

# 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 Agenda - 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/XXXXXXXXXXXX> 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: XXX XXXX XXXX

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:**

- 3.1** 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**
- 3.2** 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**
- 3.3** 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**
- 3.4** 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](#)

**Legislative History**

11/5/20	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
11/19/20	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>On Consent</i>	
12/1/20	* 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

**3.5** Subject: Fox Theater Asset Transfer And Loan Termination  
From: Economic Workforce Development Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion 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](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 1, 2020; 8AYES.*

**Legislative History**

11/19/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*A title changes was accepted.*

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](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 1, 2020; 8AYES.*

**Legislative History**

11/19/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*A title changes was accepted.*

- 3.6** Subject: Henry J. Kaiser Convention Center - LDDA Second Amendment  
From: Economic & Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) 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; And

[20-0794](#)

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

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

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 1, 2020; 8AYES.*

**Legislative History**

11/5/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*A title change was read into record. This item will be heard on Non Consent.*

11/19/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 3.7** 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](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 1, 2020; 8AYES.*

**Legislative History**

11/19/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*A title changes was accepted.*



- 3.8** 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 The Following Pieces Of Legislation:

1) 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; And  
[20-0824](#)

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

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

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 1, 2020; 8AYES.*

**Legislative History**

11/19/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*A title change was accepted. Council Pro Tem Kalb, Mayor Schaaf and Bas request to be added as cosponsors, on Non Consent*

- 3.9** Subject: Limit The Placement Of Advertising Signs Within The City  
From: Councilmember Gallo  
Recommendation: Adopt An Ordinance Amending Title 17 (Planning Code) And Title 14 (Sign Code) Of The Oakland Municipal Code To Limit The Placement Of Advertising Signs Within The City And To Allow The City Council To Enter Into Development Agreements.  
**20-0808**

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

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

**Legislative History**

11/10/20	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 3.10** Subject: Declaring A Mental Health Emergency  
From: Councilmember Gallo  
Recommendation: Adopt An Ordinance Declaring A Mental Health Emergency Resulting From Trauma In Oakland’s Communities And Amending Oakland Municipal Code Title 8 By Adding Chapter 8.62, To Empower Oakland Residents To Restore Their Direct Relationship To Nature For Mental Health Purposes Through The Creation Of A Pilot Program For Oakland Residents To Participate In Community-Based Practices In Compliance With Safe Practice Guidelines And Principles For Entheogenic Plant And Fungi Use, And Enabling Qualified Facilitators And Participants To Receive Legal Protections From The City  
**20-0809**

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

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

Legislative History

11/10/20	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 3.11** Subject: Provision Of Individual Housing Units and Alternative Shelter  
From: Office Of The City Administrator’s  
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**

Legislative History

10/22/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*To be heard on Non-Consent, November 10, 2020*

11/19/20	*Rules & Legislation Committee	Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 3.12** Subject: Unmanned Aerial Systems (UAS) Privacy Policy  
From: Oakland Police Department  
Recommendations: Adopt A Resolution Approving The Oakland Police Department (OPD) DGO I-25 Unmanned Aerial System (UAS) Use Policy And Surveillance Impact Report; On The December 1, 2020 City Council Agenda  
**20-0828**

Legislative History

11/19/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Consent*

- 3.13** 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; On The December 15, 2020 City Council Agenda  
**20-0847**

Legislative History

11/19/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 3.14** 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 ENMJ1706; On The December 1, 2020 City Council Agenda On Consent  
[20-0817](#)

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

Legislative History

11/19/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

12/1/20 \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Withdrawn and Rescheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

- 3.15** 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**

- 3.16** Subject: Working Group Of Unhoused Residents  
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 For The December 15, 2020 Council Meeting  
**20-0903**

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

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 Betho](#)

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

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

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

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

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

[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](#)

[View Supplemental Response - 7/27/2020 Proposed DT License Agreement 7-2](#)

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

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

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

[Master](#)

[Master](#)

**Legislative History**

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| 6/30/20 | * 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 |
|         | <i>President Pro Tem Kalb made a scheduling motion, to hear the following item on July 14, 2020;</i>   |  |
|         | <i>- "Resolution In Support Of California State Senate Bill 776 (Skinner) To Expand And Strengthen Police Transparency By Expanding Public Access To Police Records Regarding Use Of Force, Wrongful Arrests Or Wrongful Searches And Records That Show An Officer Has Engaged In Biased Or Discriminatory Behavior"</i>   |  |
|         | <i>- "Adoption Of 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 Sections 1002 And 1245.310 Et Seq., By The Piedmont Walk Homeowners Association Of 70 Yosemite Avenue, Oakland, To Complete Necessary Repair Work"</i> |  |
| 7/21/20 | * 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>Upon the reading of Item 3.1 by the City Clerk, President Pro Tem Kalb made a motion, seconded by Councilmember Gallo to open the Public Hearing at 4:42 p.m.</i>   |  |
|         | <i>6 individuals spoke on this item.</i>   |  |
|         | <i>President Pro Tem Kalb made a motion, seconded by Councilmember McElhaney, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan</i>   |  |
| 7/28/20 | Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council  | Continued to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council   |
|         | <i>Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 2:16 p.m.</i>  |  |
|         | <i>14 individuals spoke on this item.</i>  |  |
|         | <i>President Pro Tem Kalb made a motion, seconded by Councilmember McElhaney, to Continue the resolution on Item 3.1 to the November 10, 2020 City Council 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</i>                                       |  |

11/10/20 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Withdrawn and Rescheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*President Pro Tem Kalb made a motion, seconded by Vice Mayor Reid, to withdraw and reschedule Public Hearing Item 3.1 to the December 15, 2020 City Council 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*

**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**

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

- 6** 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 Explore And Report Back To Council By March 2021 Regarding (1) The Port Of Oakland's (Port) Interest In And The Feasibility Of The Port Partnering With The City To Establish And Operate An Owner-Controlled Insurance Program Regarding Construction And Professional Services Projects; (2) A Plan For How The City Of Oakland Can Combine The On-Call Contracts Procurement Process And The Local Small Local Business Enterprise Program So That Public Works Contracts Comply With SLBE Requirements, And (3) A Proposed Plan For Enhancing Requirements For The Preferred Small Local Business Program To Include All Professional Services And Not Just Professional Pre-Construction Services, And Implementing These Proposed Plans

[20-0754](#)

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

[View Legislation](#)

**Legislative History**

10/22/20 \*Rules & Legislation Committee Withdrawn with No New Date  
*This item is to be brought back to Rules Committee by the requester for scheduling*

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11/5/20	*Rules & Legislation Committee <i>This item schedules a Special Community And Economic Development Committee at 1:30 P.M.</i>	Scheduled to the *Special Community & Economic Development Committee  <i>A title change was read into record and Councilmember McElhaney requested to be added as a coauthor.</i>
11/17/20	*Special Community & Economic Development Committee  <i>There were 6 speakers on this item</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>Committee requested this item be placed on the December 15, 2020 City Council Agenda On Non-Consent</i>
11/19/20	*Rules & Legislation Committee <i>The committee Deferred this item to be scheduled at the December 3, 2020 Rules And Legislation Committee.</i>	Rescheduled to the *Rules & Legislation Committee

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](#)

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

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

**Legislative History**

10/22/20      \*Rules & Legislation      Withdrawn with No New Date  
Committee  
*This item is to be brought back to Rules Committee by the requester for  
scheduling*

11/5/20	*Rules & Legislation Committee <i>This item schedules a Special Community And Economic Development Committee at 1:30 P.M.</i>	Scheduled to the *Special Community & Economic Development Committee  <i>A title change was read into record and Councilmember McElhane requested to be added as a coauthor.</i>
11/17/20	*Special Community & Economic Development Committee  <i>Committee requested this item be placed on the December 15, 2020 City Council Agenda On Non-Consent</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/19/20	*Rules & Legislation Committee <i>The committee Deferred this item to be scheduled at the December 3, 2020 Rules And Legislation Committee.</i>	Rescheduled to the *Rules & Legislation Committee

- 7 Subject: Informational Report On 2020 Disparity Study  
From: Council President Kaplan  
Recommendation: Receive An Informational Report On The 2020 City Of Oakland  
Disparity Study; On The October 20, 2020 City Council Agenda On Non Consent  
[20-0657](#)

Legislative History

9/24/20	*Rules & Legislation Committee <i>The Committee placed this item on the Rules Pending list "No Date Specific".</i>	Withdrawn with No New Date
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**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**

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

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

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**Telecommunications Relay Service: 711**

**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.**