City of Oakland

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



Meeting Agenda - FINAL

Thursday, November 19, 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/87507936645 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: 875 0793 6645

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 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 November 5, 2020

20-0797

Attachments: View Report

3 Determination Of Schedule Of Outstanding Committee Items

3.1 Subject: Vacant Property Tax Rates

From: Finance Department

Recommendation: Adopt A Resolution Approving The Vacant Property Tax Rates For Properties Deemed Vacant In Calendar Years 2020 And 2021; On The December 1, 2020 City Council Agenda On Non-Consent

20-0849

3.2 Subject: Quarterly Revenue & Expenditure Report

From: Finance Department Recommendation: TITLE CHANGE

[OLD TITLE]

Receive An Informational Report On Fiscal Year (FY) 2019-20 Fourth Quarter And Fiscal Year (FY) 2020-21 First Quarter Revenue And Expenditure Results And Year-End Summaries For The General Purpose Fund (1010) And Selected Funds

[NEW TITLE]

Receive An Informational Report On Fiscal Year (FY) 2019-20 Unaudited Fourth Quarter And FY 2020-21 First Quarter Revenue And Expenditure Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Selected Funds; On The December 7, 2020 Finance And Management Committee Meeting Agenda **20-0757**

Legislative History

10/22/20 *Rules & Legislation

Committee

Scheduled to the *Finance & Management Committee

3.3 Subject: Oakland Army Base Penalties Spending Authority

From: Finance Department Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt A Resolution Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Amendments, To Appropriate From Fund 5671, Project 1004290, Penalties Collected By The City From Contractors Who Failed To Comply With The City's Construction Jobs Policy For The Oakland Army Base Project In The Amount Of Three Hundred Fifty-One Thousand, Six Hundred Seventy-Eight Dollars And Twenty-Eight Cents (\$351,678.28) To The Department Of Workplace And Employment Standards For Training, Referral, Monitoring, Or Technical Assistance To Advance The Purposes Of The Army Base Jobs Policy

[NEW TITLE]

Adopt A Resolution Amending Resolution No. 88174 C.M.S., Which Adopted the Fiscal Year 2020-21 Mid-Cycle Budget Amendments, To Appropriate From Fund 5671 Project 1004290, Penalties Collected By The City From The Contractors Who Failed To Comply With The City's Construction Jobs Policy For The Oakland Army Base Project In The Amount Of Three Hundred Fifty-One Thousand, Six Hundred Seventy-Eight Dollars and Twenty-Eight Cents (\$351,678.28) And Any Future Penalties Collected by the Department Of Workplace and Employment Standards (DWES), If Any, To The DWES For Training, Monitoring, or Technical Assistance; On The December 1, 2020 City Council Agenda On Non-Consent

20-0790

Legislative History

11/5/20 *Rules & Legislation

Committee

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

Non Consent

3.4 Subject: Mandatory Delinquent Trash Fees 2020

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 July, August, September 2020 and Quarterly Periods Of October-December 2020 (Option 1); Or

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 July, August, September 2020 and Quarterly Periods Of October-December 2020 (Option 2); Or

20-0822

- 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 July, August, September 2020 and Quarterly Periods Of October-December 2020 (Option 3): On The December 1, 2020 City Council Agenda As A Public Hearing 20-0823
- 3.5 Subject: Delinquent Business Tax 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 Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection (Option 1); Or

20-0813

2) Adopt a Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Business Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code (Option 2); Or

20-0814

20-0815

3) Adopt 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 Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection (Option 3); On The December 1, 2020 City Council Agenda As A Public Hearing

City of Oakland Page 5 Printed on 11/18/2020 6:44:06PM

3.6 Subject: Major Encroachment Permit At 565 Sycamore Street

From: Transportation Department

Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit Liberty26, LLC, To Allow Portions Of The Existing Garage At 565 Sycamore Street To Encroach Into The Public Right-Of-Way On Sycamore Street, Major Encroachment Permit ENMJ20054; On The December 1, 2020 City Council Agenda On Consent

20-0819

3.7 Subject: Major Encroachment Permit At 7032 Sayre Drive

From: Transportation Department

Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To David Bailey And Shewit Bailey, To Allow Portions Of An Existing Three-Story Building To Encroach Into The Public Right-Of-Way Fronting 7032 Sayre Drive, Major Encroachment Permit ENMJ1706; On The December 1, 2020 City Council Agenda On Consent

20-0817

3.8 Subject: Highway Safety Improvement Program (HSIP) Cycle 7 Telegraph Avenue

From: Transportation Department

Recommendation: Adopt A Resolution Awarding A Construction Contract To Ray's Electric, For The Highway Safety Improvement Program (HSIP) Cycle 7 Telegraph Avenue Improvement Project, Project No. 1003203, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Two Million One-Hundred Eight Thousand Thirty-Nine Dollars And Fifty-Five Cents (\$2,108,039.55); On The December 1, 2020 City Council On Consent

20-0816

3.9 Subject: HSIP 7 - Market

From: Transportation Department

Recommendation: Adopt A Resolution Awarding A Construction Contract To Ray's Electric Inc., For Highway Safety Improvement Program (HSIP) Cycle 7, Claremont Avenue and Shattuck Avenue Pedestrian Treatments Project, Project No. 1003251, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of One Million Fifty Three Thousand Five Hundred Sixty Dollars (\$1,053,560); On The December 1, 2020 City Council Agenda On Consent

3.10 Subject: Broadway Shuttle Agreement From: Transportation Department

Recommendation: Adopt A Resolution Authorizing An Agreement With Jack London Square Existing (Oakland) Owner, LLC To Subsidize Operations of the Broadway Shuttle, Including Operations, Signage, Vehicle Wraps, Educational Brochures, Advertising, Project Management Staff Costs, and Feasibility Analysis Between January 1, 2019 to June 30, 2022; On The December 1, 2020 City Council Agenda On Consent **20-0820**

3.11 Subject: J. Kaiser Convention Center - LDDA Second Amendment

From: Economic & Workforce Development Department

Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt The Following Pieces Of Legislation:

1) An Ordinance That Authorizes The City Administrator Or Designee To Negotiate And Execute A Second Amendment To The Lease Disposition And Development Agreement, Between The City Of Oakland (City) And Oakland Civic, LLC (Oakland Civic) (LDDA), And Related Documents, For Renovation And Rehabilitation Of The Property That: (A) Modifies Certain Closing Requirements, Including Eliminating Binding Pre-Lease Requirements And A Surety Bond And Increasing Required Guarantor Minimum Net Worth From 25 Percent To 50 Percent, And Adds Notice And Cure Rights For Historic Tax Credit Investors; And (B) Makes Amendments To The Form Of The Lease Attached As Exhibit C To The LDDA To: (I) Revise And Insert Definitions Of Sponsorship/Donation Agreements And Naming Rights, As Applicable, And Specify When Proceeds Of Such Agreements Will Be Considered As Gross Income For Calculation Of Rent Participation: (II) Document Rights Of Oakland Civic And Calvin Simmons Theatre (CST) To Enter Into An Event Use/Sponsorship Agreement With The Kaiser Foundation Health Plan, Inc. (Kaiser) For A Term Of Up To 20 Years, And Related Documents, For A Maximum Payment Of \$1.5 Million To Be Used For Renovation Of The Theatre Consistent With The Lease And Commit City To Entering Into A Recognition Agreement With Kaiser For Such Sponsorship Agreement, Subject To Certain Termination Rights And City Protections; (III) Document Tenant's Consent To The City Entering Into A Naming Rights Agreement And Related Documents With Kaiser For The Property; And (IV) Make Minor Revisions To Correspond With The Agreed Upon Community Benefits Agreement Between Oakland Civic, CST And Black Arts Movement And Business District Community Development Corporation, And Adds Notice And Cure Rights For Historic Tax Credit Investors; And

[NEW TITLE]

Adopt The Following Pieces Of Legislation:

1) An Ordinance For The Real Property Located At 10 Tenth Street And Commonly Known As The Henry J. Kaiser Convention Center ("Property" Or "Kaiser Convention Center"): (1) An Ordinance That Authorizes The City Administrator Or Designee To Negotiate And Execute A Second Amendment To The Lease Disposition And Development Agreement Between The City Of Oakland ("City") And Oakland Civic, LLC ("Oakland Civic") ("LDDA"), And Related Documents, For Renovation And Rehabilitation Of The Property That: (A) (I) Modifies Certain Closing Requirements, Including Eliminating Non-Binding Letters of Intent Pre-Lease Requirements And Surety Bonds And Increasing Required Guarantor Minimum Net Worth From 25 Percent To 50 Percent, And (II) Adds Notice and Cure Rights For Tax Credit Investors; And (B) Makes Amendments To The Form Of The Lease Attached As Exhibit C To The LDDA To: Revise And Insert

Definitions Of Sponsorship/Donation Agreements And Naming Rights, As Applicable, And Specify When Proceeds Of Such Agreements Will Be Considered As Gross Income For Calculation Of Rent Participation; (A) Document Rights Of Oakland Civic And Calvin Simmons Theatre ("CST") To Enter Into An Event Use/Sponsorship Agreement With Kaiser Foundation Health Plan, Inc. ("Kaiser Foundation") For A Term Of Up To 20 Years, For A Maximum Payment Of \$1.5 Million To Be Used For Renovation Of The Theatre Consistent With The LDDA And The Lease, And Related Documents, And (B) Authorize The City Administrator Or Designee To Negotiate and Enter Into A Recognition Agreement With Kaiser Foundation For Such Sponsorship Agreement, Subject To Certain Termination Rights And City Protections; (III) Document Oakland Civic's Consent To The City Entering Into A Naming Rights Agreement And Related Documents With Kaiser Foundation For The Property; And (IV) Make Minor Revisions To (A) Add Notice and Cure Rights for Tax Credit Investors; and (B) Correspond With The Agreed-Upon Community Benefits Agreement Between Oakland Civic, CST And Black Arts Movement And Business District Community Development Corporation; And 20-0794

Legislative History

11/5/20 *Rules & Legislation

Committee

Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor

Agency and the City Council

A title change was read into record. This item will be heard on Non Consent.

[OLD TITLE]

2) A Resolution: (A) Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Naming Rights Agreement And Related Documents With Kaiser, Granting Kaiser The Right To Name The Property And Install Certain Exterior And Interior Signage Rights For A Term Of Up To 99 Years, Subject To Certain Termination Rights, For A Maximum Payment Of \$12 Million, Payable In Installment Payments Commencing At Execution And Continuing Up To 36 Months; And

[NEW TITLE]

(2) A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Naming Rights Agreement And Related Documents With Kaiser Foundation, Granting Kaiser Foundation The Right To Name The Property And Install Certain Exterior And Interior Signage For A Term Of Up To 99 Years, Subject To Certain Termination Rights, For A Lump Sum Payment Of \$12 Million, Commencing At Lease Execution; And 20-0795

Legislative History

11/5/20 *Rules & Legislation

Scheduled to the * Concurrent Meeting of Committee the Oakland Redevelopment Successor

Agency and the City Council

A title change was read into record. This item will be heard on Non Consent.

[OLD TITLE]

3) A Resolution: (A) Awarding A 3-Year Grant Agreement To Oakland Civic To Be Used For Renovation And Rehabilitation Of The Property Consistent With The LDDA, In An Amount Not To Exceed \$12 Million, Disbursable In Installment Payments Only Upon Receipt By City Of: Payments From Kaiser For The Naming Rights Agreement For The Property And Completion Of Requisite Construction Milestones By Oakland Civic.

[NEW TITLE]

3) A Resolution Awarding A Grant To CST, Or A Related Entity or Affiliate, For A Term of 30 Months To Be Used For The Renovation Of The Calvin Simmons Theatre And Related Improvements, Consistent With The LDDA Between the City And Oakland Civic, In An Amount Not TO Exceed \$12 Million, Disbursable By The City To CST In Progress Payments; On The December 1, 2020 City Council Agenda On Non-Consent. 20-0796

Legislative History

11/5/20 *Rules & Legislation Scheduled to the * Concurrent Meeting of Committee the Oakland Redevelopment Successor

Agency and the City Council

A title change was read into record. This item will be heard on Non Consent.

3.12 Subject: Fox Theater Asset Transfer And Loan Termination

From: Economic Workforce Development

Recommendation: Conduct A Public Hearing And Adopt The Following Pieces Of Legislation For The Real Property Located At 1807 Telegraph Avenue ("Fox Theater"):

1) An Ordinance Authorizing The City Administrator Or Designee To: 1. Accept From The Oakland Redevelopment Successor Agency ("ORSA") By Grant Deed, A Fee Simple Interest In The Fox Theater, Pursuant To The Long-Range Property Management Plan; 2. Execute An Assignment Of The Amended Ground Lease For The Fox Theater With ORSA As Assignor And Current Ground Lessor, The City As Assignee And New Ground Lessor, And The Fox Oakland Theater, Inc. ("FOT") As Ground Lessee, For A Term Of 16 Years; 3. Execute A Leaseback Agreement For The Fox Theater Between FOT As Lessor And The City As Lessee For A Term Of 16 Years At A Rate Of \$247,500 Per Year, Totaling Approximately \$3.95 Million, With A City Option To Purchase The Improvements For A Nominal Amount Of One Dollar Upon FOT's Satisfaction Of A Pledge To Pay ORSA The Amount Of \$3.95 Million, Payable In Annual Installments Of \$247,500 For A Term Of 16 Years; And

- 2) An Ordinance Authorizing The City Administrator Or Designee To Execute An Assignment Pursuant To Which The City, As Assignee Would Assume From The Fox Oakland Theater, Inc., As Assignor, FOT's Interests As Landlord Under The Following Subleases: 1. The Amended And Restated Fox Theater Sublease With Oakland School For The Arts As Subtenant, Dated January 16, 2016, For A Term Ending June 30, 2021 At An Annual Rent Of Approximately \$940,500; 2. The Fox Theater Building Sublease With GASS Entertainment, LLC As Subtenant, Dated As Of December 2006, As Amended, With Options To Extend Until February 6, 2034, For The 69,450 Square Feet Concert Hall At An Annual Percentage Rent Based On Paid Admissions And The 1,300 Square Feet Bar And Event Space At A Base Rent Of Approximately \$2,813.56 Per Month, Increased By 10% In 2024 And Every Five Years Thereafter Upon Renewal; And 3. The Amended And Restated Fox Theater Restaurant Lease Agreement With The Emporium Oakland LLC, As Subtenant, Dated August 29, 2018, For \$110,000 In Annual Rent For The 4,503 Square Feet Arcade Bar Venue, With Options To Extend Until 2036; And
- 3) Resolution Authorizing The City Administrator Or Designee To Execute An Assignment, With City As Assignee And FOT As Assignor, Of Any Professional Services Agreement ("PSA") That May Be Entered Into Between FOT And Colliers International, Inc. For The Purpose Of Providing Property Management Services At The Fox Theater Assuming Such PSA Is In An Amount Not To Exceed \$6,200 Per Month, Or \$74,400 Per Year And Is For A Term Of Five Years That Is Extendable For Two Additional Terms Of Five Years Each; On The December 1, 2020 City Council Agenda As A Public Hearing 20-0812

3.13 Subject: Fox Theater Asset Transfer And Loan Termination (ORSA)

From: Economic Workforce Development

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution, Acting As The Oakland Redevelopment Successor Agency ("ORSA") Board, That:

- 1. Authorizes The ORSA Administrator Or Designee To Execute A Second Amendment ("Second Amendment") To The Disposition And Development Agreement ("DDA") Between ORSA, As Successor To The Redevelopment Agency, And The Fox Oakland Theater, Inc. ("FOT") For The Real Property Located At 1807 Telegraph Avenue ("Fox Theater"), That Obligates ORSA To: A. Execute A Loan Satisfaction Agreement Terminating All Loan Agreements Between FOT And ORSA Totaling Approximately \$46.4 Million Of Principal And \$27.9 Million Of Accrued Interest ("Loan Terminations"); B. Accept Approximately \$4.4 Million From FOT's Operating And Replacement Reserves ("Cash Payment") And A Pledge Agreement From FOT In The Amount Of \$3.95 Million, Payable In Annual Installments Of \$247,500 Over 16 years ("Pledge"), As Consideration For The Loan Terminations; C. Execute An Amendment And Assignment Of The Ground Lease With ORSA As Assignor and Current Ground Lessor, To The City As Assignee And New Ground Lessor, And FOT As Ground Lessee, For A Term Of 16 Years ("Assignment"); D. Pursuant To The Long-Range Property Management Plan, Convey To The City, By Grant Deed, A Fee Simple Interest In The Fox Theater ("Grant Deed") And Terminate The DDA, Concurrently With Acceptance Of The Cash Payment and Pledge From FOT And The Execution And Delivery Of The Loan Terminations And Assignment; And
- 2. Authorizes The ORSA Administrator Or Designee To Take All Actions Necessary To Implement The Second Amendment, Including Without Limitation The Execution And Delivery Of The Loan Terminations, Assignment, And Grant Deed, Consistent With The Foregoing Terms; On The December 1, 2020 City Council Agenda As A Public Hearing 20-0818
- 3.14 Subject: Redevelopment Bond Spending Plan

From: Economic And Workforce Development

Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Amend The Bond Spending Plan For Excess Oakland Redevelopment Successor Agency (ORSA) Bond Proceeds For FY 2020-21; 2) Accepting \$9,822,029 In Excess Bond Proceeds From ORSA And Appropriating e Said Funds; And 3) Amending The Appropriation And Reallocating \$8,193,366 In Excess Bond Proceeds Previously Appropriated And Committed In The Approved Bond Spending Plan; On The December 1, 2020 City Council Agenda On Non Consent

3.15 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; To The December 1, 2020 City Council Agenda On Consent 20-0781

Attachments: View Report

View Report Attachment A

View Report Attachment B

View Report Attachment C

View Report Attachment D

View Report Attachment E

View Legislation

Legislative History

11/5/20 *Rules & Legislation Scheduled to the Special Concurrent

Committee Meeting of the Oakland Redevelopment

Successor Agency/City Council

11/10/20 Special Concurrent Meeting Withdrawn with No New Date

of the Oakland

Redevelopment Successor

Agency/City Council

3.16 Subject Raiders Training Facility Joint Ownership Agreement

From: Economic Workforce Development Department

Recommendation: Adopt An Ordinance Authorizing The City Administrator To: (1) Negotiate And Enter Into A Tenancy In Common Agreement With The County Of Alameda ("County") To Set Forth The Processes For Management, Maintenance And Future Disposition Of The Property Located At 1150 And 1220 Harbor Bay Parkway, Alameda Ca ("Property"), Owned By The City And County, Each, With An Undivided 50% Interest; And (2) Authorize The Re-Appropriation And Expenditure Of Funds From Coliseum Projects Fund (5650) For Property Management, Maintenance And Repairs Of The Property In The Amount Of \$85,000.00; On The December 1, 2020 City Council Agenda On Non-Consent

3.17 Subject: Inn At Temescal - Homekey

From: Housing & Community Development Department
Recommendation: Adopt A Resolution Amending Resolution No. 88283 C.M.S., Which,
Among Other Things, Accepted And Appropriated Up To \$3.15 Million, As A Local
Agency Partner, In State Homekey Funds, And Awarded A Grant Agreement To
Operation Dignity And Danco Communities (Development Partner) In An Amount Not To
Exceed \$4.2 Million, For Development Partner To Acquire And Rehabilitate The Inn At
Temescal For Permanent Affordable Housing, To: (1) Accept And Appropriate Up To An
Additional \$400,000 In Homekey Funds, As Local Agency Partner, For The Operation Of
The Inn At Temescal For Permanent Affordable Housing For Homeless Veterans, And (2)
Award A Grant Agreement To Development Partner, Or An Affiliated Entity Approved By
The City Administrator, In An Increased Amount Not To Exceed \$4,600,000 To Acquire,
Rehabilitate, And Operate The Inn At Temescal; On The December 1, 2020 City Council
Agenda On Consent

20-0845

20-0832

3.18 Subject: 2nd Substantial Amendment To 2019/20 Consolidated Annual Action Action Plan

From: Housing And Community Development Department Recommendation: Adopt A Resolution Authorizing the City Administrator Or Designee To: Accepting And Appropriating Coronavirus Aid, Relief, And Economic Security (CARES Act) Funds In The Amount Of Nineteen Million, Two Hundred Eighty-Eight Thousand, One Hundred Seventy-Five Dollars (\$19,288,175) Awarded To The City Of Oakland In Round Two Of The U.S. Department Of Housing & Urban Development Emergency Solutions Grant Allocations To Prevent, Prepare For And Respond To The Coronavirus; 2. Accepting And Appropriating Cares Act Funds In The Amount Of Three Million, Seven Hundred Twelve Thousand, Five Hundred Twenty-Nine Dollars (\$3,712,594) Awarded To The City Of Oakland In Round Three Of The U.S. Department Of Housing & Urban Development Community Development Block Grant Allocations To Prevent, Prepare For And Respond To The Coronavirus; 3. Authorizing The City Administrator To Update Round One Cares Act Housing Opportunities For Persons With Aids (HOPWA-CV) Programs To Include A Rental Assistance Program For Homeless People With HIV/AIDS Transitioning Out Of The Operation Home Key Motel Rooms To Permanent Housing; 4. Authorizing The City Administrator To Prepare And Submit To The United States Department Of Housing & Urban Development The City's Second Substantial Amendment To Its Fiscal Year 2019-2020 Consolidated Annual Action Plan; And 5. Authorizing The City Administrator To Award Round-One HOPWA Cares Act Grant Agreements, Round-Two Emergency Solutions Cares Act Grant Agreements, And Round-Three Community Development Block Grant Cares Act Grant Agreements As Set Forth In Exhibit A, Attached Hereto And The City's Amended Fiscal Year 2019-2020 Consolidated Annual Action Plan, Subject To Compliance With Any Applicable Competitive Bidding Requirements, Without Returning To Council; On The December 1, 2020 City Council Agenda As A Public Hearing

3.19 Subject: Upgrade For Recruiting, Onboarding, Performance Management And Training From: Human Resources Management Department Recommendation: Adopt A Resolution Authorizing: The City Administrator Or Designee To 1) Enter Into A Three-Year Agreement With Governmentjobs.com, Inc., DBA NeoGOV (NEOGOV) To Maintain The City's Two Existing Recruitment And Testing Online Platforms And To Provide Two Additional Software Platforms To Automate Employee Performance Appraisals And Employee Training And Development In A Total Contract Amount Not To Exceed \$588,000 For The Period November 2020 To November 2023 And 2) Waive Competitive Bidding, Advertising And Request For Proposals/Qualification Process Requirement; On The December 1, 2020 City Council Agenda 20-0811

3.20 Subject: Extending Timeframe Of Kaiser Foundation Funding

From: Human Services Department

Recommendation: Adopt A Resolution Authorizing: 1. Amendment Of The Grant Agreement With Bay Area Community Services To Provide Property Management Services And Operations Of The Interim Housing Program For Unsheltered Persons At 641 West Grand Avenue (The Holland), As Authorized By Resolution No. 87580 C.M.S., To Extend The Grant Term Through June 30, 2021 And To Increase The Grant Amount By Up To \$1,195,000, For A Total Not To Exceed Grant Amount Of \$2,863,823; And 2. Amendment Of The Grant Agreement With Bay Area Community Services For The Provision Of Property Management Services And Operations Of The Interim Housing Program For Unsheltered Persons At 559 16th St (The Henry J. Robinson Multi Service Center), As Authorized By Resolution No. 87697 C.M.S., To Increase The Grant Amount By Up To \$136,177, For A Total Not To Exceed Grant Amount Of \$451,181; And 3. The Reallocation Of Previously-Appropriated Kaiser Foundation Funds; On The December 1, 2020 City Council Agenda On Consent

20-0844

3.21 Subject: Waive Competitive Bidding For JLAC Dock Construction Contract

From: Oakland Public Works

Recommendation: Adopt A Resolution Waiving Competitive Bidding And Awarding A Contract For The Installation Of The Jack London Aquatic Center Rowing Dock (Project No. 1004841) To Underwater Resources, Inc. For An Amount Not To Exceed One Hundred Ninety-Three Thousand Dollars (\$193,000); On The December 1, 2020 City Council Agenda On Consent 20-0805

3.22 Subject: Grant Amendment For Courtland Creek Restoration Project (Project)

From: Oakland Public Works Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Designee, To (1) Apply For, Accept, And Appropriate Grant Funds In An Amount Not-To-Exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) From The Environmental Protection Agency (EPA) San Francisco Bay Water Quality Improvement Fund (SFBWQIF) To Implement The Courtland Creek Restoration Project (Project), And (2) Enter Into A Grant Agreement With The EPA To Implement The Project (No. 1005340), And 20-0829

2) A Resolution Authorizing The City Administrator, Or Designee, To (1) Amend The Professional Services Agreement With FlowWest, LLC To Increase The Agreement By An Additional One Million One Hundred Twenty-Four Thousand Seventy-One Dollars (\$1,124,071.00) For A Total Contract Amount Not-To-Exceed One Million Five Hundred Twenty-Four Thousand Seventy-One Dollars (\$1,524,071.00) For Phase II Of Project Design, Construction Support, And Post-Construction Services, And (2) Waive The Competitive Request For Proposals/Qualifications Requirement; On The December 1, 2020 City Council Agenda On Consent

20-0830

3.23 Subject: Rehabilitation Of Sanitary Sewer-Construction Contract Awards

From: Oakland Public Works Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For The On-Call Sanitary Sewers Emergency Projects FY 2021-24 (Project No. 1000720) And With Contractor's Bid For An Amount Not To Exceed One Million Seven Hundred Two Thousand Two Hundred Twenty Dollars (\$1,702,220.00); And 20-0826

2) A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For Sanitary Sewer Capacity Upgrade in Maybelle Ave And High St (Project No. 1004844) And With Contractor's Bid For An Amount Not To Exceed One Million Three Hundred Seventy-Seven Thousand Forty-Four Dollars (\$1,377,044.00); On The December 1, 2020 City Council Agenda On Consent

3.24 Subject: Sanitary Sewer Pump Station Construction Contract-Open Market

From: Oakland Public Works

Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, Authorizing The City Administrator, Or Designee, To Negotiate, Award And Execute A Construction Contract Without Return To Council For An Amount Not To Exceed Two Million One Hundred Fifty-Six Thousand Six Hundred Fifty Dollars (\$2,156,650.00) In The Open Market For Rehabilitation Of Parkridge Dr, Skyline Blvd, And Denton Ct Sanitary Sewer Pump Station (Project No. 1001433) In Accordance With Plans And Specifications; On The December 1, 2020 City Council Agenda On Consent **20-0835**

3.25 Subject: All-Electric Construction In Newly Constructed Buildings Proposed Reach Code From: Planning And Building Department

Recommendation: Adopt The Following Pieces Of Legislation;

- 1) Adopt An Ordinance Amending The Oakland Municipal Code (O.M.C.) To Add Building And Construction Code Chapter 15.37, Entitled "All-Electric Construction In Newly Constructed Buildings"; And Adopting CEQA Exemption Findings; And 20-0824
- 2) Adopt A Resolution Of Findings Supporting The Adoption Of Oakland Municipal Code (O.M.C) Chapter 15.37, Entitled "All-Electric Construction In Newly Constructed Buildings"; And Adopting CEQA Exemption Findings; On The December 1, 2020 City Council Agenda 20-0825

3.26 Subject: 2020 OPD Port Security Grant

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing the City Administrator, Or Designee, To Accept And Appropriate Grant Funds To The Oakland Police Department (OPD) In An Amount Not To Exceed Three Hundred Twenty-Five Thousand Dollars (\$325,000) From The Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) For The Port Security Grant Program (PSGP) During The Three Year Grant Period Of September 1, 2020 - August 31, 2023 To Purchase A Zodiac SRA900 Watercraft And To Authorize OPD To Provide The Required Twenty Five Percent (25%) In-Kind Match Of One Hundred Eight Thousand Three Hundred Thirty Four Dollars (\$108,334); On The December 1, 2020 City Council Agenda 20-0837

3.27 Subject: OPD COPS Frontline Law Enforcement 2020 Grant

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year 2020 State Of California "Citizens Options For Public Safety" (State COPS Grant XXIII) Allocation In The Amount Of Six Hundred Fifty-Eight Thousand Eight Hundred Twenty Dollars (\$658,820) Plus Accrued Interest Earnings, Of Up To Ten Thousand Dollars For A Total Amount Not To Exceed Six Hundred Sixty-Eight Thousand Eight Hundred Twenty Dollars (\$668,820), To Fund Helicopter Maintenance, Computer And Technology Upgrades, And Stop Sticks For Patrol Cars; On The December 1, 2020 City Council Agenda 20-0838

3.28 Subject: FY 2020-21 OPD Traffic Safety Grant

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) Dollars From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2020-2021 Selective Traffic Enforcement Program (STEP), To Be Administered By The Oakland Police Department (OPD); And Authorize The General Purpose Services Fund To Contribute Seventy Two Thousand Seven Hundred Forty-One Dollars (\$72,741) To Cover The Related Central Services Overhead Charges; On The December 1, 2020 City Council Agenda

20-0834

3.29 Subject: 2020 Law Enforcement Victim Specialist Program Grant

From: Oakland Police Department

Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or Designee To Accept And Appropriate Four Hundred Thirty Six Thousand Six Hundred Eighty Nine Dollars (\$436,689) To The Oakland Police Department For A Three-Year Law Enforcement Victim Specialist Program (LEVS) Grant From The US Department Of Justice Office of Victim Services (DOJ OVS) To Fund One Full Time Equivalent (1 FTE) Victim Specialist In the Crime Investigation Division To Enhance The Quality And Quantity Of Services Available To Victims of Crime; On The December 1, 2020 City Council Agenda

20-0836

3.30 Subject: Unmanned Aerial Systems (UAS) Privacy Policy

From: Oakland Police Department

Recommendations: Adopt A Resolution Approving The Oakland Police Department (OPD) DGO I-25 Unmanned Aerial System (UAS) Use Policy And Surveillance Impact Report; On The December 1, 2020 City Council Agenda

3.31 Subject: 2020 Law Enforcement Mental Health And Wellness Grant

From: Oakland Police Department

Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or Designee To Accept And Appropriate One Hundred Twenty-Four Thousand Eight Hundred Eighty-Seven Dollars (\$124,887) To The Oakland Police Department For A Two-Year Law Enforcement Mental Health And Wellness Act (LEMHWA) Grant From The US Department Of Justice Office of Community Oriented Policing Services (DOJ COPS) To Purchase And Install Mental Health And Wellness Software Applications And Training For Sworn And Professional Staff; And 2) Waiving The City's Advertising/ Bidding And Request For Proposal Requirements For The Proposed Purchase; On The December 1, 2020 City Council Agenda

20-0831

3.32 Subject: SARAnet Intellectual Property Transfer

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute A Conveyance Agreement Between Resource Development Associates (RDA) And The City Of Oakland To Transfer From RDA To The City Of Oakland All SARAnet System Intellectual Property Rights For The Sum Of One (1) Dollar: On The December 1, 2020 City Council Agenda

3.33 Subject: Harvey M. Rose Retainer From: Council President Kaplan Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt A Resolution Pursuant To Charter Section 801 Authorizing The City Administrator To Retain Harvey M. Rose Associates LLP, For An Amount Not To Exceed \$50,000, To Perform, At The Direction Of The Council President, An Independent Budget Analysis Of The Following Revenues: Affordable Housing Impact Fees, Oakland Army Base Job Training Fees, And Anti-Displacement Funds, To Advise The Council On Budget Considerations and Waiving The Request For Proposal Process For The Employees Of The City Of Oakland

[NEW TITLE]

Adopt A Resolution Pursuant To Charter Section 801 Authorizing The City Administrator To Retain Harvey M. Rose Associates LLP, For An Amount Not To Exceed \$50,000, To Perform, At The Direction Of The Council President, An Independent Budget Analysis Of The Following Revenues: Affordable Housing Impact Fees, Oakland Army Base Job Liquidated Damages, And Anti-Displacement Funds, To Advise The Council On Budget Considerations And Waiving The Request For Proposal Process; And Authorizing The City Administrator To Amend Appropriation In FY 2019-2021 General Purpose Funds (1010), If Needed, To Fund The Contract; On The December 1, 2020 City Council Agenda On Consent

20-0791

Legislative History

11/5/20 *Rules & Legislation

Committee the Oakland Redevelopment Successor

Agency and the City Council

Scheduled to the * Concurrent Meeting of

Council President Kaplan made a motion, seconded by Chair Thao, to schedule this item to the December 1, 2020 City Council Agenda on Non Consent, the motion passed by with the following vote: 3 Ayes: Bas, Thao, and

Council President Kaplan 1 No: McElhaney

3.34 Subject: Informational Report On Cares Act Spending

From: Council President Kaplan

Recommendation: Receive An Informational Report And Update On The Coronavirus Aid, Relief And Economic Security (CARES) Act Relief Fund Expenditures, Last Report Received October 20, 2020; On The December 1, 2020 City Council Agenda On Non-Consent

3.35 Subject: Informational Report From Assemblymember Robert Bonta

From: Council President Kaplan

Recommendation: Receive An Informational Report From Assemblymember Robert Bonta For Assembly Legislative Update For The City Of Oakland; On The December 15, 2020 City Council Agenda

20-0847

3.36 Subject: Honoring Archbishop Abune Melketsedek

From: Councilmembers Thao And Taylor

Recommendation: Adopt A Resolution In Honor Of Archbishop Abune Melketsedek For His Commitment To Peace, Education, And Human Rights; On The December 1, 2020 City Council Agenda On Consent

20-0842

3.37 Subject: Honoring The Legacy Of Mike Lee

From: Councilmember Gallo

Recommendation: Adopt A Resolution Honoring The Legacy of Mike Lee, A Passionate Advocate And Defender Of The Rights Of Our Unhoused Community Members; On The December 1, 2020 City Council Agenda As A Ceremonial

20-0803

3.38 Subject: Honoring Arthur Monroe

From: Councilmember Gallo

Recommendation: Adopt A Resolution Honoring And Recognizing Arthur Monroe, A Widely-Respected Artist, Educator, And Community Activist From Oakland, California; On The December 1, 2020 City Council Agenda As A Ceremonial Item **20-0804**

Recommendations From Committees

3.39 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)

20-0782

Attachments: View Report

View Legislation

Legislative History

11/5/20 *Rules & Legislation Scheduled to the *Special Life Enrichment

Committee Committee

This item schedules a Special Life Enrichment Committee that will be held at

2:30 P.M.

11/16/20 *Special Life Enrichment Continued to the *Special Life Enrichment

Committee Committee

Councilmember McElhaney made a motion, seconded by President Kaplan, to continue the resolution on the item to a Special Life Enrichment Committee on December 8, 2020 at 1:30PM, and directing staff to return to with the following included in a Supplemental report,

-more info on the \$1.25 Million dollars in funding from the Measure compared to total funding;

-outstanding jobs, jobs program, youth life coaching, etc; and

-commit to meeting with stakeholders in advocacy and organizations affected

, and hearing no objections, the motion passed by with the following vote: 4 Ayes: Bas, McElhaney, President Kaplan, and Taylor

3.40 Subject: Local Business Empowerment Through Contracting (LBETC)

From: Councilmember Taylor And Councilmember McElhaney

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Directing The City Administrator To Explore And Report Back To Council By March 2021 Regarding (1) 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; (2) A Plan For How The City Of Oakland Can Combine The On-Call Contracts Procurement Process And The Local Small Local Business Enterprise Program So That Public Works Contracts Comply With SLBE Requirements, And (3) A Proposed Plan For Enhancing Requirements For The Preferred Small Local Business Program To Include All Professional Services And Not Just Professional Pre-Construction Services, And Implementing These Proposed Plans 20-0754

Attachments:

View Memo

View Legislation

Legislative History

10/22/20 *Rules & Legislation Withdrawn with No New Date

Committee

This item is to be brought back to Rules Committee by the requester for

scheduling

11/5/20 *Rules & Legislation Scheduled to the *Special Community &

Committee Economic Development Committee
This item schedules a Special Community And Economic Development

Committee at 1:30 P.M.

A title change was read into record and Councilmember McElhaney requested to be added as a coauthor.

11/17/20 *Special Community & Economic Development

Committee

Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

There were 6 speakers on this item

Committee requested this item be placed on the December 15, 2020 City Council Agenda On Non-Consent

2) An Ordinance Amending Ordinance No. 13101 C.M.S., Which Revised Oakland's Local And Small Local Business Enterprise (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 Provisions Related To Disposition And Development Agreements And Cooperative Agreements, And Update The List Of Applicable Schedules, As Set Forth In Exhibit A Attached Hereto 20-0755

<u>Attachments:</u> <u>View Memo</u>

View Legislation

View Report - Attachment A

Legislative History

10/22/20 *Rules & Legislation Withdrawn with No New Date

Committee

This item is to be brought back to Rules Committee by the requester for

scheduling

11/5/20 *Rules & Legislation Scheduled to the *Special Community &

Committee Economic Development Committee

This item schedules a Special Community And Economic Development

Committee at 1:30 P.M.

A title change was read into record and Councilmember McElhaney requested

to be added as a coauthor.

11/17/20 *Special Community & Approved the Recommendation of Staff, and

Economic Development Forward to the * Concurrent Meeting of the Committee Oakland Redevelopment Successor Agency

and the City Council

Committee requested this item be placed on the December 15, 2020 City

Council Agenda On Non-Consent

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

20-0798

Attachments: View Pending List

<u>View Previously DIstributed 10 Day Agendas</u>

View Draft December 1, 2020 City Council Agenda

View Draft December 3, 2020 Rules Agenda

5 Determinations Of Closed Session

20-0799

6 Subject: Public Ethics Commission Enabling 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 20-0749

Attachments: View Report

View Legislation

Legislative History

11/5/20 *Rules & Legislation Scheduled to the *Rules & Legislation

Committee Committee

7 Subject: 2021 Schedule Of The City Council And Council Committee Meetings

From: Council President Kaplan And Office Of The City Administrator

Recommendation: Approve The Report And Recommendations For The 2021 Schedule Of City Council And Council Committee Meetings, Agenda Materials Deadlines, And

Agenda Distribution Dates

20-0792

Attachments: View Report

Legislative History

11/5/20 *Rules & Legislation Scheduled to the *Rules & Legislation

Committee Committee

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

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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.