

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 7, 2021

10:30 AM

Please See The Agenda To Participate In the Meeting

Virtual Tele- Conference Via Zoom

***Rules & Legislation Committee**

Pursuant to the Governor's Executive Order N-29-20, all members of the City Council as well as the City Administrator, City Attorney and City Clerk will join the meeting via phone/video conference and no teleconference locations are required

PUBLIC PARTICIPATION

The public may observe and/or participate in this meeting many ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on <https://oakland.legistar.com/calendar.aspx> and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/87529531780> at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Meeting ID: 875 2953 1780

If asked for a participant ID or code, press #.

COMMENT:

ALL PUBLIC COMMENT ON ACTION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE MEETING UNDER ITEM 1. COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING

There are three ways to submit public comments.

- eComment. To send your comment directly to Council members and staff BEFORE the meeting starts please click on <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes five (5) minutes before posted meeting time.
- To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing "*9" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute your self by pressing *6.

If you have any questions, please email the Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

COMMITTEE MEMBERSHIP:

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

Roll Call / Call To Order

1 PUBLIC COMMENT:

COMMENT ON ALL ACTION ITEMS WILL BE TAKEN 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 23, 2021

[21-0692](#)

Attachments: [View Report](#)

3 New Scheduling Items

3.1 Subject: "MACRO" Recommendations
From: The Public Safety Committee
Recommendation: TITLE CHANGE

[OLD TITLE]

Approve A Report And Recommendation Including The Following;

- 1) Include A Community Advisory Board (As Previously Voted By Council);
- 2) Ensure Living Wage Quality Jobs For Frontline Responders And Bring On ASAP;
- 3) Return With A Plan To Expand To 24/7; Review Possibly Unneeded Non- Responder Positions;
- 4) Continue Pursuing Additional Funds To Continue/Expand; And Bring Back Spending Plan Reflecting These Discussions

[NEW TITLE]

Receive A Report And Recommendations Regarding Implementation Of The Mobile Assistance Community Responders Of Oakland (MACRO) Program Including The Following:

- 1) Include A Community Advisory Board For The Purpose Of Serving As An Advisory Partner To The Oakland Fire Department As Council Expressed Its Intent To Create In Resolution Number 88553 C.M.S And To Return To Council If Necessary With Appropriate Legislation;
- 2) Ensure A Competitive Salary And Wage Structure For Jobs, Meaning Jobs For Frontline Responders And Bringing Them On As Soon As Possible;
- 3) A Plan To Expand MACRO To A 24-Hours A Day, 7-Days A Week Program;
- 4) Strategy (And Staffing) To Pursue Additional Funds To Continue/Expand MACRO;
- 5) Revised Spending Plan; On The October 12, 2021 Public Safety Committee

[21-0663](#)

Attachments: [View Report](#)

Legislative History

9/14/21	*Public Safety Committee	Scheduled to the *Public Safety Committee <i>At the September 14, 2021 Public Safety Committee Vice Mayor Kaplan made a motion to schedule the following action item to the October 12, 2021 Public Safety Committee.</i>
9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee

3.2 Subject: Property Exchange With OUSD At Marston Campbell Park
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Of Oakland (City) To Conduct The Following Exchange Of Properties With The Oakland Unified School District, A California Public School District (District):

(1) Acquisition Of Approximately 44,791 Square Feet Of Real Property Located At Marston Campbell Park Near The Intersection Of 16th Street And Market Street From The District At No Cost To The City Pursuant To Oakland Municipal Code (OMC) Section 2.41.020 And Section 219(6) Of The City Charter; And

(2) Disposition Of Approximately 25,939 Square Feet Of Real Property Located At 1700 Market Street To The District At No Cost Pursuant To OMC Section 2.42.050; And

(3) Acquisition Of An Easement From The District Over Approximately 13,884 Square Feet Of Real Property Located Immediately Adjacent To 1700 Market Street For The Purpose Of Providing City Irrigation Facilities To Marston Campbell Park Pursuant To OMC Section 2.41.060; And

(4) Allocating A Not To Exceed Amount Of Ten Thousand Dollars (\$10,000) For Associated Closing Costs And Fees; And

(5) Making California Environmental Quality Act And Surplus Land Act Inquiries; On The October 19, 2021 City Council Agenda On Non-Consent
[21-0735](#)

3.3 Subject: Salary Ordinance Amendments & Exemptions For Various Classifications
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Mobile Assistance Community Responders Of Oakland (MACRO) Program Manager From The Operation Of Civil Service; And
[21-0736](#)

2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Payroll From The Operation Of Civil Service; And
[21-0737](#)

3) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Mobile Assistance Community Responders Of Oakland (MACRO) Program Manager; To Add The Full-Time Classification Of Community Intervention Specialist (MACRO); To Add The Full-Time Classification Of Emergency Medical Technician (MACRO); To Add The Full-Time Classification Of Tree Trimmer Crew Leader; To Add The Full-Time Classification Of Head Start/Early Head Start Assistant Instructor; To Add The Full-Time Classification Of Oracle Application Developer III; To Add The Full-Time Classification Of Custom Application Developer III; To Add The Full-Time Classification Of Community Police Review Agency (CPRA) Attorney; To Add The Full-Time Classification Of Benefits Supervisor; To Add The Full-Time Classification Of Manager, Payroll; To Amend The Title Of The Full-Time Classification Of Head Start/Early Head Start Substitute Associate Instructor To Head Start/Early Head Start Substitute Instructor; To Amend The Title Of The Permanent Part-Time Classification Of Head Start/Early Head Start Substitute Associate Instructor, PPT To Head Start/Early Head Start Substitute Instructor, PPT; To Amend The Title Of The Part-Time Classification Of Head Start/Early Head Start Substitute Associate Instructor, PT To Head Start/Early Head Start Substitute Instructor, PT; To Amend The Title Of The Full-Time Classification Of Parking Meter Collector Supervisor To Parking Meter Collection Supervisor; To Amend The Salary Of The Part-Time Classification Of Lifeguard, PT; To Amend The Salary Of The Part-Time Classification Of Water Safety Instructor, PT; To Amend The Salary Of The Part-Time Classification Of Pool Manager, PT; To Amend The Salary Of The Permanent Part-Time Classification Of Pool Manager, PPT; To Amend The Salary Of The Full-Time Classification Of Fire Protection Engineer; And To Delete The Full-Time Classification Of Application Developer III; On The October 19, 2021 City Council Agenda On Consent

[21-0738](#)

3.4 Subject: FY 2021-23 Use Of One-Time Revenues

From: Finance Department

Recommendation: Adopt A Resolution Amending And Superseding Resolution No. 88718 C.M.S., Which Authorized The Use Of One-Time Revenues To Balance The Fiscal Years 2021-23 Biennial Budget Pursuant To Section 1, Part D Of The City Of Oakland Consolidated Fiscal Policy (Ordinance No. 13487 C.M.S.), To Update The Amount Of One-Time Revenue The City Received Under The American Rescue Plan Act And The Amount Of One-Time Revenue Used To Balance The Fiscal Years 2021-23 Biennial Budget; On The October 19, 2021 City Council Agenda On Non-Consent

[21-0742](#)

3.5 Subject: Resolution To Declare October 17-23, 2021 As "Love Life" Week

From: Councilmember Reid

Recommendation: Adopt A Resolution Declaring The Week Of October 17-23, 2021 As "Love Life" Week In The City Of Oakland: On The October 19, 2021 City Council Agenda On Consent

[21-0746](#)

- 3.6** Subject: In Support Of Afghan Refugees
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution Urging The Biden Administration To Welcome Afghan Refugees, Urging The State Of California To Accept Afghan Refugees, And Declaring The City Of Oakland's Support For Afghan Refugees; On The October 19, 2021 City Council Agenda On Consent
[21-0740](#)
- 3.7** Subject: Restoring The Prompt Payment Ordinance
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution Terminating Item 10 Of The City Administrator's March 23, 2020, Emergency Order That Suspended Interest Penalties For Failure To Make Timely Payments In Accordance With Oakland Municipal Code Chapter 2.06; On The October 19, 2021 City Council Agenda On Non-Consent
[21-0741](#)
- 3.8** Subject: Support Of Ghost Guns Litigation
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution In Support Of The Litigation, Brought By San Francisco District Attorney Chesa Boudin, Against Ghost Gun Manufacturers To Fight Against The Increasing Violence And Death That These Untraceable Guns Have Caused In The City Of Oakland; On The October 19, 2021 City Council Agenda On Consent
[21-0744](#)
- 3.9** Subject: State Capital In The Community Grant
From: Councilmember Taylor
Recommendation: Adopt A Resolution Resolution Accepting And Appropriating Eight Million Dollars (\$8,000,000) From The State Of California To The City Of Oakland For The Specific Purpose Of Funding The ESO Ventures Capital In The Community Act, And Awarding Such Funds To ESO Ventures; On The October 19, 2021 City Council Agenda On Non-Consent
[21-0747](#)
- 3.10** Subject: Arroyo Viejo Commercial Kitchen Equipment
From: Councilmember Taylor
Recommendation: Adopt A Resolution Accepting A Gift Of Commercial Kitchen Equipment And In-Kind Services For Said Equipment Valued In An Amount Not To Exceed \$100,000 From Google For The Arroyo Viejo Recreation Center; On The October 19, 2021 City Council Agenda On Non-Consent
[21-0748](#)

3.11 Subject: OPD MHN Employee Assistance Program Contract
 From: Oakland Police Department
 Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Enter Into An Administrative Services Agreement With Managed Health Network (MHN) Services, LLC, To Continue Providing Substance Abuse Counseling Services For Members Of The Oakland Police Department (OPD) And Their Dependents, For The Period Of July 1, 2021 To June 30, 2022, With Four One-Year Automatic Renewal Periods Unless Terminated By Either Party For A Total Contract Period Of July 1, 2021 Through June 30, 2026, In An Amount Not To Exceed One Hundred Fifty Thousand Dollars Annually For A Total Contract Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000); On The October 19, 2021 City Council Agenda On Consent
[21-0745](#)

3.12 Subject: Housing, Residential Rent And Relocation Board Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Charles Oshinuga And Evelyn Torres As Undesignated Representatives To The Housing, Residential Rent And Relocation Board; On The October 21, 2021 Rules And Legislation Committee Agenda
[21-0743](#)

3.13 Subject: Request To Schedule Monthly Meetings Of The PW Committee
 From: Councilmember Gallo
 Recommendation: Schedule Monthly Meetings Of The PW Committee On The Fourth (4th) Monday Of Every Month With Exception Of August
[21-0734](#)

3.14 Subject: Receive A Report On Illegal Dumping, Graffiti And Blight
 From: Councilmember Gallo
 Recommendation: Receive A Report On Illegal Dumping, Graffiti And Blight Regarding The Number Of Monthly Complaints Via 311 And The City's Turn-Around Time For Responding To And Remediating The Complaints; On The October 25, 2021 Special Public Works Committee
[21-0718](#)

Legislative History

9/30/21	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
	<i>The Rules Committee Referred this item to October 7, 2021 Rules And Legislation Committee fro scheduling</i>	

3.15 Subject: Receive A Report On Abandoned Autos And Other Vehicles
 From: Councilmember Gallo
 Recommendation: Receive A Report On Abandoned Autos And Other Vehicles Regarding The Number Of Monthly Complaints Via 311 And The City's Turn-Around Time For Responding To And Remediating The Complaints; On The October 25, 2021 Special Public Works Committee Agenda
[21-0719](#)

Legislative History

9/30/21	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee <i>The Rules Committee Referred this item to October 7, 2021 Rules And Legislation Committee fro scheduling</i>
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3.16 Subject: Density Bonus Ordinance Update
 From: Planning And Building Department
 Recommendation: Adopt An Ordinance, As Recommended By The Planning Commission, Amending The Oakland Planning Code To Update Chapter 17.107 Density Bonus And Incentive Procedure; On The November 2, 2021 City Council Agenda As A Public Hearing
[21-0739](#)

3.17 Subject: Report On Waste Management's Contractual Obligations To The City Of Oakland
 From: Councilmember Gallo
 Recommendation: Receive A Report On Waste Management's Contractual Obligations To The City Of Oakland, Including Information On Thirty (30) Day Pick-Ups, Street Cans, And The Number Of Businesses Operating In Oakland Without A Waste Management Contract; On The November 22, 2021 Special Public Works Committee Agenda
[21-0720](#)

Legislative History

9/30/21	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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3.18 Subject: Receive A Report On The School Crossing Guards Program
 From: Councilmember Gallo
 Recommendation: Receive A Report On The School Crossing Guards Program, Including Information On Which OUSD Schools Have Guards, And How Many At Each School, As Well As The Number Of Guards Hired To-Date And The Number Needed To Be Hired To Fill Authorized Budgeted Levels; On The November 22, 2021 Special Public Works Committee Agenda
[21-0721](#)

Legislative History

9/30/21	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee <i>The Rules Committee Referred this item to October 7, 2021 Rules And Legislation Committee fro scheduling</i>
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- 3.19** Subject: Report On Staffing Levels In The Public Works Department And The Department Of Transportation
 From: Councilmember Gallo
 Recommendation: Receive A Report On Staffing Levels In The Public Works Department And The Department Of Transportation, Including The Number Of Funded But Vacant Positions, The Monthly Attrition Rate Of Employees Through Retirement, Resignation And Termination And The Effects That These Staffing Shortages Have On The Ability Of The Two Departments To Fulfill Their Goals And Mandates; On The November 22, 2021 Special Public Works Committee Agenda
[21-0722](#)

Legislative History

9/30/21	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
	<i>The Rules Committee Referred this item to October 7, 2021 Rules And Legislation Committee fro scheduling</i>	

- 4** Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[21-0693](#)

Attachments:

- [View Previously Distributed October 11, 2021 Finance And Management Comm](#)
- [View Previously Distributed October 12, 2021 Public Safety Committee](#)
- [View Previously Distributed October 14, Rules & Legislation Committee](#)
- [View Finance & Management Committee Pending List](#)
- [View Public Works Committee Pending List](#)
- [View Community & Economic Development Committee Pending List](#)
- [View Life Enrichment Committee Pending List](#)
- [View Education Partnership Committee Pending List](#)
- [View Public Safety Committee Pending List](#)
- [View Rules & Legislation Committee Pending List](#)
- [View Draft October 19, 2021 City Council Agenda](#)
- [View Draft October 21, 2021 Rules & Legislation Committee Agenda](#)

5 Determinations Of Closed Session

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

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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.**