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, September 29, 2022

10:30 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

*Rules & Legislation Committee

Pursuant to California Government Code Section 54953(e), the City Council has found that an imminent risk to the health of attendees due to the COVID-19 pandemic continues to exist. Therefore, all City Councilmembers will participate in the meeting via phone/video conference without notice of their teleconference locations

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/85644242981 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: 856 4424 2981

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 twenty four (24) hours

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: COMMENTS ON ALL 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 15, 2022

22-0711

Attachments: View Report

3 New Scheduling Items

3.1 Subject: Amendments To Council's Temporary Rules Of Procedure

From: Council President Bas

Recommendation: Adopt A Resolution Amending The Council's Temporary Rules Of Procedure Set Forth In Resolution No. 88266 C.M.S., (Except For Modifications To Rule 25, The "High Stakes Negotiations Policy" Approved By Resolution No. 88785 C.M.S.), Which Establish Guidelines For Council And Council Committee Meetings And Requirements 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: (1) Establish More Frequent Committee Meetings; (2) Clarify How Long Members Of The Public Have To Raise Their Hands To Advise The Council And City Clerk That They Wish To Comment On Agenda Items; (3) Clarify The Process For Requesting Scheduling Of Items Via Rule 28; (4) Establish A Policy Regarding When Councilmembers Should Have Their Cameras On During Teleconference Meetings; And (5) Make Non-Substantive Technical Edits; And Setting Forth In Their Entirety The Rules Of Procedure As Amended By This Resolution; On The October 4, 2022 Special City Council Agenda On Non-Consent 22-0777

3.2 Subject: Amending Agreements Between The City And EOYDC

From: Office Of The City Attorney Recommendation: Adopt A Resolution:

- 1) Amending Resolution No. 89376 C.M.S. To Add Building Opportunities For Self-Sufficiency (BOSS) As The Fiscal Sponsor For Grantee "Family Support Advocates" And To Add The Social Good Fund Inc. As The Fiscal Sponsor For Grantee "Homies Empowerment";
- 2) Ratifying Resolution Nos. 88678, 88921, 89245 And 89376 C.M.S., Which Authorized Grant Agreements Between The City Of Oakland And The East Oakland Youth Development Center ("EOYDC"), To The Extent Necessary To Resolve Any Potential Conflicts Of Interest Related To Councilmember Treva Reid's Remote Interest In EOYDC; And
- 3) Ratifying Such Grant Agreements Between The City Of Oakland And EOYDC; On The October 4, 2022 Special City Council Agenda On Non Consent 22-0781
- 3.3 Subject: 2021/22 Consolidated Annual Performance & Evaluation Report From: Housing And Community Development Department Recommendation: Receive The City Of Oakland's Consolidated Annual Performance And Evaluation Report For Fiscal Year 2021/22 Community Development Block Grant, Home Investment Partner Ships, Housing Opportunities For Persons With HIV/AIDS, Emergency Solutions Grants Programs And Activities Administered Under Coronavirus Aid Relief & Economic Security Act Funds Allocated Under The Community Development Block Grant, And Housing Opportunities For Persons With HIV/AIDS And Emergency Solutions Grant Programs; On The October 18, 2022 City Council Agenda As A Public Hearing 22-0765
- 3.4 Subject: Oakland Asian Cultural Center Lease And Ten-Year Grant Agreement From: Economic And Workforce Development Department Recommendation: Adopt The Following Pieces Of Legislation
 - 1) An Ordinance (A) Authorizing The City Administrator To Negotiate And Execute A 10-Year Lease With API Cultural Center, Inc. Of The Condominium Located At 388 9th Street, Suite 290, With One 5-Year Administrative Option To Extend And Rent Of One Dollar (\$1) Per Year For Operation And Management Of The Oakland Asian Cultural Center, And (B) Adopting California Environmental Quality Act Findings; And 22-0768

2) A Resolution Awarding A Ten (10) Year Grant To API Cultural Center, Inc. To Support The Operation And Programs Of The Oakland Asian Cultural Center In Annual Amounts Of Two Hundred Thousand Dollars (\$200,000), Subject To Funding Availability; On The October 18, 2022 City Council Agenda On Non-Consent 22-0769

3.5 Subject: Appraisals For Proposed Homekey Project

From: Vice Mayor Kaplan

Recommendation: Adopt A Resolution Appropriating And Allocating An Amount Not To Exceed \$20,000 From The General Fund For Fiscal Year 2022-2023 To Retain An Independent Appraiser To Appraise City Land At 9481 Edes Avenue And 606 Clara Street Intended For A Possible Future Project Under The State Of California Homekey Program; On The October 18, 2022 City Council Agenda On Consent 22-0778

3.6 Subject: Amend ABC Security Service Inc. Contract To Increase Spending Authority From: Public Works Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Increase The Security Contract Amount By Four Hundred Thousand Dollars Per Month (\$400,000.00) On A Month-To-Month Basis, For Up To Four (4) Months In A Total Amount Not To Exceed One Million, Six Hundred Thousand Dollars (\$1,600,000.00) Until Request For Proposal Number 269336 Is Awarded; And (2) Waive The Competitive Request For Proposal/Qualification Selection Requirement; On The October 18, 2022 City Council Agenda On Consent

<u>22-0779</u>

3.7 Subject: Lend A Hand Foundation 25th Anniversary

From: Councilmember Reid

Recommendation: Adopt A Resolution Commemorating The 25th Anniversary Of The Lend A Hand Foundation And Their Impactful Legacy Of Supporting Children, Youth, And Families In East Bay Area; On The October 18, 2022 City Council Agenda As Ceremonial 22-0780

3.8 Subject: Expand Gender Pay Equity And The Protection Of The Rights Of Women

From: Councilmember Reid

Recommendation: Adopt A Resolution In Support Of Senate Bill 1162 (Limón) Requiring The Disclosure Of Salary Ranges On Job Listings And Expands Pay Data Reporting Requirements And Assembly Bill 1287 (Bauer-Kahan) Prohibiting The Discriminatory "Pink Tax" On Products Marketed To Women: On The October 18, 2022 City Council Agenda On Consent

22-0782

3.9 Subject: Modernizing Commercial Loading

From: Transportation Department

Recommendation: Adopt The Following Pieces Of Legislation;

1) Adopt An Ordinance Amending Ordinance No. 13654 C.M.S (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish Fees For Commercial Vehicle Loading Zone Permits; And 22-0770

2) Adopt A Resolution (A) Waiving The Multi-Step Proposal Solicitation Requirement And Amending And Extending The Professional Services Agreement With Populus Technologies, Inc. ("Populus") For A Term Of One Year In An Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) For Mobility Management Software And The Reimbursement Of Parking Transaction Fees Charged To Commercial Vehicle Loading Zone Permit Holders And (B) Appropriating Anticipated Revenues Of Up To \$235,00.00 Per Year And Corresponding Ongoing Expenses Of Up To \$235,00.00 Per Year For Reimbursement Of Parking Payment Transaction Fees To Commercial Vehicle Loading Zone Permit Holders; On The October 25, 2022 Special Public Works Committee Agenda

22-0771

3.10 Subject: 2021 Citywide Paving Contracts

From: Transportation Department

Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate In The Open Market For 2021 As-Needed Pavement Rehabilitation Services (Project 1006103); And Authorizing The City Administrator To Award Construction Contracts To 1) Gallagher & Burk, 2) Mcguire & Hester And 3) O.C. Jones & Sons, Provided That All Meet The Contractor's Bid Schedule Of The Lowest Responsible Bid Of Gallagher & Burk, For 2021 As-Needed Pavement Rehabilitation Services (Project Number 1006103) In Accordance With The Project Plans And Specifications And The Lowest Responsive, Responsible Bidder In An Amount Not To Exceed Fifteen Million, Twenty-Three Thousand, Two Hundred And Fifty Dollars (\$15,023,250.00), Contingent Upon Availability Of Funds, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And 22-0772

- 2) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate In The Open Market For 2021 As-Needed Pavement Rehabilitation Services (Project 1006104); And Authorizing The City Administrator To Award A Construction Contract For 2021 As-Needed Pavement Rehabilitation Services (Project 1006104) To Gallagher & Burk, The Lowest Responsive, Responsible Bidder In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Fifteen Million, Twenty-Three Thousand, Two Hundred And Fifty Dollars (\$15,023,250.00), Contingent Upon Availability Of Funds, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And
- 3) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate In The Open Market For 2021 As-Needed Pavement Rehabilitation Services (Project 1006105); And Authorizing The City Administrator To Award A Construction Contract For 2021 As-Needed Pavement Rehabilitation Services (Project 1006105) To Gallagher & Burk, The Lowest Responsive, Responsible Bidder In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Five Million, Seven Hundred Fifty-Seven Thousand, Nine Hundred Seventy-Seven Dollars, And Fifty Cents (\$5,757,977.50), Contingent Upon Availability Of Funds, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; On The October 25, 2022 Special Public Works Committee Agenda

22-0774

22-0775

3.11 Subject: Status Of Payments To Workforce Development Organizations

From: Vice Mayor Kaplan

Recommendation: Receive An Informational Report On Workforce Development Organizations Subject To The Oversight Of The Oakland Workforce Development Board From The City Administrator On The Following: (1) Status Of City Reimbursements, Including Dates Invoices Were Received And Dates Reimbursements Were Issued From January 2022 To Present; (2) Status Of FY 2022-2023 Contracts, Including Dates Of Council Approval And Dates Of Final Contract Execution; And (3) Recommendations And Steps Taken To Improve The Payment Process; On The November 14, 2022 Finance And Management Committee Agenda

3.12 Subject: Approve The Oakland Police Department's Policies In Accordance With California Government Code § 7070 Et Seq. (AKA"AB 481") And Oakland Municipal Code Chapter 9.6

From: Oakland Police Department

Recommendation: Adopt A Resolution Approving Oakland Police Department's (OPD) Policies In Accordance With California Government Code § 7070 Et Seq. (AKA "AB 481") And Oakland Municipal Code Chapter 9.6; On The October 18, 2022 City Council Agenda On Consent

22-0776

3.13 Subject: Delinquent Business Tax Assessment Of Liens

From: Finance Department

Recommendation: Adopt One Of The Following Options:

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 Confirming 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 22-0766

2) 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 2); On The December 6, 2022 City Council Agenda As A Public Hearing 22-0767

RECOMMENDATIONS FROM THE SEPTEMBER 26, 2022 LIFE ENRICHMENT COMMITTEE

3.14 Subject: FY22-23 Oakland Head Start General Child Care And Development Program (CCTR) Contract Award

From: Human Services Department

Recommendation: Adopt A Resolution: 1. Authorizing The City Administrator To Enter Into An Agreement With The California Department Of Social Services (CDSS) Child Care And Development Division (CCDD) And Accept And Appropriate State Reimbursement Funding In An Amount Not To Exceed \$3,315,326 To Provide California General Child Care Program (CCTR) Services To Eligible Participants, Ages Birth To Three Years Old, Effective July 1, 2022 Through June 30, 2023; And 2. Approve A Contribution From The General Purpose Fund In An Amount Of \$42,482 Equivalent To The Associated Central Services Overhead Costs Estimated; And 3. Accept And Appropriate Additional California General Child Care Program Reimbursement Funding For Fy2022-23 That Becomes Available For The Same Purposes Stated, During The Grant Term, And To Amend The Agreement

22-0713

Attachments: View Report

View Legislation

Legislative History

9/15/22 *Rules & Legislation Scheduled to the *Special Life Enrice	chment
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Committee Committee

9/26/22 *Life Enrichment Committee Approved the Recommendation of Staff, and

Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor

Agency/City Council

Vice Mayor Kaplan made a motion, seconded by Council President Bas, to forward staffs recommendation to the October 4, 2022 Special City Council

meeting on Consent.

The motion passed with a vote of 4 Ayes.

RECOMMENDATIONS FROM THE SEPTEMBER 27, 2022 SPECIAL PUBLIC WORKS COMMITTEE

3.15 Subject: Gateway Industrial Landscape Maintenance Contract 2022

From: Public Works Department

Recommendation: Adopt A Resolution: (1) Waiving Further Advertising And Competitive Bidding; (2) Authorizing The City Administrator To Award A Two-Year Landscape Maintenance Construction Contract In An Amount Not To Exceed Three Hundred Fifteen Thousand Dollars (\$315,000.00) In The Open Market For The Gateway Industrial Landscape Maintenance Contract 2022 (Project No. 1004284) In Accord With All Of The City's Contracting Programs Including The Local And Small Local Business Enterprise Requirements; And (3) Adopting Appropriate California Environmental Quality Act Findings

22-0703

Attachments: View Report

View Legislation

Legislative History

9/15/22 *Rules & Legislation Scheduled to the *Special Public Works

Committee Committee

9/27/22 *Special Public Works Approved the Recommendation of Staff, and

Committee Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor

Agency/City Council

Councilmember Taylor made a motion, seconded by Councilmember Kalb, to forward staffs recommendation to the October 4, 2022 Special City Council

Agenda on Consent.

3.16 Subject: City Of Oakland 2022 Zero Emission Vehicle Action Plan

From: Transportation Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution (A) Approving The Oakland Zero Emission Vehicle Action Plan, (B) Adopting Appropriate California Environmental Quality Act (CEQA) Findings, And (C) Directing The City Administrator To Add One Full Time Transportation Planner II Position In The Department Of Transportation Fiscal Year 2023-24 Budget Proposal To Implement The City Of Oakland's Zero Emission Vehicle Action Plan; And 22-0708

Attachments: View Agenda Report

View Legislation
View Attachment A

Legislative History

9/15/22 *Rules & Legislation Scheduled to the *Special Public Works

Committee Committee

9/27/22

*Special Public Works

Committee

Approved as Amended the Recommendation of Staff, and Forward to the Special

Concurrent Meeting of the Oakland Redevelopment Successor Agency/City

Council

Councilmember Kalb made a motion, seconded by President Pro Tempore Thao, to forward the recommendation to the October 4, 2022 City Council Agenda on Non Consent with the following amendments;

-amending the last further resolved clause of the resolution to read "FURTHER RESOLVED: That the City Administrator is directed to add one full time transportation planner II Fiscal Year 2023-24 Budget proposal to implement the City of Oakland's Zero Emission Vehicle Action Plan"; And

-adding language to Attachment A to read "ZEV Action Plan (Attachment A) *Add action requirement in Chapter 4 (or other chapter if staff prefers):*

Action PC-5 – Pursue EV Charging Requirement for Fuel Service Stations Develop ordinance that would require new services stations and those fuel stations proposed for renovation to install a minimum number of fast-charging EV charging stations as a condition of approval. (staff may wordsmith this amendment as needed)"

The motion passed with a vote of 4 Ayes.

2) An Ordinance: (A) Amending Ordinance No. 13654 C.M.S (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish Fees For Charging Electric Vehicles, (B) Amending Municipal Code Section 10.48.010(B) To Add Fines For Parking A Vehicle In An Electric Charging Designated Space While Not Connected For Electric Charging Purposes; And (C) Adopting Appropriate California Environmental Quality Act (CEQA) Findings 22-0709

Attachments: View Legislation

View Exhibit

Legislative History

9/15/22 *Rules & Legislation Scheduled to the *Special Public Works

> Committee Committee

9/27/22 *Special Public Works Approved the Recommendation of Staff, and

Committee Forward to the Special Concurrent Meeting

of the Oakland Redevelopment Successor

Agency/City Council

Councilmember Kalb made a motion, seconded by President Pro Tempore Thao, to forward staffs recommendation to the October 4, 2022 City Council Agenda on Non Consent.

The motion passed with 4 Ayes.

RECOMMENDATIONS FROM THE SEPTEMBER 27, 2022 SPECIAL COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

3.17 Subject: Cannabis Regulatory Commission 2021 Annual Report

From: Economic And Workforce Development Department

Recommendation: Receive An Informational Report From The Cannabis Regulatory

Commission For The Year 2021

22-0704

Attachments: View Report

Legislative History

9/15/22 *Rules & Legislation Scheduled to the *Special Community &

Committee Economic Development Committee

9/27/22 *Special Community & Approved the Recommendation of Staff, and

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

Agency/City Council

Councilmember Fife made a motion seconded by Councilmember Taylor, to receive and forward this item to the October 4, 2022 Special City Council

Agenda On Consent

3.18 Subject: Study Session On The General Plan Update: Environmental Justice Element, Safety Element Update, And Industrial Lands Vision

From: Planning And Building Department

Recommendation: Conduct A Study Session And Receive An Informational Report As Follows: (A) Environmental Justice Element Requirements And Key Environmental Justice Issues In Oakland; (B) Safety Element Framework And Key Safety Issues In Oakland; (C) Key Opportunities And Challenges Facing Oakland's Industrial Economy; And (D) Provide Feedback To Staff On Key Goals Needed To Address Environmental Justice Issues, Advance Equitable Processes For Integrating Climate Resilience And Public Safety Strategies, And Inform The Vision For Oakland's Industrial Growth 22-0705

Attachments: View Report

View Presentation

Legislative History

9/15/22 *Rules & Legislation Scheduled to the *Special Community &

Committee Economic Development Committee

9/27/22 *Special Community & Received and Filed

Economic Development

Committee

Councilmember Gallo made a motion seconded by Couniclmember Fife, to

receive and file this item

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

22-0712

Attachments: October 4, 2022 Special City Council Agenda

October 6, 2022 Rules And Legislation Committee Agenda

Finance And Management Pending List

Public Works Pending List

Community And Economic Development Pending List

Life Enrichment Pending List

Education Partnership Pending List

Public Safety Pending List

Rules And Legislation Pending List

<u>Draft October 10, 2022 Finance and Management Committee Agenda</u>

<u>Draft October 10, 2022 Special Life Enrichment Committee Agenda</u>

Draft October 11, 2022 Public Safety Committee Agenda

Draft October 13, 2022 Rules And Legislation Committee Agenda

5 Determinations Of Closed Session

Open Forum

Adjournment

Americans With Disabilities Act

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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.