

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 - SUPPLEMENTAL

Thursday, February 25, 2021

10:30 AM

Please See The Agenda To Participate In The Meeting

Tele - Conference

***Rules & Legislation Committee**

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/87529531780> 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 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Webinar ID: 875 2953 1780

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.

- Office of the City Clerk

COMMITTEE MEMBERSHIP:

**Council President Nikki Fortunato Bas, District 2; Councilmember Carroll Fife, District 3; Councilmember Dan Kalb, District 1; Chairperson: President Pro Tempore Sheng Thao, District 4*

Roll Call / Call To Order

1 PUBLIC COMMENT:

COMMENT ON ALL CONSENT ITEMS WILL BE TAKEN AT AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

2 THERE ARE NO DRAFT MINUTES FOR APPROVAL

[21-0095](#)

3 New Scheduling Items

3.1 Subject: Report On Incidents/Assaults Committed On Chinese Americans In Oakland
From: Member Of The Public: Gene Hazzard
Recommendation: Receive An Informational Report From OPD ASAP To Members Of The City Council [Non-Consent Calendar] Related To The Purported 55 Incidents/Assaults Committed On Chinese Americans In Oakland. Include(1) Nature Of The Incident (2) Crime Beat Area (3) Cultural Background Of The Offender. (4) Was The Offender Arrested (5) Nature Of Charges (6) Final Resolves Or Outcomes (7) And Finally Were Any Of These Offense Considered Hate Crimes

[21-0147](#)

3.2 Subject: Budget Advisory Commission Budget Poll
From: Finance Department
Recommendation: Receive An Informational Report Presenting The Results Of The Budget Priorities Poll Of Oakland Residents Conducted In Accordance With The Consolidated Fiscal Policy (Ordinance 13478 C.M.S.) As Part Of The Fiscal Year (FY) 2021-23 Budget Development; On The March 2, 2021 City Council Agenda On Non-Consent

[21-0148](#)

3.3 Subject: Fiscal Year (FY) 2021-22 Landscaping And Lighting District (LLAD) - Initiation Form: Finance Department
Recommendation: Adopt A Resolution Initiating The Fiscal Year (FY) 2021-22 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District (LLAD) And Authorizing The City Administrator To Order A Preliminary Engineer's Report: On The March 16, 2021 City Council Agenda On Consent

[21-0127](#)

3.4 Subject: Mandatory Delinquent Trash Fees 2021
From: Finance Department
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of October, November, December 2020 and Quarterly Periods Of January-March 2021 (Option 1); Or

[21-0128](#)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of October, November, December 2020 and Quarterly Periods Of January-March 2021 (Option 2); Or

[21-0129](#)

3) A Resolution Continuing The Hearing Of The Reports Of The City Administrator On Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code For The Monthly Periods Of October, November, December 2020 and Quarterly Periods Of January-March 2021 (Option 3); On The March 16, 2021 City Council Agenda As A Public Hearing

[21-0130](#)

3.5 Subject: Delinquent Real Property Transfer Taxes Assessment of Liens
From: Finance Department
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[21-0131](#)

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[21-0132](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; On The March 16, 2021 City Council Agenda As A Public Hearing

[21-0133](#)

3.6 Subject: PMAM False Alarm Management Contract

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1) Award A Contract To PMAM Corporation For The Administration Of The False Alarm Reduction Program For Two (2) Years, Plus Three (3) Discretionary One-Year Extensions, For One Hundred Ninety Six Thousand And Twenty Dollars (\$196,020) Per Year, For A Total Contract Amount Not To Exceed Nine Hundred Eighty Thousand One Hundred Dollars (\$980,100); And 2) Appropriate Said Funds From The False Alarm Fund (2411) Balance For The Administration Of The False Alarm Reduction Program; On The March 16, 2021 City Council Agenda

[21-0139](#)

3.7 Subject: OPD CALICO Abuse Victim Support Contract

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Waive The Advertising/Bidding And Request For Proposal/Qualifications Requirements, And 2) Award A Professional Services Agreement Contract To The Child Abuse Listening, Interviewing, And Coordination Center (CALICO), To Provide Forensic Interviews, Multidisciplinary Child Abuse Investigations, Family Support Services, Community Outreach And Training, To The Oakland Police Department (OPD) For Three Years, From July 1, 2019 Through June 30, 2022, For A Sum Of Ninety Thousand Dollars (\$90,000), Plus Two Discretionary One-Year Extensions At Thirty Thousand Dollars (\$30,000) Per Year, For A Total Contract Not To Exceed One Hundred Fifty Thousand Dollars (\$150,000); On The March 16, 2021 City Council Agenda On Consent

[21-0138](#)

- 3.8** Subject: MTC PTAP 22 Agreement
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1) Apply For And Accept An \$80,000.00 Pavement Management Technical Assistance Program (P-TAP) Grant Funds From The Metropolitan Transportation Commission; 2) Allocate \$20,000.00 In Matching Funds And An Additional \$891,120.00 For Additional Professional Services; And 3) Execute An Agreement With The Metropolitan Transportation Commission To Provide Additional Professional Services To Implement The Project In An Amount Not-To-Exceed \$911,120.00; And 4) Waiving the Request For Proposal/Qualifications Competitive Selection Requirement; On The March 16, 2021 City Council Agenda On Consent
[21-0134](#)
- 3.9** Subject: Major Encroachment Permit At 2327 San Pablo Avenue
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 2327 San Pablo, LLC, To Allow Three Existing Outward Swinging Doors And Portions Of The Existing Building Above Grade At 2327 San Pablo Avenue To Encroach Into The Public Right-Of-Way On San Pablo Avenue, Major Encroachment Permit Enmj20056; And Making California Environmental Act Findings; On The March 16, 2021 City Council Agenda On Consent
[21-0135](#)
- 3.10** Subject: Lease Of Medical Hill Garage At 426 29th Street
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator Or Designee To Negotiate And Execute A Lease Agreement With Euromotors Oakland Inc., A California Corporation DBA Mercedes-Benz Of Oakland For A Term Of Three Years With Two 3-Year Options At A Base Rent Of \$31,000 Per Month For The Leasing Of A City-Owned Parking Garage Located At 426 29th Street; And Adopting California Environmental Quality Act (CEQA) Findings: On The March 16, 2021 City Council Agenda On Consent
[21-0136](#)
- 3.11** Subject: George P. Scotlan Memorial Convention Center
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A First Amendment To An Amended And Restated Management Agreement With Integrative Services Corporation For The Management And Operation Of The George P. Scotlan Memorial Convention Center, Authorizing The Use Of Capital Reserves, In An Amount Not To Exceed \$160,000, For The Payment Of Operating Expenses During Fiscal Year 2020-21 And Increasing The Annual Set-Aside For Capital Reserves From 6 Percent To 8 Percent Of Operating Revenue For 4 Years; On The March 16, 2021 City Council Agenda On Non-Consent
[21-0141](#)

3.12 Subject: FY 2020-21 Cultural Funding Grants-Round Two
 From: Economic & Workforce Development Department
 Recommendation: Adopt A Resolution Awarding Cultural Services Grants To Thirty-Seven (37) Oakland-Based Nonprofit Organizations And Individual Artists For Fiscal Year 2020-2021 (Round Two), In A Total Amount Not To Exceed \$480,000: On The March 16, 2021 City Council Agenda On Consent
[21-0137](#)

3.13 Subject: Collaborative Creeks Agreement
 From: Oakland Public Works Department
 Recommendation: Adopt A Resolution To 1) Enter Into An Agreement With The Alameda County Flood Control And Water Conservation District (District) To Accept Funds In An Amount Not to Exceed One Million Six Hundred Eighty Thousand Dollars (\$1,680,000.00) to Implement The Collaborative Creek Improvement And Clean Creeks Programs (Programs) Over A Six Fiscal Year Term From February 23, 2021, Through June 30, 2026 (Term); 2) Appropriate Funds In An Amount Not To Exceed One Million Six Hundred Eighty Thousand Dollars (\$1,680,000.00) From the District To Implement The Programs For The Term of the Agreement; And 3) Adopt Appropriate California Environmental Quality Act (CEQA) Findings; On The March 16, 2021 City Council Agenda On Consent
[21-0140](#)

3.14 Subject: Lincoln Recreation Center Architectural Services Agreement Award
 From: Oakland Public Works Department
 Recommendation: Adopt A Resolution Awarding An Architectural And Engineering Design Contract To Shah Kawasaki Architects (SKA) For An Amount Not To Exceed One Million Five Hundred Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$1,528,849.00) For the Design Of The Lincoln Recreation Center Expansion/Renovation Project Up To Ninety-Five Percent (95%), With A City Option To Complete The Remaining Project Design, Including Construction Support Services Contingent Upon Staff's Future Identification Of Additional Funding And Council Approval; On The March 16, 2021 City Council Agenda On Non-Consent
[21-0054](#)

Legislative History

1/21/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the *Rules & Legislation Committee

The Committee approved to withdrawn from the February 16, 2021 City Council Agenda and defer to Rules and Legislation Committee for rescheduled to a future date

- 3.15** Subject: A Resolution Celebrating Wlad Wlassowsky For 39 Years Of Public Service
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Celebrating Wlad Wlassowsky For Over 39 Years Of Dedicated And Distinguished Public Sector Service And Congratulating Him On The Occasion Of His Retirement: On The March 16, 2021 City Council Agenda As A Ceremonial
[21-0146](#)
- 3.16** Subject: Support Of AB 1400 (Kalra, Lee, & Santiago) Guaranteed Healthcare For All
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1400 (Kalra, Lee, & Santiago), The Calcare Act, That Would State The Intent Of The Legislature To Enact Legislation That Would Establish A Comprehensive Universal Single-Payer Health Care Coverage Program And A Health Care Cost Control System For The Benefit Of All Residents Of The State; On The March 16, 2021 City Council Agenda On Consent
[21-0143](#)
- 3.17** Subject: To Allow Local Agencies To Enact Taxes On Sugar-Sweetened Beverages
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution Urging The California State Legislature And Governor Newsom To Overturn Assembly Bill 1838 To Allow Local Agencies To Tax Sugar-Sweetened Beverages To Improve Public Health; On The March 16, 2021 City Council Agenda On Consent
[21-0144](#)
- 3.18** Subject: Informational Report On Easing Process For Accessory Dwelling Units (ADUS)
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Report From The City Administrator, Or Their Designee, On The Status And Timeline Of Easing The Process For Adding Accessory Dwelling Units (ADUS), Including: Updating Our Municipal Code To Comply With State Law And Make Other Revisions; Providing Dedicated Staff And Extended Hours For Processing ADU Applications; The Number Of Applications And Number Of Approvals And Average Timeline Of Approval For Each Of The Past Two Years; Use Of Pre-Approved Templates For ADUS; Improved Public Informational Materials And Online Systems For ADU Applicants; On The March 16, 2021 City Council Agenda On Non-Consent
[21-0142](#)

3.19 Subject: Professional Services Contract For Consultant
 From: Vice Mayor Kaplan
 Recommendation: Adopt A Resolution Waiving The Request For Proposal/Qualifications Requirement And Awarding A Contract In An Amount Not To Exceed \$100,000 To Perform For The Council, At The Direction Of The Rules Committee Chair And The Finance And Management Committee Chair, Consulting Services For The Development Of A Ballot Measure To Be Placed Before Voters; On The March 16, 2021 City Council Agenda On Consent
[21-0145](#)

3.20 Subject: Updating Oakland’s Heavy Trucking Regulations
 From: Vice Mayor Kaplan
 Recommendation: Adopt An Ordinance Amending Ordinance 11568 And Chapter 10.53, Which Regulates, By Permit, Extra Large Vehicle/Truck Use Of City Streets To (1) Increase The Maximum Capacity For Two Axle Chassis To 95,000 Lbs. Within Areas Presently Designated And Approved By The Port And The City Of Oakland For Heavy Containers; (2) Increase The Maximum Capacity For Three Axle Chassis To 105 Lbs. Within Areas Presently Designated And Approved By The Port And The City Of Oakland For Heavy Containers; And (3) Codifying The Option For Two Super Single Size Tires Per Axle Where Four (4) Regular Tires Were Previously Required; From The March 23, 2021 City Council Agenda To The May 25, 2021 Public Works Committee Agenda
[20-0910](#)

Sponsors: McElhaney

Legislative History

1/7/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
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Vice Mayor Kaplan requested to be added as a Co-Sponsor

Recommendations From Committees:

3.21 Subject: Operating Procedures During The COVID Emergency
 From: Councilmember Kalb
 Recommendation: Receive An Informational Report From The Planning & Building Department Regarding The Department’s Operating Procedures With Respect To Permitting And Inspections During The COVID Emergency And How These Procedures Are Affecting Service To The Public
[21-0060](#)

Attachments: [View Report](#)

Legislative History

1/21/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
2/23/21	*Community & Economic Development Committee	Received and Filed

3.22 Subject: Impact Fees Annual Report
 From: Planning & Building Department
 Recommendation: Receive The Annual Report On The Affordable Housing,
 Transportation, Capital Improvements, And Jobs/Housing Impact Fees
[21-0039](#)

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

Legislative History

1/14/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
2/23/21	*Community & Economic Development Committee	Continued to the *Community & Economic Development Committee <i>The committee continued the item to be heard at the April 27, 2021 Community And Economic Development Committee and include a supplemental report on the following;</i>

-Include a response to the points outlined in the East Bay Housing Organization's letter to the council which are

- A. Name And Location Of Project*
- B. The impact fee zone and location*
- C. Number of housing units*
- D. Was there a project fee exemption and why?*
- E. Amount of fee assessed*
- F. Date building permit app was submitted*
- G. Date building permit issued*
- H. Completion Date Of project*
- I. For development projects subject to fee, # and affordability level of units in lieu of fee; and*

- When and how was the database query issue fixed?

3.23 Subject: Cannabis Regulatory Commission 2019-2020 Annual Reports
 From: Office Of The City Administrator
 Recommendation: Receive An Informational Report From The Cannabis Regulatory Commission For The Years 2019-2020
[21-0103](#)

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

Legislative History

2/23/21	*Community & Economic Development Committee	Continued to the *Community & Economic Development Committee <i>The Committee continued this informational report to April 27, 2021 to allow staff and commissioners to include any other supporting documents or recommendations to support the program in regards to the upcoming budget.</i>
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4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[21-0096](#)

- Attachments:**
- [View Previously Distributed March 2, 2021 City Council Agenda](#)
 - [View Previously Distributed March 4, 2021 Rules And Legislation Agenda](#)
 - [View Finance And Management Committee Pending List](#)
 - [View Public Works Committee Pending List](#)
 - [View Community And Economic Development Committee Pending List](#)
 - [View Life Enrichment Committee Pending List](#)
 - [View Public Safety Committee Pending List](#)
 - [View Rules And Legislation Committee Pending List](#)
 - [View Draft March 8, 2021 Finance And Management Committee Agenda](#)
 - [View Draft March 9, 2021 Public Safety Committee Agenda](#)
 - [View Draft March 11, 2021 Rules And Legislation Agenda](#)

5 Determinations Of Closed Session

6 Subject: California State Laws Which Become Effective in 2021
 From: Office Of The City Attorney
 Recommendation: Receive An Informational Report And Briefing From The City Attorney's Office On All New California State Laws Which Become Effective in 2021. Said Report Shall be Annually Presented At The First Rules Committee In February Of Each Year
[21-0064](#)

Attachments: [View Report](#)

Legislative History

1/21/21	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee <i>The Committee accepted that this item be scheduled to the February 18, 2021 Rules and Legislations Committee</i>
2/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the *Rules & Legislation Committee

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

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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 8:30AM TO 5:00PM

*** 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.**