibiting The City's Use Of Biometric Surveillance Technology And Predictive Policing Technology; And (B) Adopting California Environmental Quality Act Exemption Findings [20-0874](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Notice And Digest](#)

**A motion was made by Lynette McElhaney, seconded by Noel Gallo, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 1/12/2021. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 11 Subject: Oakland Army Base Penalties Spending Authority  
From: Finance Department  
Recommendation: Adopt A Resolution Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Amendments, To Appropriate From Fund 5671, Project 1004290, Penalties Collected By The City From Contractors Who Failed To Comply With The City's Construction Jobs Policy For The Oakland Army Base Project In The Amount Of Three Hundred Fifty-One Thousand, Six Hundred Seventy-Eight Dollars And Twenty-Eight Cents (\$351,678.28), And All Future Penalties Collected By The City, If Any, To The Department Of Workplace And Employment Standards For Training, Referral, Monitoring, Or Technical Assistance To Advance The Purposes Of The Army Base Jobs Policy  
[20-0790](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Attachment 1](#)  
[View Supplemental Legislation - 12/4/2020](#)  
[View Supplemental Report - 12/11/2020](#)  
[View Supplemental Attachment 1 - 12/11/2020](#)  
[View Supplemental Legislation - 12/11/2020](#)  
[88458 CMS](#)

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

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 12 Subject: Redevelopment Bond Spending Plan  
From: Economic And Workforce Development  
Recommendation: Adopt A Resolution To (1) Authorize The City Administrator To Amend The Bond Spending Plan For Excess Oakland Redevelopment Successor Agency (ORSA) Bond Proceeds For FY 2020-21; (2) Accept \$9,972,029 In Excess Bond Proceeds From ORSA And Appropriate Said Funds; And (3) Amend The Appropriation And Reallocate \$8,193,366 In Excess Bond Proceeds Previously Appropriated And Committed In The Approved Bond Spending Plan  
[TITLE CHANGE]  
[20-0839](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Legislation & Exhibit A](#)  
[88459 CMS](#)

**A motion was made by Noel Gallo, seconded by Larry Reid, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhane, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0



- 13 Subject: Chabot Space & Science Center And OUSD Lease Of 4919 Mountain Blvd.  
From: Economic Workforce Development Department  
Recommends: Adopt The Following Pieces Of Legislation:

1) An Ordinance That Authorizes The City Administrator Or Designee To Negotiate And Execute A Master Dissolution And Transfer Agreement And Related Documents Between The City of Oakland (City), Oakland Unified School District (OUSD), The Chabot Space & Science Center Joint Powers Agency (JPA), Chabot Space & Science Center Foundation (Foundation), East Bay Regional Park District (EBPRD) And Eastbay Astronomical Society (EAS) Related To The Chabot Space & Science Center (Chabot) Located At 10000 Skyline Boulevard (Skyline Boulevard Property) To:(A) Dissolve The JPA And Terminate The JPA Agreement; (B) Terminate The Existing City-JPA Ground Lease Of The Skyline Boulevard Property And Related Agreements; (C) Terminate And Release The Existing Lease-Leaseback Agreements To Fully Discharge Approximately \$6.5 Million Debt Owed By The JPA To OUSD; (D) Assume Ownership, By The City, Of The Chabot Buildings Located On The Skyline Boulevard Property And Transfer All Remaining Assets And Liabilities Of The JPA To The Foundation; (E) Execute A Thirty-Four Year And Eleven Month Lease Of The Skyline Boulevard Property Between The City And The Foundation For One Dollar (\$1) Per Year; And (F) Grant An Access Easement Over The Skyline Boulevard Property To EBPRD For Access To and From Skyline Boulevard And The Parking Garage Located On EBRPD-Owned Property Adjacent To The Skyline Boulevard Property; And

[20-0888](#)

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

[Attachment A - Master Dissolution And Transfer Agreement -Chabot Space Science Center](#)

[Attachment B - Lease \(4919 Mountain Blvd\) v5 \(Final\)](#)

[Attachment C - Depiction of 10000 Skyline Property](#)

[Attachment D - Depiction of 4919 Mountain Boulevard](#)

[View Legislation](#)

[View Supplemental Legislation - 1/8/2021](#)

**A motion was made by Sheng Thao, seconded by Noel Gallo, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 1/12/2021. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhane, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

2) An Ordinance That Authorizes The City Administrator Or Designee To Negotiate And Execute A Sixty Year Lease, And Related Documents, With The Oakland Unified School District (OUSD), As Tenant, Of The Real Property Located At 4919 Mountain Boulevard For OUSD's Discharge Of The Chabot Space & Science Center Joint Powers Agency Debt Of Approximately \$6.5 Million To OUSD And Payment Of Rent To The City, As Landlord, Of One Dollar (\$1) Per Year And Related Documents

[20-0889](#)

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

[View Supplemental Legislation - 1/8/2021](#)

**This Ordinance be Approved On Introduction and Scheduled for Final Passage.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/12/2021**

3) A Resolution Awarding A Ten Year Grant Agreement To Support The Mission And Programs Of The Chabot Space & Science Center Foundation, Payable In Annual Amounts Of Two Hundred Seventy Three Thousand One Hundred And Five Dollars (\$273,105), Subject To Funding Availability

[20-0890](#)

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

[88460 CMS](#)

**A motion was made by Sheng Thao, seconded by Noel Gallo, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 14** Subject: No Parking Zone On Lakeshore Ave From Lake Merritt Ave To 1st Ave  
From: Council President Kaplan And Councilmember Bas  
Recommendation: Adopt A Resolution Approving The Establishment Of No Parking Restrictions Between 2:00 A.M. And 6 A.M., Monday Through Sunday, On The Lake (East) Side Of Lakeshore Avenue From Lake Merritt Boulevard To 1st Avenue And Allowing A Community Process To Proceed Regarding Establishing A Residential Parking Permit (“RPP”) Area And Directing The City Administrator To Return To Council With An Ordinance Amending Oakland Municipal Code Section 10.44.050 (A)(4) To Authorize The Council To Waive The Requirement That A Proposed Residential Permit Parking Area Include At Least Six Adjacent Block Fronts By Resolution  
[TITLE CHANGE]  
[20-0879](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Report Exhibit A Map](#)  
[88461 CMS](#)

**A motion was made by Nikki Bas, seconded by Noel Gallo, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 15** Subject: Informational Report On 2020 Disparity Study  
From: Council President Kaplan  
Recommendation: Receive An Informational Report On The 2020 City Of Oakland Disparity Study  
[20-0657](#)

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

**A motion was made by Loren Taylor, seconded by Rebecca Kaplan, that this matter be Received and Filed. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 16** Subject: Local Business Empowerment Through Contracting (LBETC)  
From: Councilmember Taylor And Councilmember McElhaney  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Directing The City Administrator To Report Back To Council By April 2021 Regarding (1) The Port Of Oakland's (Port) Interest In And Feasibility Of Partnering With The City To Establish And Operate An Owner-Controlled Insurance Program For Construction Projects, Or For The City To Do So Individually; (2) The City's Application Of The Local/Small Local Business Enterprise (L/SLBE) Program To On-Call Contracts And Cooperative Agreements; (3) Expansion Of The City's Construction Preferred Small Local Business Program To The Purchase Of All Professional Services; (4) Creation Of A Small And/Or Very Small Local Business Enterprise (SLBE/VSLBE) Set Aside Program; (5) Establishment Of A Bonding And Financing Program For SLBES; (6) Creation Of A Credit Incentive Program For LBE/SLBE Owners Who Graduated From A High School In Oakland; And (7) Any Other Program Enhancements To Address Race And Gender Disparities In Local Contracting And Procurement Identified By Council [TITLE CHANGE]

[20-0754](#)

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

[View Legislation](#)

[View Supplemental Report - 12/11/2020](#)

[View Supplemental Legislation - 12/11/2020](#)

[View Supplemental Legislation - 1/8/2021](#)

**A motion was made by Loren Taylor, seconded by Larry Reid, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 1/12/2021. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

2) An Ordinance Amending Ordinance No. 13101 C.M.S., Which Revised Oakland's Local And Small Local Business Enterprise (L/SLBE) Program Provisions, To Change Local And Small Local Trucking Participation Requirements, Add New Local Business Categories And Certification Criteria, Change The Definition Of "Substantial Presence," Define "Local-Based Manufacturer, Add And Change Bid Discounts, Limit Modifications To L/SLBE Schedules After Bid Opening, And Provisions Related To Disposition And Development Agreements And Cooperative Agreements, And Update The List Of Applicable Schedules, As Set Forth In Exhibit A Attached Hereto

[20-0755](#)

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

[View Legislation](#)

[View Report - Attachment A](#)

[View Supplemental Report - 12/11/2020](#)

[View Supplemental Report Attachment A -12/11/2020](#)

[View Supplemental Legislation - 12/11/2020](#)

[View Supplemental Report Exhibit A - 12/11/2020](#)

[View Supplemental Legislation - 12/23/2020](#)

[View Supplemental Report Exhibit A - 1/8/2021](#)

**A motion was made by Loren Taylor, seconded by Larry Reid, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 1/12/2021. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 17** Subject: Moratorium On Ellis Act Evictions And To Repeal The Ellis Act  
From: President Pro Tempore Kalb And Councilmember Bas  
Recommendation: Adopt A Resolution Urging California Governor Gavin Newsom To Issue A Moratorium On Ellis Act Evictions During The Covid-19 State Of Emergency And Urging The California Legislature To Repeal The Ellis Act

[20-0891](#)

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

[88462 CMS](#)

**A motion was made by Dan Kalb, seconded by Nikki Bas, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 6 - Kalb, Reid, Gallo, Thao, Bas, and Kaplan

**Absent:** 2 - McElhaney, and Taylor

NO VOTE: 0

- 18 Subject: Limit The Placement Of Advertising Signs Within The City  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Requesting The (1) Planning Commission (A) To Initiate A Process To Consider Amendments To The Oakland Advertising Signs Ordinance (Oakland Municipal Code Section 17.104.060) And Oakland Sign Code Section 14.04.270 To Amend The Mechanisms By Which The City May Approve The Installation And Operation Of New Advertising Signs Via Development Agreements In Very Limited Geographic Areas In The City, To The Extent Legally Permissible, And (B) Upon The Conclusion Of Such Process, Recommend Specific Text Amendments To The Oakland Advertising Sign Ordinance For The City Administrator To Incorporate Into A Future Ordinance; And (2) City Administrator, Upon The Recommendations Of The Planning Commission, Present To The City Council For Review And Consideration An Ordinance Amending The Oakland Advertising Signs Ordinance, The Oakland Sign Code, And Such Other Sections Of The Oakland Municipal Code Necessary To Effectuate The Amendment Of The Mechanisms By Which The City May Approve The Installation And Operation Of New Advertising Signs Via Development Agreements In Limited Geographic Areas In The City  
[TITLE CHANGE]  
[20-0808](#)

**Attachments:** [View Memo](#)  
[View Legislation](#)  
[88463 CMS](#)

**A motion was made by Noel Gallo, seconded by Larry Reid, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhane, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 19** Subject: Declaring A Mental Health Emergency  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Urging The State Legislature To Immediately Enact State Laws That 1) Decriminalize Or Legalize The Possession And Use Of Entheogenic Plants And Fungi, 2) Allow Local Jurisdictions To Authorize Its Citizens To Engage In Community-Based Healing Ceremonies Involving The Use Of Entheogenic Plants And Fungi Without Risk Of Arrest And State Prosecution, When Practiced In Accordance With Safe Practice Guidelines And Principles, And 3) That Provide Legal Protections Against Criminal Prosecution For Local Jurisdictions Their Elected And Appointed Officials, Practitioners And Users Operating In Accordance With The Oakland Community Healing Initiative (OCHI)

[20-0809](#)

**Attachments:** [View Memo](#)  
[View Legislation](#)  
[88464 CMS](#)

*The Committee approved as amended to strike the words Or Legalize from the title and legislation*

**A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Aye:** 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- S21** Subject: Amendment No. 1 To The Sewer Service Charges  
From: Oakland Public Works  
Recommendation: Adopt Resolution Authorizing The City Administrator To Execute Amendment No. 1 To The Sewer Service Charges, Billing And Collection Agreement Of July 1, 2013, By And Between East Bay Municipal Utility District (EBMUD) And The City Of Oakland For A Term Of Two And A Half Years From January 1, 2021 To June 30, 2023 In Order To Implement Customer Assistance Program Providing Sewer Service Fee Rate Reduction For Low-Income Households

[20-0915](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Legislation](#)  
[88465 CMS](#)

**A motion was made by Noel Gallo, seconded by Larry Reid, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 7 - Kalb, Reid, Gallo, Thao, Taylor, Bas, and Kaplan

Absent: 1 - McElhaney

NO VOTE: 0

**4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &  
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS**

**5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF DECEMBER 1,  
2020  
[20-0898](#)**

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

A motion was made by Larry Reid, seconded by Noel Gallo, that this matter be  
Approved. The motion carried by the following vote:

**Aye:** 7 - Kalb, Reid, Gallo, Thao, Taylor, Bas, and Kaplan

**Absent:** 1 - McElhaney

**NO VOTE:** 0

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

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 6:30 P.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**

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**Fax: (510) 238-6699**

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**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.**