

DECLARATION OF PUBLICATION OF SAN FRANCISCO CHRONICLE

13635 CMS

NOTICE AND DIGEST

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE CHAPTER 9.64, WHICH REGULATES THE CITY'S ACQUISITION AND USE OF SURVEILLANCE TECHNOLOGY, BY (A):(1) CLARIFYING EXISTING DEFINITIONS AND ADDING NEW ONES;(2)CLARIFYING WHEN CITY STAFF MUST NOTIFY THE PRIVACY ADVISORY COMMISSIONAND/OR SEEK CITY COUNCIL APPROVAL IN REGARDS TO THE ACQUISITION OF SURVEILLANCE TECHNOLOGY; (3)PROHIBITING THE CITY'S USE OF BIOMETRIC SURVEILLANCE TECHNOLOGY AND PREDICTIVE POLICING TECHNOLOGY; AND(B)ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS

This Ordinance would amend Oakland Municipal Code Chapter 9.64 to clarify existing definitions, add new definitions, and prohibit certain kinds of new surveillance technology. It also adopts California Environmental Quality Act exemption findings. Upon final adoption on second reading this ordinance will become effective immediately if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

Notice of Publication

This Ordinance was introduced at the City Council meeting, Tuesday evening **December 15, 2020**, and passed to print **8 Ayes**. Final adoption has been scheduled for the City Council meeting Tuesday evening **January 12, 2021, 1:30 p.m.**, at One Frank H. Ogawa Plaza, Council Chamber, 3rd floor, Oakland, California.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st floor, Oakland, California.

ASHA REED, Acting City Clerk
Publication Date: **Friday January 8, 2021**
(One Time)

NOTICE AND DIGEST

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

This ordinance will amend Ordinance No. 13101 C.M.S., which amended Oakland's Local and Small Local Business Enterprise (L/SLBE) program; to increase the use of Oakland L/SLBEs in City contracting, with said amendments as follows and as more specifically set forth in Exhibit A to this ordinance:

- Revise the City's L/SLBE Trucking Program requirements by (a) requiring that to meet the 50% participation goal, contractors may only use trucking companies certified through the L/SLBE trucking program; and (b) removing the requirement that companies house or store trucks within the City's geographic region; and
- Create a business certification category referred to as a "Small Business Administration-Local Oakland Business Enterprise (SBA-LBE) category; and Reduce the size standard of an LBE where the 3-year average of gross receipts is less than or equal to 20% of the most recently published United States Small Business Administration's Small Business Size standards (U.S. SBA);
- Redefine "substantial presence" and "local manufacturer" as applied to City-related businesses; and
- Limiting modifications to L/SLBE schedules after bid opening; and
- Applying a bid discount of 5% to a VSLBE prime contractor during construction bid evaluation, and a bid discount of 5% for professional services contract bids where the VSLBE meets a 50% subcontractor goal; and
- Requiring that all developers engaged via a Development and Disposition Agreement submit a schedule of the projected award of construction and construction-related agreements prior to executing the DDA, with all such agreements required to include the L/SLBE Program requirements; and
- Increasing the preference percentage for Mentor-Protege teams on construction and professional services contracts from 5% to 10% , and establishing criteria for eligible agreements that ensures mentees and junior JV partner receive the intended mentorship and growth opportunity in addition to the business opportunity. Mentor protege teams may not exceed two per project; and
- Updating the list of schedules applicable to the L/SLBE program.

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DIANE FITZGIBBON

declares that:

The annexed advertisement has been regularly published in the

SAN FRANCISCO CHRONICLE

which is and was at all times herein mentioned established as newspaper of general circulation in the City and County of San Francisco, State of California, as that term is defined by Section 6000 of the Government Code.

SAN FRANCISCO CHRONICLE

(Name of Newspaper)

901 Mission Street

San Francisco, CA 94103

From

To

Namely, on

(Dates of Publication)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

at San Francisco, California.

DIANE FITZGIBBON