

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 21, 2021

10:45 AM

CANCELLATION NOTICE:

**At The Call Of The Chair The October 21, 2021 Rules &
Legislation Committee Meeting Has Been Canceled Due To The
Lack Of A Quorum**

***Rules and Legislation Committee - CANCELLED**

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 October 7, 2021

[21-0729](#)

Attachments: [View Report](#)

3 New Scheduling Items

- 3.1** Subject: Scott Morris, Et Al. V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Scott Morris; Sarah Belle Lin; Brian Krans, Michael Katz And Oakland Privacy V. City Of Oakland; Oakland Police Department; Susan Manheimer, In Her Official Capacity; And Ed Reiskin, In His Official Capacity, Alameda County Superior Court Case No. RG20072029, City Attorney's File No. X05223, In The Amount Of One Hundred Twenty-Seven Thousand Five Hundred Dollars And No Cents (\$127,500) As A Result Of An Alleged Public Records Act Violation (Oakland Police Department - Public Records Act)

[21-0781](#)

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

3.2 Subject: Measure Z Compliance And The Hiring Plan
From: Office Of The City Administrator's
Recommendation: TITLE CHANGE

OLD TITLE

Approve A Report And Recommendations Including The Following; (1) An Update On Current And Projected Police Department Sworn-Staffing Levels; And (2) Proposed Modifications To Police Department's Hiring Plan That Are Necessary To Ensure The City Regains Compliance With Measure Z Staffing Requirements.

NEW TITLE

Approve A Report And Recommendations Including The Following; (1) An Update On Current And Projected Police Department Sworn-Staffing Levels; (2) Proposed Modifications To Police Department's Hiring Plan To Restore Sworn Staffing To Levels At Or Above Measure Z Staffing Requirements; On The November 16, 2021 City Council Agenda On Non-Consent

[21-0768](#)

Legislative History

10/14/21	*Rules & Legislation Committee	Withdrawn and Rescheduled to the *Rules & Legislation Committee
	<i>A Title Change was read into record and deferred to the Rules Committee of October 21st 2021 for scheduling.</i>	

- 3.3** Subject: Compliance With Senate Bill 1383 To Reduce Greenhouse Gas Emissions
From: Oakland Public Works Department
Recommendation: TITLE CHANGE

Adopt The Following Pieces Of Legislation;

OLD TITLE

- 1) An Ordinance Opting-In To The Alameda County Waste Management Authority's (WMA) Organics Reduction And Recycling Ordinance (ORRO) 2021-01; And

NEW TITLE

- 1) An Ordinance Opting-In To The Alameda County Waste Management Authority's (WMA) Organics Reduction And Recycling Ordinance (ORRO) 2021-01; And Adopting Appropriate California Environmental Quality Act (CEQA Findings; And [21-0652](#)

Legislative History

9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
9/23/21	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee
<i>The Rules And Legislation Committee Approved to withdrawn and rescheduled this item to Public Works Pending list, No Date Specific due to the cancellation of the October 26, 2021 Public Works Committee</i>		

OLD TITLE

- 2) An Ordinance To Amend Oakland Municipal Code 8.28 ("Solid Waste Collection And Disposal And Recycling") To Make Conforming Amendments For Consistency With WMA ORRO Ordinance 2021-01; And

NEW TITLE

- 2) An Ordinance To Amend Oakland Municipal Code 8.28 ("Solid Waste Collection And Disposal And Recycling") To Make Conforming Amendments For Consistency With WMA ORRO Ordinance 2021-01; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And [21-0653](#)

Legislative History

9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
9/23/21	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee
<i>The Rules And Legislation Committee Approved to withdrawn and rescheduled this item to Public Works Pending list, No Date Specific due to the cancellation of the October 26, 2021 Public Works Committee</i>		

OLD TITLE

3) An Ordinance Amending Oakland Municipal Code Chapter 15.34 ("Construction And Demolition Debris Collection, Transportation, Waste Reduction And Recycling Requirements"), To Comply With SB 1383 Regulations CCR 14, Section 18989.1(a)(2), (The Short-Lived Climate Pollutant Reduction Act Of 2016) Which Require Compliance With The Requirements Of CALGreen Sections 5.408.1 And 4.408.1 To Divert 65% Of Construction And Demolition Debris; And

NEW TITLE

3) An Ordinance Amending Oakland Municipal Code Chapter 15.34 ("Construction And Demolition Debris Collection, Transportation, Waste Reduction And Recycling Requirements"), To Comply With SB 1383 Regulations CCR 14, Section 18989.1(a)(2), (The Short-Lived Climate Pollutant Reduction Act Of 2016) Which Require Compliance With The Requirements Of CALGreen Sections 5.408.1 And 4.408.1 To Divert 65% Of Construction And Demolition Debris; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And

[21-0654](#)

Legislative History

9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
9/23/21	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee
<i>The Rules And Legislation Committee Approved to withdrawn and rescheduled this item to Public Works Pending list, No Date Specific due to the cancellation of the October 26, 2021 Public Works Committee</i>		

OLD TITLE

4) An Ordinance Amending Oakland Planning Code Chapter 17.118 ("Recycling Space Allocation Requirements"), To Comply With SB 1383 Regulations CCR 14 Section 18989.1(a)(2), (The Short-Lived Climate Pollutant Reduction Act Of 2016) Which Require Compliance With The Requirements Of CALGreen Sections 4.410.2 - Recycling By Residential Occupants And Section 5.410.1- Recycling By Non-Residential Occupants To Require Space For Organics Containers In New Or Renovated Multi-Family And Commercial Buildings As An Addition To The Current Requirement For Space For Recycling Containers; And

NEW TITLE

4) An Ordinance Amending Oakland Planning Code Chapter 17.118 ("Recycling Space Allocation Requirements"), To Comply With SB 1383 Regulations CCR 14 Section 18989.1(a)(2), (The Short-Lived Climate Pollutant Reduction Act Of 2016) Which Require Compliance With The Requirements of CALGreen Sections 4.410.2 - Recycling By Residential Occupants And Section 5.410.1- Recycling By Non-Residential Occupants To Require Space For Organics Containers In New Or Renovated Multi-Family And Commercial Buildings As An Addition To The Current Requirement For Space For Recycling Containers; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And

[21-0655](#)

Legislative History

9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
9/23/21	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee

The Rules And Legislation Committee Approved to withdrawn and rescheduled this item to Public Works Pending list, No Date Specific due to the cancellation of the October 26, 2021 Public Works Committee

OLD TITLE

5) An Ordinance Amending Oakland Municipal Code By Adding Chapter 18.01 ("Water Efficient Landscaping Ordinance"), To Comply With The State Requirement To Promote Water Conservation And Efficient Use Of Water In Landscaping; And

NEW TITLE

5) An Ordinance Amending Oakland Municipal Code By Adding Chapter 18.01 ("Water Efficient Landscaping Ordinance"), To Comply With The State Requirement To Promote Water Conservation And Efficient Use Of Water In Landscaping; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; On The November 16, 2021 City Council Agenda On Non - Consent

[21-0656](#)

Legislative History

9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
9/23/21	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee
<i>The Rules And Legislation Committee Approved to withdrawn and rescheduled this item to Public Works Pending list, No Date Specific due to the cancellation of the October 26, 2021 Public Works Committee</i>		

3.4 Subject: Sanitary Sewer Sub-Basin Rehabilitation Project

From: Oakland Public Works

Recommendation: Adopt A Resolution (1) Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For Sanitary Sewer Rehabilitation Sub-Basin 85-202 (Project No. 1004810) And With Contractor's Bid For An Amount Not To Exceed Five Million, Eight Hundred Seventy-Seven Thousand, Four Hundred Eighty-Five Dollars (\$5,877,485.00) And (2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings; On The November 16, 2021 City Council Agenda On Consent

[21-0780](#)

- 3.5** Subject: RPR Architects And Dialog Design On-Call Contract Increase For Main Library / Fire Stations Renovations And Downtown Facility Asset Inventory
From: Oakland Public Works
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification ("RFP/Q") Requirement And Authorizing The City Administrator To Increase The On-Call Architectural Services Agreement With: (1) RPR Architects By An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To Six Hundred Fifty Thousand Dollars (\$650,000.00) And, (2) Dialog Design (Formerly Byrens Kim Designworks) By An Amount Not-To-Exceed Fifty Thousand Dollars (\$50,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To Five Hundred Fifty Thousand Dollars (\$550,000.00); On The November 16, 2021 City Council Agenda On Consent
[21-0776](#)
- 3.6** Subject: Caltrans Maintenance Bikeway Infrastructure
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Amendments To Maintenance Agreements Between The City And California Department Of Transportation (Caltrans) Relating To Bikeway Infrastructure In Order To Reduce Delay Of Construction Projects; On The November 16, 2021 City Council Agenda On Consent
[21-0775](#)
- 3.7** Subject: Maintenance Agreements LAMMPS, Fruitvale Alive
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing The City Administrator To Execute The Maintenance Agreement Between The City And California Department Of Transportation (Caltrans) For The Laurel Access To Mills, Maxwell Park And Seminary (LAMMPS) Project As Part Of The Terms Of The Caltrans Encroachment Permit No. 0416-NMC 1563 Required For Construction Underneath The Macarthur Boulevard Undercrossing (Bridge No. 33-316); And
[21-0777](#)
- 2) A Resolution Authorizing City Administrator To Execute The Maintenance Agreement Between The City And California Department Of Transportation (Caltrans) For The Fruitvale Alive! Gap Closure Project As Part Of The Terms Of A Future Caltrans Encroachment Permit Applied For By The City; On The November 16, 2021 City Council Agenda On Consent
[21-0778](#)

- 3.8 Subject: Amending Resolution No. 88558 C.M.S. To Reallocate Continuum Of Care Grant Funds
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 88558 C.M.S. To Reallocate \$190,408 In Continuum Of Care Grant Funds From First Place For Youth To Covenant House California And Authorizing The City Administrator To Amend The Grant Agreement With Covenant House California To Increase The Amount By \$190,408 For A Total Grant Amount Not To Exceed \$525,735 For The Provision Of Transitional Housing And Supportive Services To Homeless Youth Through July 31, 2022; On The November 16, 2021 City Council Agenda On Consent
[21-0779](#)

- 4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[21-0728](#)

Attachments: [View Previously Distributed October 25, 2021 Special Public Works Agenda](#)
[View Previously Distributed October 26, 2021 Community & Economic Development Committee Pending List](#)
[View Previously Distributed October 28, 2021 Rules Agenda](#)
[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 Pending List](#)
[View Rules Pending List](#)
[View Draft November 2, 2021 City Council Agenda](#)
[View Draft November 4, 2021 Rules Agenda](#)

5 Determinations Of Closed Session

- 6 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 Members To The Housing, Residential Rent And Relocation Board
[21-0743](#)

Attachments: [View Report](#)
[View Report Oshinuga Application](#)
[View Report Evelyn Application](#)
[View Legislation](#)

Legislative History

10/7/21

*Rules & Legislation
Committee

Scheduled to the *Rules & Legislation
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

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.**