

# City of Oakland

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



## **Meeting Agenda - FINAL**

**Tuesday, October 20, 2020**

**1:30 PM**

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

**Tele-Conference**

**\* Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the 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/81565310897> 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: 815 6531 0897

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

**ROLL CALL / CITY COUNCIL**

*COUNCILMEMBERS: Nikki Bas, District 2; Noel Gallo, District 5; President Pro Tempore Dan Kalb, District 1; Lynette McElhaney, District 3; Vice Mayor Larry Reid, District 7; Loren Taylor, District 6; Sheng Thao, District 4; Council President Rebecca Kaplan, At Large*

**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:**

**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  
20-0715

Attachments: [View Report](#)

**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  
20-0716

Attachments: [View Legislation](#)

**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  
20-0717

Attachments: [View Report](#)

**2.4** Subject: DOJ Coronavirus Emergency Funding 2020 Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate The Fiscal Year (Fy) 2020 U.S Department Of Justice "Coronavirus Emergency Supplemental Fund" Grant In The Amount Of One Million Three Hundred Thirty Thousand Five Hundred Eighty-Two Dollars (\$1,330,582), To Purchase: 1) Community Resource Safety Vehicles (CRVS); 2) A Decontamination Trailer; And 3) Personal Protective Equipment (PPE) And Sanitation Supplies During The Grant Period Of January 20, 2020 Through January 31, 2022  
20-0637

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

9/17/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.5** Subject: BAAQMD Inclusion Of Oakland Representation  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Seeking Appointment Of A City Of Oakland Councilmember To Represent The City Of Oakland, A Community Heavily Impacted By Air Pollution, On The Board Of The Bay Area Air Quality Management District (BAAQMD)  
20-0667

Attachments: [View Memo](#)

[View Legislation](#)

Legislative History

9/24/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*On Consent.*

**2.6** Subject: On-Call Horizontal Concrete Shaving Professional Service Agreement  
From: Transportation Department  
Recommendation: Adopt A Resolution Awarding A Construction Services Contract For On-Call Horizontal Concrete Shaving For Sidewalk Displacements Services, For A Term Not To Exceed Four (4) Years And In An Amount Not To Exceed Four Million Five Hundred Thousand Dollars (\$4,500,000) With Precision Emprise, Inc.  
20-0702

Attachments: [View Report](#)

[View Attachment A](#)

[View Legislation](#)

Legislative History

10/1/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 2.7** Subject: 2020 As-Needed Pavement Rehabilitation Services  
From: Transportation Department  
Recommendation: Adopt A Resolution Awarding A Construction Contract To 1) Gallagher & Burk, The Lowest Responsive And Responsible Bidder, And Waiving Advertising And Competitive Bidding And Authorizing The City Administrator To Negotiate And Award Construction Contracts To 2) McGuire & Hester 3) Teichert Construction And 4) O.C. Jones & Sons, The Second, Third, And Fourth Lowest Responsive And Responsible Bidders, Provided That All Meet The Contractor's Bid Schedule Of The Lowest Bid Of Gallagher & Burk, For As-Needed Pavement Rehabilitation Services In Accord With The Project Plans And Specifications And The Lowest Bid In An Amount Not To Exceed Twelve Million, Six Hundred And Eighty-Six Thousand, Two Hundred Dollars (\$12,686,200.00); Each  
20-0701

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

**Legislative History**

10/1/20 \*Rules & Legislation Committee Scheduled to the \* Special Concurrent Meeting of the Oakland City Council, CPAB, SSOC, and Police Commission

- 2.8** Subject: 2020 Tobacco Law Enforcement Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into An Agreement With The California Department Of Public Health (CADOPH) To Clarify "Stop Tobacco Access To Kids Enforcement (Stake)" Grant Program Requirements, And Accept And Appropriate One Hundred Eighty Thousand Dollars (\$180,000) For A Three-Year CADOPH Stake Grant; And Authorizing The General-Purpose Services Fund To Contribute Twenty-Seven Thousand Nine Hundred Dollars (\$27, 900) To Cover The Associated Central Services Overhead Costs  
20-0697

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

10/1/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**2.9** Subject: 2020 Mills Act Contracts Recommendations  
From: Planning And Building Department  
Recommendation: Adopt A Resolution, As Recommended By The Landmarks Preservation Advisory Board Pursuant To Ordinance No. 12987 C.M.S., (1) Approving Ten (10) Mills Act Contracts, Between The City Of Oakland And The Properties At 676 Longridge Road, 322 Broadway, 1186 Trestle Glen Road, 926 Rosemount Road, 2804 Adeline Street, 724 Campbell Street, 326-28 Henry Street, 5738 Picardy Drive, 669-71 24th Street/674 23rd Street, And 369 Macarthur Boulevard, To Provide Property Tax Reductions In Exchange For Owners' Agreement To Repair And Maintain Historic Properties In Accordance With Submitted Work Programs; And (2) Approving Total City Tax Revenue Reduction Estimated To Be Above \$25,000 Per Year  
20-0696

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

**Legislative History**

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.10** Subject: FY2020-21 Cultural Funding Grants-Round One  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Awarding Cultural Services Grants To Twenty-Six (26) Oakland-Based Nonprofit Organizations Providing Arts And Cultural Services In Oakland For Fiscal Year 2020-21 (Round One), In A Total Amount Not To Exceed \$643,299  
20-0695

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

**Legislative History**

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.11** Subject: Apply For CalHome 2020 Grant, Appropriate CalHome Revenue  
From: Housing & Community Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or His Or Her Designee To Apply For, Accept And Appropriate Grant Funds From The California Department Of Housing And Community Development Calhome 2020 Notice Of Funding Availability In An Amount Not To Exceed \$5 Million; And  
20-0693

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

Legislative History

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2) A Resolution Authorizing The Periodic Reappropriation Of CalHome Program Repayment Revenues To Make New CalHome Program Loans Under The CalHome Program For A Period Of Fiveyears Without Returning To Council  
20-0694

Attachments: [View Legislation](#)

Legislative History

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.12** Subject: SAVE Workforce Development Timeframe Extension  
From: Human Services Department  
Recommendation: Adopt A Resolution To: 1. Amend Resolution No. 87834 C.M.S. To Extend The Grant Award Term End Date To S.A.V.E Center For Community Change And Empowerment (S.A.V.E.) To June 30, 2021; And 2. Increase The Grant Award Amount To S.A.V.E. If Additional General Purpose Funding Becomes Available For The Same Purpose Within The Extended Grant Term, Without Returning To Council  
20-0621

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

Legislative History

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.13** Subject: City Of Oakland V. Monsanto Company, Pharmacia Corp., Solutia Inc.  
From: Office Of The City Attorney's  
Recommendation: Adopt A Resolution Ratifying The City Attorney's Action To  
Compromise And Settle The Case Of City Of Oakland V. Monsanto Company, Solutia  
Inc., Pharmacia Corporation And Does 1-100, United States District Court Case No.  
15-CV-05152-EJD, City Attorney File No. X04184, For Payment To The City Of Oakland  
In The Amount Of Seven Million Two Hundred Twenty-Two Thousand Four Hundred  
Twenty-Four Dollars And No Cents (\$7,222,424.00) Arising From Environmental  
Contamination By Polychlorinated Biphenyls ("PCBS") (Public Works Department- Public  
Nuisance)  
20-0704

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.14** Subject: Rent Adjustment Ordinance Amendment To Alleviate Rent Program Backlog  
From: Housing And Community Development  
Recommendation: Adopt An Ordinance Amending The Rent Adjustment Ordinance  
(O.M.C. 8.22.010 Et Seq.) To Create Efficiency And Reduce Appeal Times By (1)  
Authorizing A Single Appeal Officer To Hear Select Appeals; (2) Establishing More  
Stringent Attendance Requirements For Board Members; (3) Limiting Oral Argument  
Time On Appeals; And (4) Requiring Parties To Serve Petitions  
20-0606

Attachments: [View Report](#)

[View Ordinance](#)

[View Supplemental Legislation - 9/25/2020](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON OCTOBER 6, 2020; 8 AYES.*

Legislative History

9/15/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/6/20	* 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



**2.15** Subject: Establishing the Measure KK Oversight Public Committee  
From: Finance Department  
Recommendation: Adopt An Ordinance Establishing Pursuant To City Of Oakland Charter  
Section 601 The Affordable Housing & Infrastructure (Measure KK) Public Oversight  
Committee And Prescribing The Functions, Duties, Powers, And Terms Of Its Members  
20-0647

Attachments: [View Report](#)  
[View Legislation](#)  
[View Supplemental Report - 10/02/2020](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON OCTOBER 6, 2020; 8 AYES.*

Legislative History

9/17/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/6/20	* 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

**2.16** Subject: Sidewalk Repair Ordinance Enforcement Suspension  
From: Vice Mayor Reid  
Recommendation: Adopt An Ordinance Approving A 90-Day Suspension Of Enforcement  
Of Oakland Sidewalk Repair Ordinance No. 13549 C.M.S And Request For Two (2)  
Reports  
20-0709

Attachments: [View Report](#)  
[View Legislation](#)  
[View Legislation - Notice & Digest](#)

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

*FINAL PASSAGE (Second Reading) WILL OCCUR ON TBD.*

Legislative History

10/6/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Referred to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Vice Mayor Reid made a scheduling motion, seconded by Council President, to  
hear the following item at the October 20, 2020 City Council Agenda, and  
hearing no objections, the motion passed by with the following vote: 7 Ayes:  
Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President  
Kaplan*

- 2.17** Subject: Suspending Sanctions Against Cuba To Address The Covid 19  
From: President Pro Tempore Kalb  
Recommendation: Adopt A Resolution Supporting Medical And Scientific Collaboration  
Between The City Of Oakland And The Country Of Cuba To Address The Covid-19  
Pandemic And Urging The United States Congress To Remove Restrictions On  
Collaboration By Suspending Economic And Travel Sanctions Against Cuba  
20-0712

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

**Legislative History**

10/6/20 \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*Pro Tem Kalb made a scheduling motion, seconded by Council President, to hear the following item at the October 20, 2020 City Council Agenda, and hearing no objections, the motion passed by with the following vote: 7 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan*

- 2.18** Subject: Opposition To Proposition 22  
From: Council President Kaplan  
Recommendation: Adopt A Resolution In Opposition Of Proposition 22, A Ballot Measure  
To Exempt App-Based Transportation And Delivery Companies From Providing  
Employee Benefits To Certain Drivers  
20-0719

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

[View Legislation](#)

*Pursuant to Rule 28 of Resolution 88266 C.M.S., this item was added to this agenda.*

- 2.19** Subject: The City Of Oakland And Prologis CCIG Oakland Global Settlement  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13131, That Among Other Things, Authorized The Lease Of Property At Oakland Army Base For Billboards Under The Oakland Army Base Billboard Franchise And Lease Agreement Dated October 23, 2012 ("Master Agreement") Between The City Of Oakland ("City") And Prologis CCIG Oakland Global, LLC ("Master Tenant"), To: (1) Authorize The Settlement Of A Dispute Regarding The Methodology For Calculating Certain Percentage Rent By Splitting The Difference Between The City's And Master Tenant's Positions, Commencing As Of October 1, 2020 And Continuing Through The End Of The Master Agreement Term ("Settlement"); And (2) Approve And Authorize The City Administrator To Execute A First Amendment To The Master Agreement And Such Other Documents Necessary To Effectuate The Settlement  
20-0721

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Legislation](#)  
[View Exhibit A - Lease Amendment](#)  
[View Exhibit B - Settlement Agreement](#)

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

*FINAL PASSAGE (Second Reading) WILL OCCUR ON TBD.*

- 2.20** Subject: Brady Murphy V. City Of Oakland, Et Al.  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Brady Murphy V. City Of Oakland, Torres Rowena R, Crowd Fund Investment Group And Does 1 Through 20, Inclusive, Alameda County Superior Court Case No. Rg18908476, City Attorney's File No. 31493, In The Amount Of Forty Thousand Dollars And Zero Cents (\$40,000.00) (Public Works- Dangerous Condition)  
20-0713

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

*Pursuant to Rule 28 of Resolution 88266 C.M.S., this item was added to this agenda.*

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

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

**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 SEPTEMBER 29,  
2020 AND OCTOBER 6, 2020  
20-0718

6 Subject: COVID-19 Emergency Response  
From: Oakland Fire Department  
Recommendation: Receive An Informational Report From The Oakland Fire Department's  
Emergency Management Services Division On The Emergency Response And The  
Creation Of Clean Air Buildings For Use Of The Community During The COVID-19 Shelter  
In Place Emergency  
20-0608

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

[View Supplemental Report - 9/11/2020](#)

**Legislative History**

9/15/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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7 Subject: Gun Violence Top Law Enforcement Priority  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Declaring Gun Violence Prevention To Be The Top  
Law Enforcement Priority For The City Of Oakland Through The Decrease Of Illegal Guns  
And Gun Violence By Effective Means Such As The Increase Of Gun And Shell Casing  
Tracing, Improved Response To Notifications Of Shootings, Prioritization Of Actions To  
Stop And Respond To Gun Crime And Provision Of An Informational Report On Gun  
Response, Including Response Times To Notifications Of Shootings And Armed  
Robberies  
20-0670

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

[View Report](#)

[View Legislation](#)

**Legislative History**

9/24/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*On Non Consent.*

- 8 Subject: 2020 Supplemental Encampment Management Policy  
From: The Life Enrichment Committee  
Recommendation: Adopt A Resolution Adopting The Administration's Proposed  
Encampment Management Policy, To Be Implemented Upon Adoption By The  
Administration [TITLE CHANGE]  
20-0239

**Attachments:**

[View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Report - Taylor](#)

[View Attachment B - Taylor](#)

[View Supplemental Report - 9/11/2020](#)

[View Supplemental Report - Attachment A 9/11/2020](#)

[View Supplemental Report - Attachment B 9/11/2020](#)

[View Supplemental Report - Attachment C 9/11/2020](#)

[View Supplemental Report - Attachment D 9/11/2020](#)

[View Supplemental Legislation - 9/11/2020](#)

[View Supplemental Report - Exhibit A 9/11/2020](#)

[View Supplemental Legislation - 9/18/2020](#)

[View Supplemental Report - Exhibit A 9/18/2020](#)

[View Supplemental Letter 10/8/2020](#)

**Legislative History**

2/25/20	*Special Life Enrichment Committee	Scheduled to the *Rules & Legislation Committee
3/5/20	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
7/6/20	*Special Life Enrichment Committee	Continued to the *Special Life Enrichment Committee <i>The Committee continued the item, with no specific date, to further the discussion.</i>

9/21/20

\*Life Enrichment Committee Approved as Amended the Recommendation of Staff, and Forward to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Due To The Presence Of Councilmember Bas, A Quorum Of The City Council Was Noted, And A Motion Was Made By Pro Tem Kalb And Seconded By President Kaplan To Adjourn The Meeting Of The Life Enrichment Committee, And To Convene As A Special Meeting Of The Full Council At 2:20 PM*

*A motion was made by Councilmember McElhaney, seconded by Chair Taylor, to Approve Staff's recommendation and forward to the Non Consent calendar of the October 20, 2020 City Council Agenda with request for a Supplemental Report to address the following;*

*-From Council President Kaplan*

- *A request from Alameda County to open regulated allowable locations including but not limited to County fairgrounds, vacant property, abandoned property or County owned property for RVs and tents;*
- *For City properties look at sliding scale parking rates charged to RVs in safe parking program;*
- *A map of the lowest and highest sensitivity/risk homeless encampments;*
- *Provision of safe dumping station for waste and sewage;*
- *Designating Daryel Dunston as the liaison/POC between Alameda County and the City on homelessness matters/policies/programs*
- *Options for Cogoverned encampments;*
- *Update on the illegal dumping rewards program, including how this program may be improved/strengthened to assist the population;*
- *Status of the installation of Portland Loos;*
- *Status report on upkeep of porta pottys at encampments, and whether the service provider(s) is complying with the terms of the portable toilet contract;*
- *Provide a map show the allowable areas for encampments under the proposed policy; and*
- *Request for the legal opinion on the what can and cannot be done as proposed in the encampment management policy to discuss in context with Martin v. Boise*

*-From Councilmember McElhaney*

- *Prioritization immediate alternative options of public land or buildings in freeing up sidewalks occupied by unsheltered;*
- *Prioritization of housing "Native" Oaklanders who have been displaced from their homes and are now unsheltered first;*
- *Discuss potential for leveraging low-sensitivity encampments for possible consolidation of encampments;*
- *Clarifying Daryel has interdepartmental decision-making authority; and*
- *Requesting the body go into Closed Session concerning the legal issues.*

*-From Pro Tem Kalb*

- *Clarify the implementation plan, from whom enforcement will be directed, and how for clarity for the Council and Community;*
- *Make a commitment to keep a constant Sanitation plan; and*

- *The number of encampments, with and without services, the descriptions of the services, and the frequency of maintenance of the services*

*-Comments from Councilmember Bas also accepted into the motion*

- *Including The Report and recommendation on co-governed encampments in alignment with the \$600k allocated in the budget for co-governed encampments to work with stakeholders and org for a pilot for mediation;*
- *The City to look at a list of our public and private locations for encampments, and include the County's lands as well;*
- *Look into mental health and public health services to support the encampments.*

*Hearing no objections, the motion passed by with the following vote: 4 Ayes:  
Kalb, McElhaney, Taylor, and Council President Kaplan*

9/24/20

\*Rules & Legislation  
Committee

Approved as Amended the Recommendation  
of Staff, and Forward to the \* Concurrent  
Meeting of the Oakland Redevelopment  
Successor Agency and the City Council

*The Rules Committee approved the September 21, 2020 Life Enrichment  
Committees recommendation to hear this item at the October 20, 2020 City  
Council Agenda on Non Consent.*

- 9 Subject: California Waste Solutions Exclusive Negotiating Agreement  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,  
To Execute An Amendment To The Exclusive Negotiating Agreement (ENA) With  
California Waste Solutions (CWS), Extending The ENA For A Period Of Three Months,  
With One Administrative Option For An Additional Three-Month Extension, Subject To  
Payment Of A Non-Refundable Extension Fee Of \$20,000, To Allow The Parties To  
Complete The Negotiation Of A Development And Disposition Agreement For The  
Relocation Of CWS'S Existing West Oakland Recycling Uses To A Portion Of The North  
Gateway Parcels Located At The Former Oakland Army Base  
20-0668

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

10/1/20

\*Rules & Legislation  
Committee

Scheduled to the \* Concurrent Meeting of  
the Oakland Redevelopment Successor  
Agency and the City Council

10 Subject: 3455 And 3461 Champion Street DDA Amendment  
From: Economic And Workforce Development Department  
Recommendation: Adopt An Ordinance To Authorize A First Amendment To The  
Disposition And Development Agreement Between The City Of Oakland And Champion  
Street, LLC, For The Property Located At 3455 And 3461 Champion Street, To (1) Modify  
The Project Schedule To Extend (A) The Outside Date For Completion Of Construction To  
June 30, 2021, And (B) The Outside Date The Restaurant Will Open To July 30, 2021,  
And (2) To Make The Determination That The Action Is Exempt From The California  
Environmental Quality Act (CEQA)

[NEW TITLE]  
20-0547

**Attachments:**

[View Report](#)

[View Legislation](#)

[View Supplemental Report -10/9/2020](#)

[View Supplemental Attachment A -10/9/2020](#)

[View Supplemental Legislation -10/9/2020](#)

**Legislative History**

7/28/20	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council



- 11 Subject: Modify The Oakland Parks And Recreation Advisory Commission  
From: Oakland Public Works Department  
Recommendation: Adopt An Ordinance Amending And Restating Ordinance Nos. 11731  
And 8065 C.M.S To Update The Duties Of The Parks And Recreation Advisory  
Commission To Include Oversight Of The 2020 City Of Oakland Parks And Recreation  
Preservation, Litter Reduction, And Homelessness Support Act (Measure Q), And To  
Modify The Membership, Appointment, And Meeting Procedures Of The Commission  
20-0532

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

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

*FINAL PASSAGE (Second Reading) WILL OCCUR ON TBD.*

Legislative History

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 12 Subject: CARES Act Funds  
From: Council President Kaplan  
Recommendation: Receive An Informational Report On Coronavirus Aid, Relief, And  
Economic Security (CARES) Act Relief Fund Expenditures  
20-0616

Attachments: [View Report](#)  
[View Attachment A](#)  
[View Supplemental Report - 9/25/2020](#)  
[View Supplemental Attachment A - 9/25/2020](#)  
[View Supplemental Report - 10/2/2020](#)  
[View Supplemental Attachment A -10/9/2020](#)

Legislative History

7/28/20	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>Council President Kaplan made a scheduling motion to hear at the September 15, 2020 City Council meeting the following:</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*""Receive a report from the Administrator on the CARES Act funds distributed,  
and Council Action, if needed, regarding use of remaining funds"*

9/15/20 \* Concurrent Meeting of the  
Oakland Redevelopment  
Successor Agency and the  
City Council

Continued to the \* Concurrent Meeting of the  
Oakland Redevelopment Successor Agency  
and the City Council

*The Council continued the informational report to return October 6, 2020 with  
the additional information requested and options for action what was put out  
status of expenditures and 1) Jobs Programs 2) Fire Related Costs (funds  
already spent and those funds available) and 3) Vendors*

*A resolution directing additional expenditures*

10/6/20 \* 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

- 13 Subject: CARES Act Resloution  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Amending Resolution No. 88174 C.M.S., Which  
Adopted The 2020-21 Mid-Cycle Budget Amendments, To Reallocate Covid Relief Funds  
For Additional Or Alternative Programs And Activities To Respond To The Covid-19  
Public Health Emergency  
20-0683

Attachments: [View Legislation](#)  
[View Exhibit 5](#)  
[View Legislation - Supplemental](#)  
[View Exhibit 5 - Supplemental](#)

Legislative History

10/6/20 \* 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

- 14 Subject: Banning Carotid Restraint And All Forms Of Asphyxia  
From: Oakland Police Department And The Oakland Police Commission  
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Adopting Oakland Police Department Special Order 9205, Banning Of  
The Carotid Restraint And All Forms Of Asphyxia, As Recommended By The Oakland  
Police Department; Or  
20-0664

Attachments: [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
Legislative History

9/24/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>The Committee approved this item to go straight to Council on Non Consent.</i>
10/6/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>President Kaplan made a motion to approve option #2, the Oakland Police Commissions resolution. There was no second to this motion.</i>  <i>Councilmember Gallo made a substitute motion, seconded by Councilmember Taylor to Continue the resolutions on Item 12, 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</i>

2) A Resolution Adopting Oakland Police Department Special Order 9205, Banning Of  
The Carotid Restraint And All Forms of Asphyxia, As Recommended By The Oakland  
Police Commission  
20-0663

**Attachments:** [View Report - Police Commission](#)  
[View Supplemental Legislation - 10/02/2020](#)

**Legislative History**

9/24/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>The Committee approved this item to go straight to Council on Non Consent.</i>
10/6/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>President Kaplan made a motion to approve option #2, the Oakland Police Commissions resolution. There was no second to this motion.</i>  <i>Councilmember Gallo made a substitute motion, seconded by Councilmember Taylor to Continue the resolutions on Item 12, 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</i>

- 15 Subject: Bay Area Community Services (BACS) Scattered Small Sites Project  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Amending Resolution No. 88284, Which Authorized The City Administrator To Apply For, As A Local Agency Partner, Up To \$10 Million Of Funds From The California Department Of Housing And Community Development Under The HomeKey Program (HomeKey Funds), Accepted And Appropriated Up To \$10 Million In HomeKey Funds For Acquisition Of Scattered Small Sites By Bay Area Community Services (BACS) For Permanent Affordable Housing, And Awarded A Grant Agreement To BACS In An Amount Not To Exceed \$10 Million To Acquire Scattered Small Sites For Permanent Affordable Housing, To: (1) Accept And Appropriate An Additional \$200,000 In HomeKey Funds, As A Local Agency Partner, For The Operation Of The Permanent Affordable Housing At The Scattered Small Sites; And (2) Award A Grant Agreement To BACS In An Increased Amount Not To Exceed \$10.2 Million To Both Acquire And Operate Scattered Small Sites As Permanent Affordable Housing  
20-0714

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

*Pursuant to Rule 28 of Resolution 88266 C.M.S., this item was added this agenda.*

## **COUNCILMEMBER ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

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

### **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**

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**Recorded Agenda: (510) 238-2386**

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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.**

# City of Oakland

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



## **Meeting Agenda - FINAL**

**Thursday, October 22, 2020**

**10:30 AM**

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

**Tele-Conference**

### **\*Rules & Legislation Committee**

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

*City of Oakland Website: <http://www.oaklandca.gov>*

***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/86780717734> 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: 867 8071 7734

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

**COMMITTEE MEMBERSHIP:**

*Council President Rebecca Kaplan, At-Large; Nikki Bas, District 2; Lynette McElhaney, District 3; Chairperson: Sheng Thao, District 4*

**Roll Call / Call To Order**

**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 Approval Of The Draft Minutes From The Committee Meeting Of October 1, 2020  
20-0722

**3 New Scheduling Items**

- 4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
20-0723

- 5 Determinations Of Closed Session  
20-0724

**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.**