



# City of Oakland

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

## Meeting Minutes - FINAL \*Rules & Legislation Committee

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Thursday, February 17, 2022

10:30 AM

Virtual Tele- Conference Via Zoom

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

The Oakland City Council Rules And Legislation Committee convened at 10:30 AM, with Council President Pro Tem Thao presiding as Chairperson.

### Roll Call / Call To Order

*Councilmember Kalb was not present at the time of Role Call. His presence was noted at 10:38 AM.*

**Present** 4 - Nikki Fortunato Bas, Carroll Fife, Dan Kalb, and Sheng Thao

### 1 PUBLIC COMMENT:

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

*9 speakers spoke during open forum.*

### 2 Approval Of The Draft Minutes From The Committee Meeting Of February 3, 2022 [22-0030](#)

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

A motion was made by Dan Kalb, seconded by Carroll Fife, that this matter be Accepted. The motion carried by the following vote:

**Aye:** 4 - Fortunato Bas, Fife, Kalb, and Thao

**NO VOTE:** 0

### 3 New Scheduling Items

A motion was made by Carroll Fife, seconded by Dan Kalb, that this matter be Approve with the following amendments. The motion carried by the following vote:

**Aye:** 4 - Fortunato Bas, Fife, Kalb, and Thao

**NO VOTE:** 0

- 3.1** Subject: Restore The Rights For Just Cause For Eviction For Owner Relative Move-In  
From: Member Of The Public: Ms. Rush  
Recommendation: Restore The Rights For Just Cause For Eviction For Owner Relative Move-In. The Blanket Eviction Moratorium Is Allowing Tenants, Not Impacted By COVID, To Capitalize By Attempting To Extort Money. The Uniform Relocation Ordinance Has Set Relocation Payments, Which They Would Normally Receive. Narrow The Eligibility Of Those Protected By The Moratorium For those Who Really Need Protection; As Soon As Possible As A Public Hearing  
[22-0112](#)

*This item was not scheduled. The committee directed the authors of the Eviction Moratorium work together to address this request.*

**This Report and Recommendation be Withdrawn with No New Date.**

- 3.2** Subject: Disparity Study Contract  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Professional Services Contract To Mason Tillman Associates To Conduct A Disparity Study For An Amount Not To Exceed Six Hundred Thousand Dollars (\$600,000) To Study The City's Professional Services, Procurement And Construction Contracting Activities For The Period Of July 1, 2016 Through June 30, 2021, And Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process And Local And Small Local Business Enterprise (L/SLBE) Program Requirements  
[22-0124](#)

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

[View Legislation](#)

[View Bas, Taylor, Thao And Parker Legislation 2/18/2022](#)

[89058 CMS](#)

***A Title was read into record.***

***On Non Consent.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

**3.3** Subject: MacArthur Turn-About  
From: Transportation Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Execute An Acquisition And Maintenance Agreement With The City Of San Leandro For The MacArthur Roundabout Project, 2) Approving The Construction Plans For The Project, And 3) Waiving The Project Construction Permit Fees  
[22-0110](#)

**Attachments:** [View Report And Attachments](#)  
[View Legislation And Exhibit A](#)  
[89053 CMS](#)

**On Consent.**

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

**3.4** Subject: Supporting Assembly Bill 256  
From: President Pro Tempore Thao And President Fortunato Bas  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 256 (Kalra, Kamlager, Rivas, & Santiago), Which Would Extend Rights Provided Under The California Racial Justice Act Of 2020, Which, Among Other Things, Provides Grounds To Have Convictions Or Sentences Reviewed For Evidence Of State Prosecution Based On Race, Ethnicity Or National Origin That Were Entered On Or After January 1, 2021, To Individuals Whose Convictions Or Sentences Were Entered Prior To January 1, 2021  
[22-0114](#)

**Attachments:** [View Legislation](#)  
[89054 CMS](#)

**Council President Bas requests to be added as a Cosponsor.**

**On Consent.**

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

- 3.5** Subject: Honoring Coach Michael Peters  
From: Councilmember Fife  
Recommendation: Adopt A Resolution In Honor Of Michael Peters For His Contributions As A Recurring Championship Coach For The McClymonds Football Team; And Declaring March 1st As Coach Michael Peters Day In The City Of Oakland  
[22-0120](#)

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

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

- 3.6** Subject: Honoring The McClymonds High School Football Team  
From: Councilmember Fife  
Recommendation: Adopt A Resolution Recognizing And Honoring The McClymonds High School Warriors Football Team For Winning The 2021 California Interscholastic Federation (CIF) State Division 3-A Championship  
[22-0121](#)

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

***A Title change was read into record.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

**3.7** Subject: CDCR Contract For Golden State Works And Grant Agreement With CEO  
From: Department Of Violence Prevention  
Recommendation: Adopt A Resolution Authorizing The City Administrator To:

1) Enter Into A Three-Year Agreement With California Department Of Corrections And Rehabilitation (CDCR) And Accept And Appropriate Approximately Three Million Nine Hundred Fifty-Six Thousand Five Hundred Twenty-Two Dollars (\$3,956,522) Annually To Implement Golden State Works Transitional Employment And Job Placement Services For Oakland Residents On Parole; And

2) Renew The Agreement With CDCR And Accept And Appropriate Up To Four Million Five Hundred Thousand Dollars (\$4,500,000) For A Fourth Year Of Funding If Available; And

3) Enter Into A Three-Year Grant Agreement With Center For Employment Opportunities (CEO), In An Annual Amount Not To Exceed Three Million Seven Hundred Eighty-One Thousand Five Hundred Seventy-Two Dollars (\$3,781,572) To Provide Job Placement Services, For A Total Amount Not To Exceed Eleven Million Three Hundred Forty-Four Thousand Seven Hundred Sixteen Dollars (\$11,344,716); And

4) Amend The Grant Agreement With CEO To Add A Fourth Year For An Amount Not To Exceed Four Million Three Hundred Thousand Dollars (\$4,300,000) If CDCR Awards Additional Funding For A Total Grant Amount Not To Exceed Fifteen Million Six Hundred Forty-Four Thousand Seven Hundred Sixteen Dollars (\$15,644,716); And

5) Accept And Appropriate Any Additional Funds That Become Available From CDCR Within The Agreement Terms Of July 1, 2022 Through June 30, 2025, For The Same Purposes, And Amend The Grant Agreement With CEO To Increase The Grant Amount [22-0118](#)

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

***This item was scheduled to the March 15, 2022 City Council agenda on Non Consent.***

**This City Resolution be Scheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

- 3.8** Subject: Acceptance Of The National Endowment For The Arts Grant  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution To: Accept And Appropriate Grant Funds From The National Endowment For The Arts In The Total Amount Of Five Hundred Thousand Dollars To Support “The Cultural Economies Of Belonging: Jobs, Network And Catalysts” Grant Opportunity For Oakland Cultural Organizations; And Authorize The City Administrator To Enter Into An Agreement With The National Endowment For The Arts To Receive Said Funds

[22-0109](#)

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

***On Consent.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

- 3.9** Subject: Travel Authorization For Councilmember Gallo To National League Of Cities’  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Authorizing The Travel And Reimbursement Of Councilmember Noel Gallo’s Travel To Washington DC For Attendance At The National League Of Cities’ Congressional City Conference From March 11, 2022 Through March 19, 2022 In The Amount Of \$4,538.00 In Travel Costs From The Council Contingency Fund For Travel

[22-0113](#)

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

***On Consent.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

**3.10** Subject: Sanitary Sewer Sub-Basin 82-005 Rehabilitation Project 1004845 Phase 1  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Waiving Further Advertising And Competitive Bidding, Authorizing The City Administrator To Award A Construction Contract For An Amount Not To Exceed Four Million Two Hundred Seventy-Two Thousand Five Hundred And Nine Dollars (\$4,272,509.00) In The Open Market For Sanitary Sewer Sub- Basin 82-005 Rehabilitation (Project No. 1004845, Phase 1) In Accordance With Plans And Specifications And With All Of The City’s Contracting Programs Such As Local And Small Local Enterprise Requirements; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings  
[22-0115](#)

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

**On Consent.**

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

**3.11** Subject: Oakland’s Race And Gender Disparity Study  
From: Vice Mayor Kaplan, Council President Bas, Pro Temp Thao, Councilmember Fife  
Recommendation: Adopt A Resolution To Advance Equity And Better Understand Disparities Between The Availability And Utilization Of Black, Indigenous, And People Of Color (BIPOC), And Women Owned Businesses In The City Of Oakland By Adopting The Updated 2019 Race And Gender Disparity Study Conducted By Mason Tillman Associates LTD  
[22-0122](#)

**On Consent.**

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

- 3.12** Subject: Youth Ventures Joint Powers Authority Appointment  
From: Council President Bas  
Recommendation: Adopt A Resolution Appointing City Administrator Ed Reiskin To The Board Of Trustees Of The Youth Ventures Joint Powers Authority To Replace And Complete The Term Of Chief Of Police LeRonne Armstrong  
[22-0123](#)

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

***On Consent.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

- 3.13** Subject: Report On Expenditure Of Measure W And Measure Q Funds  
From: Councilmember Fife And Vice Mayor Kaplan  
Recommendation: Receive An Information Report From The City Administrator Detailing How The Vacant Property Tax Act (Measure W) And Oakland Parks And Recreation Preservation, Litter Reduction, And Homeless Support Act (Parks Measure Q) Revenues Have Been Spent Since The City Began Collecting Revenues On Both Measures, Including A Breakdown Of All Programs, Projects, And Services Funded By Revenues From These Measures; And Information Regarding The Most Current Fund Balance In Fund 2270 And Fund 2244 And How Much Of The Available Monies Can Be Directed Towards Efforts To Assist Our Homeless Populations; On The April 11, 2022 Finance And Management Committee Agenda  
[22-0116](#)

**This City Resolution be Scheduled.to go before the \*Finance & Management Committee to be heard 4/11/2022**

- 3.14** Subject: OPD's Use Of Critical Incident Videos LLC Informational Report  
From: Councilmember Dan Kalb  
Recommendation: Receive An Informational Report From The Oakland Police Department (OPD) Describing OPD's Use Of The Company Critical Incident Videos LLC (CIV), Including, But Not Limited To, Cost Per Video, OPD's Involvement In The Editing Process, The Role Of City Leadership Or OPD Oversight Bodies In Editing Or Review, How OPD Decides When To Release The CIV Vidoes, And The Timing Of OPD's Release Of Raw Video Footage; On The May 10, 2022 Public Safety Committee Agenda  
[22-0117](#)

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 5/10/2022**



- 3.15** Subject: Study Session On The General Plan Update  
From: Planning And Building Department  
Recommendation: Receive An Informational Report On The General Plan Update; On The May 24, 2022 Community And Economic Development Committee Agenda [22-0119](#)

This Informational Report be Scheduled.to go before the \*Special Community & Economic Development Committee to be heard 5/24/2022

- 4** Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
[22-0111](#)

- Attachments:** [February 22 2022 Special Public Works Committee Agenda](#)  
[February 22 2022 Special Community And Economic Development Committee Agenda](#)  
[February 24 2022 Rules And Legislation Committee Agenda](#)  
[Finance And Management Pending List](#)  
[Public Works Pending List](#)  
[Community And Economic Development Pending List](#)  
[Life Enrichment Pending List](#)  
[Education Partnership Committee Pending List](#)  
[Public Safety Pending List](#)  
[Rules and Legislation Pending List](#)  
[Draft March 1, 2022 City Council Agenda](#)  
[Draft March 3, 2022 Rules And Legislation Committee Agenda](#)

**CHANGES MADE TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE PENDING LIST**

Item #3 under "Annual Report" regarding "Information Report Progress Implementing Oakland's Economic Development Strategy 2018-2020" was removed from the pending list.

Subject: Lead Hazard Prevention And Control To Eliminate Lead Hazards And Prevent Lead Poisoning

From: Vice Mayor Annie Campbell Washington

Recommendation: Adopt An City Of Oakland Lead Hazard Prevention And Control Ordinance To Eliminate Lead Hazards And Prevent Lead Poisoning Through Lead-Safe Housing, Ensuring Lead-Safe Work Practices, And Mandate Lead Testing In Children Between The Ages Of 9 And 12 Months And 24 To 36 Months Of Age By Requiring: (1) Renovators To Use Lead- Safe Work Practices When Disturbing Lead Paint With Specific Lead Concentrations; (2) Visual Verification By Inspectors Depending On The Lead Concentrations And The Quantities Of Paint Being Disturbed, Lead Dust Clearances May Also Be Required; (3) Property Owners To Correct Lead Hazards In Pre-1979 Buildings After A Notice Of Lead Hazard; (4) Home Improvement/Water Pressure Equipment Rental Stores To Make Available Lead Education Material To Customers; (5) Childcare Facilities And Elementary Schools To Obtain Proof Of Blood Lead Testing At Enrollment In Pre-School And Kindergarten

[16-0618](#)

*The Rules And Legislation Committee removed this item from the pending list.*

**This City Resolution be Withdrawn with No New Date.**

### **CHANGES MADE TO THE DRAFT MARCH 1, 2022 CITY COUNCIL AGENDA**

Subject: 2022 As-Needed Pavement Rehabilitation Services

From: Transportation Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Waiving Further Advertising, Competitive Bidding, And Authorizing The City Administrator To Negotiate And Award Construction Contracts To 1) Gallagher & Burk 2) Mcguire & Hester And 3) O.C. Jones & Sons Provided That All Meet The Contractor's Bid Schedule Of The Lowest Responsible Bid Of Gallagher & Burk, For As-Needed Pavement Rehabilitation Services (Project Number 1006103) In Accordance With The Project Plans And Specifications And The Lowest Responsible Bidder In Accordance With Contractor's Bid In An Amount Not To Exceed Thirteen Million, Six Hundred Fifty-Seven Thousand, Five Hundred Dollars (\$13,657,500.00) Each, Without Return To Council, And 4) Adopting Appropriate California Environmental Quality Act (CEQA) Findings;

[22-0091](#)

**This City Resolution be \* Withdrawn and Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

2) A Resolution Awarding A Construction Contract For As-Needed Pavement Rehabilitation Services (Project 1006104) To Gallagher & Burk, The Lowest Responsible Bidder, In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Thirteen Million, Six Hundred Fifty-Seven Thousand, Five Hundred Dollars (\$13,657,500.00), Without Return To Council, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings, And [22-0092](#)

**This City Resolution be \* Withdrawn and Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

3) A Resolution And Awarding A Construction Contract For As-Needed Pavement Rehabilitation Services (Project 1006105) To Gallagher & Burk, The Lowest Responsible Bidder, In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Five Million, Seventy-Two Thousand, Five Hundred And Thirty Dollars (\$5,072,530.00), Without Return To Council, And Adopting Appropriate California Environmental Quality Act (CEQA ) Findings [22-0093](#)

**This City Resolution be \* Withdrawn and Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

## 5 Determinations Of Closed Session

*The City Attorney announced there will be a Closed Session on Thursday February 24, 2022 at 9:30 AM*

**President Pro Tem Thao made a motion, Seconded by Councilmember Kalb to cancel the February 24, 2022 Rules And Legislation Committee. The motion passed with 4 Ayes.**

### Open Forum

*8 speakers spoke during Open Forum.*

### Adjournment

*There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 11:49 a.m.*

## **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**

**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.**