

City of Oakland

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



Meeting Agenda - SUPPLEMENTAL

Thursday, October 29, 2020

10:45 AM

This meeting has been cancelled due to a lack of quorum. The next regularly schedule meeting is Thursday, November 5, 2020.

City Council Chamber, 3rd Floor

***Rules and Legislation Committee - CANCELLED**

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 October 15, 2020

[20-0733](#)

Attachments: [View Report](#)

3 New Scheduling Items

- 3.1 Subject: Grant Agreement- Friends Of The Public Bank East Bay
 From: Finance Department
 Recommendation: Adopt A Resolution Awarding A Grant In An Amount Not To Exceed
 Thirty Thousand Dollars (\$30,000) To The Friends Of The Public Bank East Bay To Aid In
 The Development Of A Public Bank In Accordance With Assembly Bill No. 857, Which Will
 Be Able To Handle The Depository And Investment Needs Of The City Of Oakland And All
 Alameda County Cities; On The November 10, 2020 Special City Council Agenda On
 Consent
 20-0767

- 3.2** Subject: Grants For Cannabis Equity Program And Fee Extensions
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Amending Resolution No. 88162 C.M.S. To: (1) Authorize The City Administrator Or His Or Her Designee To Convert The Use Of Up To \$2,010,239 Of Previously Awarded State Of California, Office Of The Governor "Go-Biz" Equity Act Grant Funds, From Revolving Loans To Local Equity Licensees And Applicants, To Loans To Fund The Purchase Of Real Property(IES) For Use By Multiple Equity Licensees And Applicants, Which May Be Forgiven Upon A Licensee's And Or Applicant's Successful Compliance With Program Loan Terms; (2) Authorize The Use And Allocation Of Up To \$500,000 Of "Go-Biz" Funds Previously Appropriated For The Revolving No-Interest Loan Program For Loans For The Purchase Of Real Property(IES) For Use By Multiple Equity Licensees And Applicants; And (3) Authorize The Use And Allocation Of Up To \$50,000 Of "Go-Biz" Funds Previously Appropriated For The Revolving No-Interest Loan Program For Equity Licensees' And Applicants' Utilization Of Shared-Use Manufacturing Facilities; And Make Appropriate California Environmental Quaility Act (CEQA) Findings; And
20-0768
- 2) An Ordinance Changing Permitting Requirements For Cannabis Businesses By: 1) Amending Oakland Municipal Code Sections 5.80.050 And 5.81.060 To Allow A Cannabis Business Permit Applicant Who Previously Met The Income And Oakland Residency Criteria To Qualify As An "Equity Applicant" To Receive Equity Assistance Program Services Up To Four Years From The Date Such Applicant Was Verified As An Equity Applicant, Regardless Of The Applicant's Current Income Or Residency; 2) Extending The Due Date For Cannabis Business Permits And Permit Fees For Certain Burglarized Businesses; 3) Adopting CEQA Exemption Findings; On The November 10, 2020 Special City Council Agenda On Consent
20-0769
- 3.3** Subject: Construction Contract For Highway Safety Improvement Program (HSIP) Cycle 7
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Area Lightworks Inc., For Highway Safety Improvement Program (HSIP) Cycle 7, Market Street And San Pablo Avenue Improvement Project, Project No. 1003204, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Two Million Three Hundred Eight Thousand Five Hundred Seventy-One Dollars (\$2,308,571); On The November 10, 2020 Special City Council Agenda On Consent
20-0770

- 3.4** Subject: Contract Authority For Utility Cost-Share Paving
From: Transportation Department
Recommendation: Adopt A Resolution Waiving Advertising, Competitive Bidding, And City Contracting Program Requirements And Authorizing The City Administrator To Negotiate And Award Construction Contracts To East Bay Municipal Utility District Contractors For All Current And Future Utility Cost-Share Paving Without Return To Council; On The November 10, 2020 Special City Council Agenda On Consent
20-0771
- 3.5** Subject: Public Ethics Commission 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; On The November 12, 2020 Rules And Legislation Committee Agenda And The December 1, 2020 City Council Agenda On Consent
20-0749
- 3.6** Subject: Police Commission Appointments
From: Office Of The Mayor
Recommendation:
[OLD TITLE]

Adopt A Resolution Confirming The Mayor's Appointment Of James Jackson To Serve On The Oakland Police Commission As Commissioner, And Brian Hauck To Serve On The Police Commission As Alternate Commissioner

[NEW TITLE]

Adopt A Resolution Confirming The Mayor's Appointment Of James Jackson To Serve On The Oakland Police Commission As Commissioner; On The December 1, 2020 City Council Agenda On Consent

[20-0677](#)

Attachments:

[View Report](#)

[View James Jackson Application](#)

[View Brian Hauck Application](#)

[View Legislation](#)

[View Supplemental Resume: Jackson 10/2/2020](#)

[View Supplemental Resume: Hauck 10/2/2020](#)

[View Supplemental Memo - 10/09/2020](#)

Legislative History

9/24/20

*Rules & Legislation
Committee

Scheduled to the *Rules & Legislation
Committee

10/15/20	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/20/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Withdrawn with No New Date

- 3.7** Subject: Oakland Head Start/Early Head Start Program (FY) 2021 - 2026 Grant Application
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City To Apply For Funding, Through The Funding Opportunity Announcement HHS-2021-ACT-OHS-CH-R09-1860 For Head Start/Early Head Start Grantee City Of Oakland, In An Estimated Amount Of \$17,826,886 Per Year For A Five-Year Period From Fiscal Year (FY) 21/22 Through FY 25/26 From The United States Department Of Health And Human Services, Administration For Children And Families, Office Of Head Start; On The November 10, 2020 Special City Council Agenda On Consent
20-0776
- 3.8** Subject: Professional Services Agreement with FUSE Corps
From: Planning & Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To: 1) Negotiate And Execute A Contract Between Fuse Corps And The City (FUSE Fellow Contract) In An Amount Not-To-Exceed One Hundred Thousand And One Dollars (\$100,001) To Fund One Executive-Level Fellow For The Planning And Building Department For A Full Eight-Month Contract Term; 2) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process Requirement For The Proposed FUSE Fellow Contract; On The November 10, 2020 Special City Council Agenda On Consent
20-0779
- 3.9** Subject: Commercial Development Loan For The Swan's Marketplace Project
From: Economic And Workforce Development Department
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution Approving The Resubordination And Modification Of An Existing Commercial Development Loan For The Swans Marketplace Project To Extend The Term Of The Loan To 2050; On The November 10, 2020 Special City Council Agenda On Consent
20-0781

- 3.10** Subject: Violence Prevention Services Spending Plan
From: Department OF Violence Prevention
Recommendation: Adopt A Resolution Approving The City's (1) Violence Prevention Program Strategies And (2) Funding Priorities For Programs Funded By The 2014 Oakland Public Safety And Services Violence Prevention Act (Safety And Services Act) For July 2021 Through The End Of The Safety And Services Act Funding Period (December 2024); On The November 16, 2020 Special Life Enrichment Committee Agenda
20-0782
- 3.11** Subject: Fee and Fund Analysis
From: Council President Kaplan
Recommendation: Adopt A Resolution Authorizing the Council President To Enter Into An Agreement To Perform An Analysis Of The Missing Funds From 1) Affordable Housing Impact Fees; 2) Oakland Army Base Job Training Fees; And 3) Anti-Displacement Fund In Order To Make Recommendations On How Systems Can Be Improved; On The December 1, 2020 City Council Agenda On Consent
20-0783
- 3.12** Subject: Amending Council Rules of Procedure
From: Council President Kaplan
Recommendation: Adopt A Resolution Amending The Council's Temporary Rules Of Procedure Resolution No. 88113 C.M.S, Which Establishes Guidelines For Council And Council Committee Meetings And Requirements During The Period That State Or Local Public Health Officials Have Imposed Or Recommended Social Distancing Measures And Is In Effect During The Period Of The Local Emergency Declared By The City Administrator On March 9, 2020 And Confirmed By City Council Resolution No. 88075 C.M.S. On March 12, 2020, To Allow Public Speakers With Each Non-Consent Action Item On The Agenda; On The December 1, 2020 City Council Agenda On Non-Consent
20-0784

3.13 Subject: Local Business Empowerment Through Contracting (LBETC)
From: Councilmember Taylor
Recommendation:

[OLD TITLE]

Adopt The Following Pieces Of Legislation:

1) A Resolution Strengthening The City Of Oakland's Commitment To Empowering Local Businesses By Enhancing Its Local And Small Local Business Enterprise (L/SLBE) Program Through Greater Participation In City Contracting; And

[NEW TITLE]

Adopt The Following Two Pieces Of Legislation:

1) An Ordinance Amending Ordinance No. 13101, Which Revised Oakland's Local And Small Local Business Enterprise (L/SLBE) Program Provisions, To Further Revise The 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 Add Provisions Related To Disposition And Development Agreements And Cooperative Agreements; And

20-0754

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

[OLD TITLE]

2) An Ordinance Amending Ordinance 13101 C.M.S., Which Modified Oakland's Local And Small Local Business Enterprise (L/SLBE) And Other Social Equity Policies, Revising The L/SLBE Program To (1) Implement A Sheltered Market Program For Awarding Small Contracts To SLBES, (2) Enhance Requirements For The Preferred Small Local Business Program, (3) Modify The Local Business Size Standards, Participation Requirements, Bid Discounts And Preference Points, And (4) Enhance The Mentor-Protégé Program To Increase Local Business Empowerment Through Greater Participation In City Contracting;

[NEW TITLE]

2) A Resolution Requesting That The City Administrator Explore And Report Back To Council By March 2021 Regarding 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; On The November 17, 2020 Special Community & Economic Development Committee Agenda

20-0755

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

- 3.14** Subject: On-Call Horizontal Concrete Shaving Professional Service Agreement
From: Transportation Department
Recommendation: Adopt A Resolution Awarding A Construction Services Contract 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 November 10, 2020 City Council Agenda On Consent

[20-0702](#)

Attachments:

[View Report](#)

[View Attachment A](#)

[View Legislation](#)

Legislative History

10/1/20

*Rules & Legislation
Committee

Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

10/15/20

*Rules & Legislation
Committee

Withdrawn with No New Date

The Committee requested to withdraw this item and return to the next Rule and Legislation Committee for rescheduling

Recommendations From Committees

- 3.15** Subject: Information On Impact Fees
From: Council President Kaplan
Recommendation: Receive An Informational Report On The Status Of: 1) The City Of Oakland's Current Efforts To Complete An Assessment Of The Affordable Housing, Jobs/Housing, And Transportation And Capital Improvements Impact Fee Programs From July 2016 To June 2019, And 2) Affordable Housing Impact Fee (AHIF) Collections, Budgeting For 2019/21 And Deployment
[18-2061](#)

Attachments:

[View Report](#)

[View Supplemental Report 11/8/2019](#)

[View Supplemental Report 11/27/2019](#)

[View Supplemental Report 2/7/2020](#)

[View Supplemental Report - 9/11/2020](#)

[View Supplemental Report - Attachment A 9/11/2020](#)

[View Supplemental Report - Attachment B 9/11/2020](#)

[View Supplemental Presentation - 10/23/2020](#)

[View Supplemental Report - 10/23/2020](#)

[View Supplemental Report - Attachment A 10/23/2020](#)

[View Supplemental Report - Attachment B 10/23/2020](#)

[View Supplemental Report - Attachment C 10/23/2020](#)

[View Supplemental Report - Attachment D 10/23/2020](#)

[View Supplemental Report - Attachment E 10/23/2020](#)

Legislative History

6/27/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
9/10/19	*Community & Economic Development Committee	* Withdrawn and Rescheduled to the *Community & Economic Development Committee
9/12/19	*Rules & Legislation Committee	Withdrawn with No New Date
10/31/19	*Special Rules and Legislation Committee	Scheduled to the *Community & Economic Development Committee
<i>The Committee Accepted a Title Change read into record</i>		

11/12/19	<p>*Community & Economic Development Committee</p> <p><i>The Committee continued this item to the December 3, 2019 and directed staff to update the list to include the Top 30 project applicants and add the following 5 lines to the spreadsheet;</i></p> <ol style="list-style-type: none">1. Amount Assessed2. 1st Installment Pay Day3. 2nd Installment Pay Day4. Exemptions/Waivers5. How many onsite affordable housing units. <p><i>There were 11 speakers on this item.</i></p>	<p>Continued to the *Community & Economic Development Committee</p>
12/3/19	<p>*Special Community & Economic Development Committee</p> <p><i>The Committee requests supplemental information on building permits, CAFER, and the housing elements discrepancies.</i></p> <p><i>There were 10 speakers on this item.</i></p>	<p>Continued to the *Community & Economic Development Committee</p>
1/14/20	<p>*Special Community & Economic Development Committee</p> <p><i>There were 8 speakers on this item</i></p>	<p>Continued to the *Community & Economic Development Committee</p>
2/11/20	<p>*Community & Economic Development Committee</p> <p><i>There were 3 speakers on this item</i></p>	<p>Continued to the *Community & Economic Development Committee</p>
7/21/20	<p>* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council</p> <p><i>Vice Mayor Reid Made a Scheduling Motion to hear the report regarding The "Housing Impact Fee" at the 1st CED committee meeting in September 2020</i></p>	<p>Scheduled to the *Community & Economic Development Committee</p>
9/22/20	<p>*Community & Economic Development Committee</p> <p><i>The Committee requested to return with a break down of fees per project, including break down of expenditures and exemption. Look into the different levels of Impact fee based on criteria and all relevant fees,</i></p> <p><i>The Committee continued this item to the October 27, 2020 Community And Economic Development Committee Meeting with request to convert the appendix to a workable excel spread sheet and directing administration to return to Rules Committee for scheduling a Fee Deferment Program item.</i></p>	<p>Continued to the *Community & Economic Development Committee</p>
9/24/20	<p>*Rules & Legislation Committee</p> <p><i>The Rules Committee approved the September 22, 2020 Community And Economic Development Committees recommendation to continue this item at the October 27, 2020 Community And Economic Development Committee.</i></p>	<p>Continued to the *Community & Economic Development Committee</p>

10/27/20 *Community & Economic Received and Forwarded to the Special
Development Committee Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City
Council
The Roll Call was modified to note Councilmember Taylor present at 1:40 p.m.

2 speakers spoke during this item.

*The Committee approved to forward this item to the November 10, 2020 Special
City Council on Consent.*

3.16 Subject: Oakland Economic Recovery Advisory Council Interim Report
From: Vice Mayor Reid
Recommendation: Receive An Informational Report On The Economic Recovery Council's
Draft Recommendations
[20-0710](#)

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

Legislative History

10/6/20 * Concurrent Meeting of the Scheduled to the *Community & Economic
Oakland Redevelopment Development Committee
Successor Agency and the
City Council
*Vice Mayor Reid made a scheduling motion, seconded by Council President, to
hear the following item at the October 27, 2020 Community and Economic
Development Committee, and hearing no objections, the motion passed by with
the following vote: 7 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao,
and Council President Kaplan*

10/27/20 *Community & Economic Received and Forwarded to the Special
Development Committee Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City
Council
3 speakers spoke during this item.

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

[20-0734](#)

Attachments: [Previously Distributed 10 Day Rules And Legislation Agenda](#)
[Previously Distributed 10 Day Council Agenda - CANCELLED](#)
[View Finance Pending List](#)
[View Public Works Pending List](#)
[View Community Development Pending List](#)
[View Life Enrichment Committee](#)
[View Public Safety Pending List](#)
[View Rules And Legislation Pending List](#)
[View Education Partnership Committee Pending List](#)
[View Draft November 10, 2020 Special City Council Agenda](#)
[View Draft November 12, 2020 Rules And Legislation Agenda](#)

5 Determinations Of Closed Session

[20-0735](#)

Attachments: [View Report](#)

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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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**