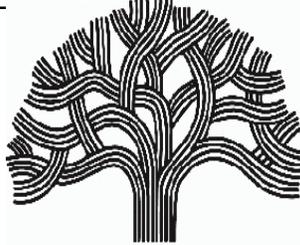


City of Oakland

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



CITY OF OAKLAND

Meeting Agenda - FINAL

Tuesday, May 5, 2020

5:30 PM

Please See The Agenda To Participate In The Meeting

Teleconference

*** 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/85147529969>
at the noticed meeting time. Instructions on how to join a meeting by video conference is available at: <https://support.zoom.us/hc/en-us/articles/201362193> - Joining-a-Meeting
- 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 +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 - Webinar ID: 851 4752 9969
If asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

COMMENT:

DUE TO THE SUSPENSION OF THE SUNSHINE ORDINANCE AND COUNCIL'S RULES OF PROCEDURES 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 make public comment within the time allotted for public comment on an eligible Agenda item.

- 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 under "eComment" for the corresponding meeting. Please note that eComment submissions 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 then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be 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 request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

If you have any questions, please email Asha Reed, Assistant City Clerk at AReed@oaklandca.gov.

- Office of the City Clerk

ROLL CALL / CITY COUNCIL

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 MEETING OF MARCH 3, MARCH 27, APRIL 7, And April 21, 2020

[20-0330](#)

Attachments: [View Draft Report - March 3, 2020](#)

[View Draft Report - March 27, 2020](#)

[View Draft Report - April 7, 2020](#)

[View Draft Report - April 21, 2020](#)

3 Subject: Appointment Of City Administrator From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming Mayor Schaaf's Appointment Of Edward Reiskin As City Administrator And Authorizing The Mayor, On Behalf Of The City, To Execute An Employment Agreement With Mr. Reiskin For The Period Commencing On May 5, 2020 And Ending At Midnight On January 30, 2023 And For An Annual Salary Of Three Hundred Twenty-Five Thousand, One Hundred Seventy-Eight Dollars And Twenty-Eight Cents (\$325,178.28)

[20-0323](#)

Attachments: [View Reiskin Appointment Memo](#)

[View Recommendation Letter From Henry Gardner](#)

[View Recommendation Letter From Robert Bobb](#)

[View Legislation](#)

[View Exhibit A - Ed Reiskin Resume](#)

[View Exhibit B - Employment Agreement](#)

- 4 Subject: Flavored Tobacco Loophole Municipal Code Amendments
From: Vice Mayor Reid, Pro Tem Kalb, Councilmembers Taylor And Thao
Recommendation: Adopt An Ordinance Changing Local Rules For The Sale Of Tobacco Products By: (A) Amending Oakland Municipal Code Chapter 5.91 To: (1) Eliminate The "Tobacco Store" Exception To The City's General Prohibition On The Sale Of Flavored Tobacco Products; (2) Prohibit Pharmacies From Selling Tobacco Products; (3) Impose A Minimum Price And Package Size For Cigars And Cigarettes; (4) Require The On-Site Purchase Of Tobacco Products; (5) Change Definitions Of Terms; (6) Make Administrative Changes For The Licensure Of Tobacco Retailers; And (B) Repealing Oakland Municipal Code Chapter 8.34, Which Prohibits Tobacco Product Vending Machines In Areas Accessible To People Under Twenty One (21) Years Of Age
[20-0338](#)

Attachments: [View Staff Report](#)
[View Legislation](#)
[View Notice And Digest](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)

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

FINAL PASSAGE (Second Reading) TBD

- 5 Subject: Settle The Case Of Kelly Pawlik
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Kelly Pawlik, Individually & As Successor-In-Interest To Decedent Joshua Pawlik V. City Of Oakland, William Berger, Individually & In His Official Capacity As Police Officer For City Of Oakland; Brandon Hraiz, Individually & In His Official Capacity As Police Officer For City Of Oakland; Craig Tanaka, Individually & In His Official Capacity As Police Officer For City Of Oakland; Francisco Negrete, Individually & In His Official Capacity As Police Officer For City Of Oakland; And Does 1-50 Individually & In Their Official Capacities As Police Officers For The City Of Oakland, Inclusive; United States District Court Case No. 19-CV-00617-WHA, City Attorney File No. 32935, In The Amount Of One Million Four Hundred Thousand Dollars And No Cents (\$1,400,000.00) (Oakland Police Department - Excessive Force/ Wrongful Death
[20-0343](#)

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

- 6 Subject: Settlement Of Progressive Solutions, Inc. (PSI) V. Michael Stanley
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Progressive Solutions, Inc. (PSI) V. Michael Stanley, City Of Oakland, United States District Court Case No. 16-CV- 04805-SK, File No. X04105-A, By Accepting Plaintiff's Reorganization Plan That Would Dismiss Plaintiff's Appeal In The Ninth Circuit And Pay The City \$613,811.51 Over Five Years (Finance - Contract Dispute)

[20-0344](#)

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

- 7 Subject: Creation Of The Department Of Workplace & Employment Standards
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled "City Agencies, Departments And Offices" To Create The Department Of Workplace And Employment Standards Focusing On Workplace Protections And Employment Standards To Implement Measure Z (Hotel Minimum Wage And Working Conditions Ordinance (Oakland Municipal Code Chapters 5.93 And 2.44 And Sections 2.36.010(A) And 5.92.050).

[20-0259](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Memo - Bas](#)

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

FINAL PASSAGE (Second Reading) TBD

- 8 Subject: Salary Ordinance Amendment For Director Of Workplace & Employment Standards
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Director Of Workplace And Employment Standards

[20-0336](#)

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

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

FINAL PASSAGE (Second Reading) TBD

- 9 Subject: Emergency Paid Sick Leave For Oakland Employees
From: Councilmember Thao President Kaplan, Pro Tem Kalb And Taylor
Recommendation: Adopt An Emergency Ordinance (1) Adding Chapter 6.94 To The Oakland Municipal Code To Establish Emergency Paid Sick Leave For Oakland Employees During The Novel Corona Virus (COVID-19) Pandemic And (2) Amending Chapter 2.44 Of The Oakland Municipal Code To Include Enforcement Of Emergency Paid Sick Leave As Part Of The Duties Of The Department Of Workplace And Employment Standards

[20-0345](#)

Attachments: [View Emergency Paid Sick Leave Memo](#)
[View Emergency Paid Sick Leave Legislation](#)

(PURSUANT TO CITY CHARTER SECTION 213 (EMERGENCY ORDINANCE) THIS ITEM MAY BE INTRODUCED AND ADOPTED AT THE SAME MEETING, REQUIRING 6 VOTES, UPON PASSAGE ORDINANCE WILL BE DEEMED APPROVED)

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

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

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

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.**