

# 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, October 1, 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/83800103172> 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: 838 0010 3172  
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 September 17, 2020

[20-0639](#)

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

- 3 New Scheduling Items

[20-0638](#)

- 3.1 Subject: Oakland Army Base Penalties Spending Authority  
From: Workplace & Employment Standards  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13131 CMS Authorizing The City Administrator, Or Designee To Accept And Appropriate liquidated Damages And Penalty Revenue Collected By The City From Contractors' Failure To Comply With The Terms Of The City's Jobs Policy Regarding Hiring And Employment In The Construction Of Portions Of The Oakland Army Base; On The October 20, 2020 City Council Agenda On Non-Consent  
**20-0703**
- 3.2 Subject: On-Call Horizontal Concrete Shaving Professional Service Agreement  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Professional Services Agreement 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; On The October 20, 2020 City Council Agenda On Consent  
**20-0702**

- 3.3** 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: On The October 20, 2020 City Council Agenda On Consent  
**20-0701**
- 3.4** Subject: 2020 Tobacco Law Enforcement Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution: 1) 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 2) Authorizing The General-Purpose Services Fund To Contribute Twenty-Seven Thousand Nine Hundred Dollars (\$27,900), To Cover The Associated Central Services Overhead Costs; On The October 20, 2020 City Council Agenda On Consent  
**20-0697**
- 3.5** Subject: 2020 Mills Act Contract 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; On The October 20, 2020 City Council Agenda On Consent  
**20-0696**

- 3.6** 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; On The October 20, 2020 City Council Agenda On Consent  
**20-0695**
- 3.7** 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**
- 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 Five Years Without Returning To Council; On The October 20, 2020 City Council Agenda On Consent  
**20-0694**
- 3.8** Subject: Terminate OPD Participation In JTTF  
From: Council President Kaplan  
Recommendation: Adopt A Resolution That Would Terminate The Oakland Police Department's Participation In The Joint Terror Task Force; On The October 20, 2020 City Council Agenda On Non-Consent  
**20-0691**
- 3.9** Subject: California Waste Solutions Exclusive Negotiating Agreement  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Extend The Exclusive Negotiating Agreement (ENA) With California Waste Solutions (CWS) For A Period Of Three Months With One Administrative Option For An Additional Three-Month Extension To Allow CWS To Complete The ENA Benchmarks And For 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; On The October 20, 2020 City Council Agenda On Non-Consent  
**20-0668**

**3.10** Subject: 3455 And 3461 Champion Street DDA Amendment  
From: Economic And Workforce Development Department  
Recommendation: TITLE CHANGE

Conduct A Public Hearing And Upon Conclusion 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, 2) Modify The Restaurant Closing Time From 11:00 P.M. To 10:00 P.M., 3) Delete Provision Requiring Submittal To The City Of Proposed Change Of Hours Of Operation With Supporting Documentation, And 4) To Make The Determination That Project Is Exempt From The California Environmental Quality Act (CEQA)  
[OLD TITLE]

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); On The October 20, 2020 City Council Agenda On Non-Consent  
[NEW TITLE]

[20-0547](#)

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

**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
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**3.11** Subject: Electric Bike Share Program  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Informational Report On A Proposed Amendment To The City's Franchise Agreement With Bay Area Motivate L.L.C. Regarding Electric-Assist Bike Share; And  
**20-0698**

2) An Ordinance Amending Oakland Municipal Code Title 10 And Title 12.08 To Rename The Dockless Scooter Share Program And Include Dockless Electric Bicycles And Tricycles As Eligible Vehicles For Permits Under That Program; And  
**20-0699**

3) An Ordinance Amending Ordinance No. 13355 C.M.S., Granting An Exclusive Franchise To Bay Area Motivate, L.L.C. To Operate A Bike Share Program; On The November 10, 2020 Special City Council On Non Consent

**20-0700**

**3.12** Subject: Report On Independent Investigation On Bey Cases  
From: Council President Kaplan

Recommendation: Receive An Informational Report On The Independent Investigation Into The Bey Cases, And Discuss Recommendations For Action To Bring About Reconciliation And Restoration; On The January 12, 2021 City Council Agenda On Non-Consent

**20-0692**

**3.13** Subject: Modify The Oakland Parks And Recreation Advisory Commission  
From: Oakland Public Works Department

Recommendation: Adopt An Ordinance Amending And Restating Ordinance Nos. 11731 C.M.S. And 8065 C.M.S. To Update The Duties Of The Oakland 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; On The October 20, 2020 City Council Agenda On Non-Consent

**20-0532**

**3.14** Subject: SAVE Workforce Development Timeframe Extension  
From: Human Services Department

Recommendation: 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; On The October 20, 2020 City Council Agenda On Consent

**20-0621**

**3.15** 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); On The October 20, 2020 City Council On Consent

**20-0704**

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

[20-0653](#)

- Attachments:**
- [View Previously Distributed 10 Day Agendas](#)
  - [View Rules Pending List](#)
  - [View Finance & Management Pending Committee List](#)
  - [View Public Works Committee Pending List](#)
  - [View Community & Economic Development Committee Pending List](#)
  - [View Life Enrichment Committee Pending List](#)
  - [View Public Safety Committee Pending List](#)
  - [View Draft Agendas](#)

5 Determinations Of Closed Session

[20-0654](#)

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

6 Subject: Support For Proposition 17  
 From: Councilmember McElhaney  
 Recommendation: Adopt A Resolution In Support Of Proposition 17 A Ballot Initiative To Enfranchise Formerly Incarcerated Citizens On Parole

[20-0648](#)

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

**Legislative History**

9/17/20	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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7 Subject: Opposition To Proposition 20  
 From: Councilmember McElhaney  
 Recommendation: Adopt A Resolution In Opposition Of Proposition 20 A Ballot Initiative To Return The State Of California To Failed And Racist Tough-On-Crime Policies

[20-0649](#)

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

**Legislative History**

9/17/20	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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**Open Forum (Total Time Available: 15 Minutes)**



## Adjournment

### 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.