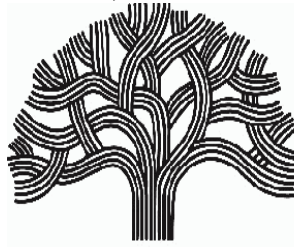


City of Oakland

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



CITY OF OAKLAND

Meeting Minutes - FINAL

Thursday, November 5, 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/84229083739> 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: 842 2908 3739

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

The Oakland City Council Rules And Legislation Committee convened at 10:36 A.M., with Councilmember Thao presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Rebecca Kaplan, Sheng Thao, Lynette McElhaney, and Nikki Bas

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 speakers spoke during Public Comment.

This be Accepted.

2 Approval Of The Draft Minutes From The Committee Meeting Of October 22, 2020
[20-0762](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Nikki Bas, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Kaplan, Thao, McElhaney, and Bas

NO VOTE: 0

3 New Scheduling Items

A motion was made by Lynette McElhaney, seconded by Nikki Bas, that this matter be Approve with the following amendments. The motion carried by the following vote:

Aye: 4 - Kaplan, Thao, McElhaney, and Bas

NO VOTE: 0

3.1 Subject: Grant Agreement- Friends Of The Public Bank East Bay
From: Finance Department
Recommendation: Adopt A Resolution Awarding A Grant In An Amount Not To Exceed Thirty Thousand Dollars (\$30,000) To The Friends Of The Public Bank East Bay To Aid In The Development Of A Public Bank In Accordance With Assembly Bill No. 857, Which Will Be Able To Handle The Depository And Investment Needs Of The City Of Oakland And All Alameda County Cities
[20-0767](#)

Attachments: [View Report](#)
[View Legislation](#)
[88731 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

3.2 Subject: Grants For Cannabis Equity Program And Fee Extensions
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No. 88162 C.M.S. To: (1) Authorize The City Administrator Or His Or Her Designee To Convert The Use Of Up To \$2,010,239 Of Previously Awarded State Of California, Office Of The Governor “Go-Biz” Equity Act Grant Funds, From Revolving Loans To Local Equity Licensees And Applicants, To Loans To Fund The Purchase Of Real Property (IES) For Use By Multiple Equity Licensees And Applicants, Which May Be Forgiven Upon An Applicant’s And Or Licensee’s Successful Compliance With Program Loan Terms; (2) Authorize The Use And Allocation Of Up To \$500,000 Of “Go-Biz” Funds Previously Appropriated For The Revolving No-Interest Loan Program For Loans For The Purchase Of Real Property (IES) For Use By Multiple Equity Licensees And Applicants; And (3) Authorize The Use And Allocation Of Up To \$50,000 Of “Go-Biz” Funds Previously Appropriated For The Revolving No-Interest Loan Program For Equity Licensees’ And Applicants’ Utilization Of Shared- Use Manufacturing Facilities; And Make Appropriate California Environmental Quality Act (CEQA) Findings; And

[20-0768](#)

Attachments: [View Report](#)
[View Legislation](#)
[88372 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

Subject: Grants For Cannabis Equity Program And Fee Extensions
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Changing Permitting Requirements For Cannabis Businesses By: 1) Amending Oakland Municipal Code Sections 5.80.050 And 5.81.060 To Allow A Cannabis Business Permit Applicant Who Previously Met The Income And Oakland Residency Criteria To Qualify As An “Equity Applicant” To Receive Equity Assistance Program Services Up To Four Years From The Date Such Applicant Was Verified As An Equity Applicant, Regardless Of The Applicant’s Current Income Or Residency; 2) Extending The Due Date For Cannabis Business Permit Fees For Certain Burglarized Businesses; And 3) Adopting CEQA Exemption Findings

[20-0769](#)

Attachments: [View Legislation](#)
[View Notice & Digest](#)
[13626 CMS](#)

This Ordinance be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

3.3 Subject: Contract For Highway Safety Improvement Program (HSIP) Cycle 7
From: Transportation Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Area Lightworks Inc., For Highway Safety Improvement Program (HSIP) Cycle 7, Market Street And San Pablo Avenue Improvement Project, Project No. 1003204, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor’s Bid In The Amount Of Two Million Three Hundred Eight Thousand Five Hundred Seventy-One Dollars (\$2,308,571)
[20-0770](#)

- Attachments:** [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Report Attachment D](#)
[View Legislation](#)
[88373 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

3.4 Subject: Contract Authority For Utility Cost-Share Paving
From: Transportation Department
Recommendation: Adopt A Resolution Waiving Advertising, Competitive Bidding, And City Contracting Program Requirements And Authorizing The City Administrator To Negotiate And Award Construction Contracts To East Bay Municipal Utility District Contractors For All Current And Future Utility Cost-Share Paving Without Return To Council
[20-0771](#)

- Attachments:** [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Legislation](#)
[View Report Cost Share Paving Project](#)
[88374 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

3.5 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](#)

This Ordinance be Scheduled.to go before the *Rules & Legislation Committee to be heard 11/19/2020

3.6 Subject: Head Start/Early Head Start Program (FY) 2021 - 2026 Grant Application
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City To Apply For Funding, Through The Funding Opportunity Announcement HHS- 2021-ACF-OHS-CH-R09-1860 For Head Start/Early Head Start Grantee City Of Oakland, In An Estimated Amount Of \$17,826,886 Per Year For A Five-Year Period From Fiscal Year (FY) 21/22 Through FY 25/26 From The United States Department Of Health And Human Services, Administration For Children And Families, Office Of Head Start
[20-0776](#)

Attachments: [View Report](#)
[View Legislation](#)
[88375 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

3.7 Subject: Police Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of James Jackson To Serve On The Oakland Police Commission As Commissioner
[TITLE CHANGE]
[20-0677](#)

- Attachments:** [View Report](#)
[View James Jackson Application](#)
[View Brian Hauck Application](#)
[View Legislation](#)
[View Supplemental Resume: Jackson 10/2/2020](#)
[View Supplemental Resume: Hauck 10/2/2020](#)
[View Supplemental Memo - 10/09/2020](#)
[View Supplemental Report - 11/25/2020](#)
[View Supplemental Legislation - 11/25/2020](#)
[88387 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/1/2020

3.8 Subject: Professional Services Agreement With FUSE Corps
From: Planning & Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To: 1) Negotiate And Execute A Contract Between Fuse Corps And The City (Fuse Fellow Contract) In An Amount Not-To-Exceed One Hundred Thousand And One Dollars (\$100,001) To Fund One Executive-Level Fellow For The Planning And Building Department For A Full Eight-Month Contract Term; 2) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process Requirement For The Proposed Fuse Fellow Contract
[20-0779](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[88376 CMS](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

3.9 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
[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](#)
[View Report - 11/20/2020](#)
[View Attachment A - 11/20/2020](#)
[View Attachment B - 11/20/2020](#)
[View Attachment C - 11/20/2020](#)
[View Attachment D - 11/20/2020](#)
[View Attachment E - 11/20/2020](#)
[View Legislation - 11/20/2020](#)
[2020-005 CMS](#)

This ORSA Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

3.10 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) as 1) presented by staff at the Life Enrichment Committee of December 8, 2020; or 2) as presented by staff and directing the City Administrator to return to Council within 60 days with any proposed revisions to the spending plan; or 3) Direct the City Administration to continue with existing spending plan for either six (6) or nine (9) months and direct the City Administrator to return to Council by June 30 with an amended spending plan for consideration
[20-0782](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Supplemental Report - 12/4/2020](#)
[View Supplemental Report Attachment A - 12/4/2020](#)
[View Supplemental Report Attachment B - 12/4/2020](#)
[View Supplemental Report Attachment C - 12/4/2020](#)
[View Supplemental Report Attachment D - 12/4/2020](#)
[Supplemental Legislation -12/4/2020](#)

This item schedules a Special Life Enrichment Committee that will be held at 2:30 P.M.

This City Resolution be Scheduled to go before the *Special Life Enrichment Committee to be heard 11/16/2020

3.11 Subject: Fee and Fund Analysis
From: Council President Kaplan
Recommendation: Adopt A Resolution Authorizing the Council President To Enter Into An Agreement To Perform An Analysis Of The Missing Funds From 1) Affordable Housing Impact Fees; 2) Oakland Army Base Job Training Fees; And 3) Anti-Displacement Fund In Order To Make Recommendations On How Systems Can Be Improved; On The December 1, 2020 City Council Agenda On Consent
[20-0783](#)

This City Resolution be Withdrawn with No New Date.

3.12 Subject: Amending Council Rules of Procedure
From: Council President Kaplan
Recommendation: Adopt A Resolution Amending The Council's Temporary Rules Of Procedure Resolution No. 88113 C.M.S, Which Establishes Guidelines For Council And Council Committee Meetings And Requirements During The Period That State Or Local Public Health Officials Have Imposed Or Recommended Social Distancing Measures And Is In Effect 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 Allow Public Speakers With Each Non-Consent Action Item On The Agenda; On The December 1, 2020 City Council Agenda On Non-Consent [20-0784](#)

This City Resolution be Withdrawn with No New Date.

3.13 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](#)
[View Supplemental Report - 12/11/2020](#)
[View Supplemental Legislation - 12/11/2020](#)

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.

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 11/17/2020

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](#)

Attachments: [View Memo](#)

[View Legislation](#)

[View Report - Attachment A](#)

[View Supplemental Report - 12/11/2020](#)

[View Supplemental Report Attachment A -12/11/2020](#)

[View Supplemental Legislation - 12/11/2020](#)

[View Supplemental Report Exhibit A - 12/11/2020](#)

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.

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 11/17/2020

- 3.14** Subject: On-Call Horizontal Concrete Shaving Professional Service Agreement
From: Transportation Department
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing The City Administrator To Negotiate And Award A Construction Services Contract For On-Call Horizontal Concrete Shaving For Sidewalk Displacements Services, For A Term Not To Exceed Four (4) Years And In An Amount Not To Exceed Four Million Five Hundred Thousand Dollars (\$4,500,000) With Precision Emprise, LLC [TITLE CHANGE]
[20-0702](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Legislation](#)
[View Supplemental Report -11/6/2020](#)
[View Supplemental Report Attachment A -11/6/2020](#)
[View Supplemental Legislation -11/6/2020](#)
[88377 CMS](#)

A title change was read into record.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/10/2020

- 3.15** Subject: Informational Report On The City's Equal Pay Policy
From: Member Of The Public: Gene Hazzard
Recommendation: Schedule An Informational Report From The Department Of Human Resources (Ian Appleyard) On The Non-Consent Agenda To The First City Council Meeting In November Or December 2020 Regarding The City's Equal Pay Policy That Exist For The Employees Of The City Of Oakland
[20-0789](#)

Council President Kaplan agreed to cosponsor this item and work with the Administration and Author.

This Report and Recommendation be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/12/2021

3.16 Subject: Oakland Army Base Penalties Spending Authority
From: Finance Department
Recommendation: 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), And All Future Penalties Collected By The City, If Any, 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
[20-0790](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Attachment 1](#)
[View Supplemental Legislation - 12/4/2020](#)
[View Supplemental Report - 12/11/2020](#)
[View Supplemental Attachment 1 - 12/11/2020](#)
[View Supplemental Legislation - 12/11/2020](#)

Non Consent

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/1/2020

3.17 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](#)

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

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/1/2020

Aye: 3 - Kaplan, Thao, and Bas

No: 1 - McElhaney

NO VOTE: 0

3.18 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](#)

[View Supplemental Report - 11/20/2020](#)

This Report and Recommendation be Scheduled.to go before the *Rules & Legislation Committee to be heard 11/19/2020

3.19 Subject: Legislative Agenda 2021
From: Office Of The Mayor
Recommendation: Receive An Informational Report On The City's 2021 State And Federal Legislative Agenda And Summary Of 2020 State And Federal Legislative Efforts
[20-0793](#)

Attachments: [View Report](#)

[View Memo](#)

[View Supplemental Memo - 12/11/2020](#)

This Informational Report be Scheduled.to go before the *Rules & Legislation Committee to be heard 12/3/2020

3.20 Subject: Henry J. Kaiser Convention Center - LDDA Second Amendment
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance That Authorizes The City Administrator Or Designee To Negotiate And Execute A Second Amendment To The Lease Disposition And Development Agreement (LDDA) Between The City Of Oakland (City) And Oakland Civic, LLC (Oakland Civic), And Related Documents, For Renovation And Rehabilitation Of Cityowned Property Located At 10 Tenth Street, Commonly Known As The Henry J. Kaiser Convention Center (Property), That (A) (I) Modifies Certain Closing Requirements, Including Eliminating Non-Binding Letters Of Intent Pre-Lease Requirement 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: (1) 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; (2) 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 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 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 Event Use/Sponsorship Agreement, Subject To Certain Termination Rights And City Protections; (3) Document Oakland Civic's Consent To The City Entering Into A Naming Rights Agreement And Related Documents With Kaiser Foundation For The Property; And (4) 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
[20-0794](#)

Attachments: [View Report](#)
[View Report - Attachment A](#)
[View Legislation](#)
[13633 CMS](#)

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

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/1/2020

2) A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Naming Rights Agreement And Related Documents With Kaiser Foundation Health Plan, Inc., Granting It 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; And

[20-0795](#)

Attachments: [View Legislation](#)

[88419 CMS](#)

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

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/1/2020

3) A Resolution Awarding A Grant To Calvin Simmons Theatre, Or A Related Entity Or Affiliate (CST), For A Term Of 30 Months To Be Used For The Renovation Of The Calvin Simmons Theatre And Related Improvements, Consistent With A Lease Disposition And Development Agreement Between The City Of Oakland And Oakland Civic, LLC, In An Amount Not To Exceed \$12 Million, Disbursable By The City To CST In Progress Payments Subject To Certain Restrictions And Receipt Of Funds Pursuant To The Terms Of A Naming Rights Agreement For The Property

[20-0796](#)

Attachments: [View Legislation](#)

[88420 CMS](#)

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

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/1/2020

Recommendations From Committees

3.21 Subject: Information On Impact Fees
From: Council President Kaplan
Recommendation: Receive An Informational Report On The Status Of: 1) The City Of Oakland's Current Efforts To Complete An Assessment Of The Affordable Housing, Jobs/Housing, And Transportation And Capital Improvements Impact Fee Programs From July 2016 To June 2019, And 2) Affordable Housing Impact Fee (AHIF) Collections, Budgeting For 2019/21 And Deployment
[18-2061](#)

Attachments: [View Report](#)

- [View Supplemental Report 11/8/2019](#)
- [View Supplemental Report 11/27/2019](#)
- [View Supplemental Report 2/7/2020](#)
- [View Supplemental Report - 9/11/2020](#)
- [View Supplemental Report - Attachment A 9/11/2020](#)
- [View Supplemental Report - Attachment B 9/11/2020](#)
- [View Supplemental Presentation - 10/23/2020](#)
- [View Supplemental Report - 10/23/2020](#)
- [View Supplemental Report - Attachment A 10/23/2020](#)
- [View Supplemental Report - Attachment B 10/23/2020](#)
- [View Supplemental Report - Attachment C 10/23/2020](#)
- [View Supplemental Report - Attachment D 10/23/2020](#)
- [View Supplemental Report - Attachment E 10/23/2020](#)
- [View Supplemental Report - 11/25/2020](#)
- [View Supplemental Report - Attachment B 11/25/2020](#)

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/10/2020

3.22 Subject: Oakland Economic Recovery Advisory Council Interim Report
From: Vice Mayor Reid
Recommendation: Receive An Informational Report On The Economic Recovery Council's Draft Recommendations
[20-0710](#)

Attachments: [View Report](#)

- [View Attachment A](#)

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/10/2020

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[20-0734](#)

- Attachments:** [Previously Distributed 10 Day Agenda November 10, 2020](#)
[Previously Distributed 10 Day Agenda November 12, 2020 Rules](#)
[View Finance Pending List](#)
[View Public Works Pending List](#)
[View Community Development Pending List](#)
[View Life Enrichment Committee](#)
[View Rules Pending List](#)
[View Public Safety Pending List](#)
[View Education Partnership Committee Pending List](#)
[Draft Special Community And Economic Development Committee Agenda November 17, 2020](#)
[Draft Rules And Legislation Agenda November 19, 2020](#)

Staff requested the removal of item #9 regarding "OPD Forensic Logic CopLink Privacy And Contract" and rescheduled to it to the December 1, 2020 City Council meeting.

The Committee cancelled the November 12, 2020 Rules and Legislation Meeting due to the Veterans Day holiday falling on the previous day, and called a regular City Council meeting on December 15, 2020 at 1:30 P.M.

A motion was made by Lynette McElhaney, seconded by Nikki Bas, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - Kaplan, Thao, McElhaney, and Bas

NO VOTE: 0

Subject: OPD Forensic Logic CopLink Privacy Use Policy And Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Approving The Oakland Police Department (OPD) Forensic Logic CopLink Surveillance Use Policy (SUP); 2) Authorizing The City Administrator Or Designee To Enter Into A Three Year Contract With Forensic Logic, Inc., For The Period Of July 1, 2020 Through June 30, 2023, For One Hundred And Ninety Eight Thousand Dollars (\$198,000) For The First Year, And Two Hundred Fifty Three Thousand Dollars (\$253,000) Per Year For Years Two And Three, For A Total Contract Of Seven Hundred Four Thousand Dollars (\$704,000), For Access To The CopLink Search And Analytics System And Related Network, Licensing, Technical Support, And Consulting Services; And 3) Waiving The City's Advertising/ Bidding And Request For Proposal Requirements For The Proposed Purchase
[20-0744](#)

- 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](#)
[88421 CMS](#)

**This City Resolution be * Withdrawn and Rescheduled.to go before the *
Concurrent Meeting of the Oakland Redevelopment Successor Agency and the
City Council to be heard 12/1/2020**

5 Determinations Of Closed Session
[20-0764](#)

There was nothing to report from the Office of the City Attorney.

This Report and Recommendation be Accepted.

Open Forum (Total Time Available: 15 Minutes)

3 speakers spoke during open forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 11:52 A.M.

Americans With Disabilities Act

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*** 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.**