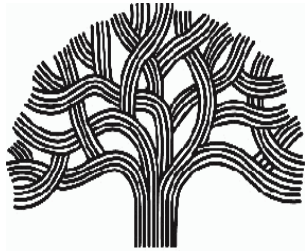


# City of Oakland

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



CITY OF OAKLAND

## **Meeting Agenda - DRAFT**

**Tuesday, December 21, 2021**

**1:30 PM**

**Please See The Agenda To Participate In The Meeting**

**Virtual Tele- Conference Via Zoom**

**\* Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the City  
Council**

***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/81864208364> 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: 818 6420 8364

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](mailto:cityclerk@oaklandca.gov)

- Office of the City Clerk

## ROLL CALL / CITY COUNCIL

*COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Dan Kalb, District 1; Vice Mayor Rebecca Kaplan, At Large; Councilmember Treva Reid, District 7; Councilmember Loren Taylor, District 6; President Pro Tempore Sheng Thao, District 4; Council President Nikki Fortunato Bas, District 2;*

### 1 PUBLIC COMMENT:

**COMMENTS ON ALL ACTION ITEMS EXCEPT PUBLIC HEARINGS WILL NOT BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN**

### 2 CONSENT CALENDAR (CC) ITEMS:

- 2.1** Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic  
[21-0846](#)  
**Attachments:** [View Legislation](#)
- 2.2** Subject: Declaration Of Medical Cannabis Health Emergency  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland  
[21-0847](#)  
**Attachments:** [View Legislation](#)
- 2.3** Subject: Declaration Of A Local Emergency On Homelessness  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness Crisis  
[21-0848](#)  
**Attachments:** [View Legislation](#)

- 2.4** Subject: Teleconference Meetings Of The City Council  
From: Office Of The City Administrator's  
Recommendation: Adopt A Adopt A Resolution Renewing And Continuing The City Council's Determination That Conducting In-Person Meetings Of The City Council And Its Committees Would Present Imminent Risks To Attendees' Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(E), A Provision Of AB-361  
[21-0849](#)

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

- 2.5** Subject: Resolution Honoring Tamora Corbin  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Honoring And Commending Tamora Corbin For 37 Years Of Dedicated Service To The City Of Oakland  
[21-0837](#)

**Legislative History**

11/4/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.6** Subject: Resolution Honoring Michael Fung  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Honoring And Commending Michael Fung For 32 Years Of Dedicated Service To The City Of Oakland  
[21-0838](#)

**Legislative History**

11/4/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.7** Subject: Resolution Honoring Connie Daye  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Honoring And Commending Connie Daye For 22 Years Of Dedicated Service To The City Of Oakland  
[21-0839](#)

**Legislative History**

11/4/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.8** Subject: Oakland GO Bonds, Series 2022C (Measure KK)  
From: Finance Department  
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds And The Issuance And Sale Of General Obligation Bonds In An Amount Not To Exceed \$220,000,000 And Approving Certain Related Matters  
[21-0831](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 16, 2021; TBS.*

**Legislative History**

11/4/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/16/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**2.9** Subject: Compliance With Senate Bill 1383 To Reduce Greenhouse Gas Emissions  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Adopting Alameda County Waste Management Authority Organics Reduction And Recycling Ordinance 2021-02 (WMA Ordinance 2021-02); Amending Oakland Municipal Code Chapter 8.28 To Make Conforming Amendments For Consistency With WMA Ordinance 2021-02 And To Comply With Senate Bill 1383; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And  
[21-0653](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
[View Supplemental Presentation - 11/19/2021](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 16, 2021; TBS.*

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
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9/23/21	*Rules & Legislation 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>	Rescheduled to the *Public Works Committee
10/28/21	*Rules & Legislation Committee <i>Approved for Non-Consent and the Title Change read into record</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/4/21	*Rules & Legislation Committee <i>A Title Change was read into record.</i>	Accepted
11/16/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

2) An Ordinance Amending Oakland Municipal Code Chapter 15.34 (Construction And Demolition Debris Collection, Transportation, Waste Reduction And Recycling Requirements) To Comply With Senate Bill 1383 (The Short-Lived Climate Pollutant Reduction Act Of 2016) And Its Regulations At California Code Of Regulations At Title 14 Section 18989.1(A)(2), Which Require Compliance With The Requirements Of The California Green Building Standards Code (CalGreen) Sections 4.408.1 And 5.408.1 To Divert 65% Of Construction And Demolition Debris; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And [21-0654](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 16, 2021; TBS.*

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
9/23/21	*Rules & Legislation 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>	Rescheduled to the *Public Works Committee
10/28/21	*Rules & Legislation Committee <i>Approved for Non-Consent and the Title Change read into record</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/4/21	*Rules & Legislation Committee <i>A Title Change was read into record.</i>	Accepted

11/16/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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3) An Ordinance Amending Oakland Planning Code Chapter 17.118 (Recycling Space Allocation Requirements), To Comply With Senate Bill 1383 (The Short-Lived Climate Pollutant Reduction Act Of 2016) And Its Regulations At California Code Of Regulations (CCR) At Title 14 Section 18989.1(A)(2), 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](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 16, 2021; TBS.*

**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>
10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved for Non-Consent and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	Accepted <i>A Title Change was read into record.</i>
11/16/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

4) 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  
[21-0656](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 16, 2021; TBS.*

**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>
10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved for Non-Consent and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	Accepted <i>A Title Change was read into record.</i>
11/16/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**2.10** Subject: Oak Knoll Community Facilities District (CFD)  
From: Economic & Workforce Development Department  
Recommendation: Adopt An Ordinance Levying Special Taxes Within Three Improvement Areas In The City Of Oakland Community Facilities District No. 2021-1 (Oak Knoll Facilities And Services), And Making Findings Under The California Environmental Quality Act (CEQA)  
[21-0815](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 16, 2021; TBS.*

**Legislative History**



10/28/21 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Approved as a Public Hearing*

11/16/21 \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Approved On Introduction and Scheduled for Final Passage to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Upon the reading of Item 3.2-2 by the City Clerk, the Public Hearing was opened at 4:26 p.m.*

*6 individuals spoke on this item.*

*Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas*

*Councilmember Reid made a motion, seconded by Councilmember Gallo, to approve on Introduction Item 3.2-2 and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas*

**2.11** Subject: State Of California Citizens Options For Public Safety (COPS) Front-Line Law Enforcement Grant Fiscal Year 2021  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate The Fiscal Year (FY) 2021 State Of California "Citizens Options For Public Safety " (State COPS Grant XXIV) Allocation In The Amount Of Six Hundred Sixty-Four Thousand One Hundred Ninety Dollars (\$664,190) Plus Accrued Interest Earnings, Of Up To Ten Thousand Dollars For A Total Amount Not To Exceed Six Hundred Seventy-Four Thousand One Hundred Ninety Dollars (\$674,190) To Fund Helicopter Maintenance, Computer And Technology Upgrades, And Criminal Investigation Interview Room Upgrades  
[21-0861](#)

**Legislative History**

11/18/21 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**2.12** Subject: Fire Station No. 10 Dormitory Renovation Construction Contract Award  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To:

1) Award A Construction Contract In An Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00) To The Lowest Responsive And Responsible Bidder, For The Construction Of The Fire Station No. 10 Dormitory Renovation Project, In Accordance With The Project Plans And Specifications And Contractor's Bid; Or [21-0858](#)

**Legislative History**

11/18/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2) If No Valid Bids Are Received, Or The Bids Are Deemed Non-Responsive Or Non-Responsible And/Or Exceed The Engineer's Estimate By More Than (10%), The City Administrator, Or Designee, May Reject All Bids And Award The Contract, For An Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00) In The Open Market, Without Return To Council  
[21-0859](#)

**Legislative History**

11/18/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.13** Subject: Oakland Hills HSIP8  
From: Transportation Department  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Az Construction Inc. Doing Business As Ace Fence Company, For Highway Safety Improvement Program (HSIP) Cycle 8, Oakland Hills Project, Project No. 1004013, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Five Hundred Twenty-One Thousand Three Hundred Fifteen Dollars (\$521,315)  
[21-0875](#)

**Legislative History**

11/18/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.14** Subject: City Of Oakland V. California Waste Solutions - Ordinance  
From: Office Of The City Attorney's  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13274 C.M.S. Which Awarded California Waste Solutions, Inc. ("CWS") An Exclusive Residential Recycling Collection Services Franchise Contract ("RR Franchise Agreement"), To Authorize And Approve The First Amendment To The RR Franchise Agreement Which Will: (1) Clarify The Rate For Premium Backyard Multi-Family ("MFD") Recycling Services For Carts; (2) Modify Certain Provisions And Services CWS Provides Under The RR Franchise Agreement As Described And Specified In This Ordinance And First Amendment To The RR Franchise Agreement; And (3) Adopt Appropriate California Environmental Quality Act ("CEQA") Findings  
[21-0910](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 7, 2021; (VOTE).*

**Legislative History**

12/7/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**COMMENCING AS SOON AS REASONABLY PRACTICABLE, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:**

- 3.1** Subject: Amendments To Oakland Planning Code Related To Accessory Dwelling Units  
From: Planning & Building Department  
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To: 1) Revise Regulations For Accessory Dwelling Units (ADUs) And Junior Accessory Dwelling Units (JADUs) To Comply With State Law; 2) Amend The S-9 Zoning Overlay Zone That Identifies Areas In The City Where ADUs Are Restricted To One Internal Conversion ADU Or JADU Per Residential Lot; 3) Provide An Exception Mechanism For Allowing Attached And Detached ADUs In The S-9 Zoning Overlay Zone; 4) Provide Additional Wildfire Building Protections In S-9 Zoning Overlay Zone; 5) Make Conforming Changes In Various Sections Of The Oakland Planning Code Related To ADUs; And 6) Make Appropriate California Environmental Quality Act (CEQA) Findings  
[21-0829](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Attachment D](#)  
[View Attachment E](#)  
[View Attachment F](#)  
[View Legislation](#)  
[View Exhibit A](#)  
[View Exhibit B](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON TBD.*

**Legislative History**

11/4/21	*Rules & Legislation Committee <i>This item is scheduled to the Special Community and Economic Development Committee of November 30, 2021, and as a Public Hearing at the December 21, 2021 City Council meeting.</i>	Scheduled to the *Special Community & Economic Development Committee
11/30/21	*Special Community & Economic Development Committee <i>The Committee Approved this Item to be heard as a Public Hearing on December 7th</i>	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

- 3.2** Subject: Appeal Of 1396 5th Street Project  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The  
Following Three Options:

1) A Resolution Denying The Appeal By East Bay Residents For Responsible  
Development And Thus Upholding The Planning Commission's Environmental  
Determination And Approval Of A Proposal To Construct 222 Dwelling Units On The  
Existing Vacant Lot Located At 1396 5th Street, Oakland CA (Project Case No. PLN  
20-101); Or  
[21-0806](#)

**Legislative History**

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>Approved as a Public Hearing and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>This Public Hearing was withdrawn &amp; rescheduled to the December 21, 2021 City Council Agenda</i>

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council  
Consideration To Deny The Appeal With Additional Conditions; Or  
[21-0808](#)

**Legislative History**

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>Approved as a Public Hearing and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>This Public Hearing was withdrawn &amp; rescheduled to the December 21, 2021 City Council Agenda</i>

[OLD TITLE]

3) A Motion To Direct Staff To Prepare A Resolution For Future City Consideration To Uphold The Appeal

[NEW TITLE]

3) A Resolution Upholding The Appeal By East Bay Residents For Responsible Development And Thus Vacating The Planning Commission's Environmental Determination And Approval Of A Proposal To Construct 222 Dwelling Units On A Vacant Site Located At 1396 5th Street, Oakland CA (Project Case No. PLN20-101), And Remanding To Planning Commission For Consideration Of Revised Environmental Analysis; Previously Schedule To The December 21, 2021 City Council Agenda As A Public Hearing

[21-0809](#)

**Legislative History**

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved as a Public Hearing and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This Public Hearing was withdrawn &amp; rescheduled to the December 21, 2021 City Council Agenda</i>

**3.3** 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

[21-0739](#)

**Attachments:** [View Report](#)  
[View Legislation And Exhibit A](#)  
[View Supplemental Presentation 10/29/2021](#)  
[View Supplemental Report 11/22/2021 - Kalb](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON TBD.*

**Legislative History**

10/7/21      \*Rules & Legislation      Scheduled to the \* Concurrent Meeting of  
Committee      the Oakland Redevelopment Successor  
Agency and the City Council

*Approved as a Public Hearing*

11/2/21      \* Concurrent Meeting of the      \* Withdrawn and Rescheduled  
Oakland Redevelopment  
Successor Agency and the  
City Council

*Upon the reading of Item 3.4 by the City Clerk, the Public Hearing was opened  
at 3:46 p.m.*

*5 individuals spoke on this item.*

*Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to close  
the Public Hearing, And*

*Rescheduled this item to the Special Community And Economic Development  
Committee for further review and discussion and then forward to the Planning  
Commission; And*

*hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan,  
Reid, Taylor, Thao, and Fortunato Bas*

11/30/21

\*Special Community &  
Economic Development  
Committee

Approved as Amended the Recommendation  
of Staff, and Forward to the \* Concurrent  
Meeting of the Oakland Redevelopment  
Successor Agency and the City Council

*The Committee forwarded an alternate recommendation to the first Council  
meeting in January 2022, that includes the following;*

*DENSITY BONUS Ordinance (proposed amendments) -17.107.045:*

*• In Section 17.107.045(A), need to specify that 'any other form of rent or price  
control' explicitly includes California's anti-rent gouging protections under  
Civil Code § 1947,12 and Oakland's Rent Adjustment Ordinance.*

*\* Same Square Footage for Demolished Units - All replacement units to  
replacement demolished units must include the same square footage as the  
demolished units. (This is an amendment to section 17.107.045(C)(4), to  
ensure that a developer doesn't demolish a large affordable unit and replace it  
with a smaller one with the same number of bedrooms.)*

*\* Presume that Demolished Affordable Units Had Low Income Households- The  
definition of protected units that developers must replace with affordable  
housing if they demolish them shall include units occupied by a low-income  
household in the past five years, where if the income of a household is not  
known, K shall be rebuttably presumed that a very low-income or extremely  
low income household occupied the unit. (This is an amendment to section  
17.107.045(CM1) & (CX2).)*

*\* Tenants Can Opt for Rent-Controlled Units to Replace Demolished Units -  
The  
affordable replacement units must be at 30% AMI as well unless the tenant opts  
to return to a rent-controlled replacement unit at the same rent as a demolished  
rent-controlled unit. (This is an amendment to section 17.107.045(C).) In  
Section 17.107.045(D), need top. create a process for ensuring that tenants  
displaced  
due to demolition for the purpose of developing new housing have received  
relocation assistance under the Uniform Relocation Ordinance.*

*\*Hold the moderate Oakland income rental projects to the same approval  
standards as moderate income for sales projects;*

*\*Oakland should allow low income units to qualify not only an income of  
80%AMI but also a rent level of 80%AMI*

**4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &  
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS**

**5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF DECEMBER 7, 2021  
21-0850**

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**



- 6 Subject: Enabling Ordinance For Measure R - Newspaper Of Record  
From: Vice Mayor Kaplan  
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Add Chapter 1.03 To Title 1, General Provisions, To Establish Procedures Designating Official Publications For City Advertising In Accordance With Charter Section 1205; On The December 21, 2021 City Council Agenda On Non-Consent  
[21-0833](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON TBD.*

**Legislative History**

11/4/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 7 Subject: Proof Of Vaccination Emergency Ordinance  
From: Councilmember Kalb  
Recommendation: Adopt An Emergency Ordinance Adding Oakland Municipal Code Chapter 8.68 To Require Proof Of A Covid-19 Vaccination For Patrons At The Following Indoor Public Locations: (1) Establishments Or Events Where Food Or Drink Is Served Including Restaurants, Bars, Coffee Houses, Clubs, And Banquet Halls; (2) Entertainment Venues, Theaters, Concert Venues, Museums, And Recreation Facilities; (3) Gyms, Fitness Centers And Yoga Studios; (4) Senior Adult Care Facilities And Senior Adult Day Programs; (5) Dental Offices; (6) Public Libraries; (7) City Hall And The Oakland Convention Center; And (8) Large Events At City And Privately Owned Facilities  
[21-0877](#)

*(PURSUANT TO CITY CHARTER SECTION 213 (EMERGENCY ORDINANCE) THIS ITEM MAY BE INTRODUCED AND ADOPTED AT THE SAME MEETING, REQUIRING 6 VOTES, UPON PASSAGE ORDINANCE WILL BE DEEMED APPROVED)*

**Legislative History**

11/18/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 8 Subject: Managed Safe RV Sites And Sanitation  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution To Improve Community Health By Providing For Managed Sites For RVS And Sanitation, By (1) Authorizing The Use Of Specified Parcels For Use As Managed Safe RV Sites And Sanitation (Including 796 66th Avenue, The North Gateway On The Army Base, And Caltrans Parcel At Interstate 880 At High Street) (2) Authorizing Staff To Seek Service Providers, And State Authorization Where Needed, For Managed Safe RV Sites; And (3) To Allocate Funding For Capital, Start Up And Operational Costs; And (4) To Direct The Administration And Oakland's Lobbyist, To Pursue Additional Funds, Including From County, State, And Federal Sources For These Purposes  
[21-0879](#)

Legislative History

11/18/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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9 Subject: Actions To Address Gun Violence Crisis  
From: Councilmember Taylor  
Recommendation: Adopt A Resolution To Take Specific Actions And Make Specific  
Commitments In Support Of Oakland's Declared Gun Violence Public Health Crisis By:

A. Directing The City Administrator To Provide, No Later Than The Council's First Meeting In January 2022, A Report And Recommendation To Apply Unanticipated And Uncommitted General Fund Revenue Or Cost Savings Toward: 1) The Addition Of A Third Police Academy In FY 2022-2023; 2) The Hiring Of Five (5) Additional Non-Sworn Criminal Investigations Staff; 3) The Initial Investment Into The Planning And Deployment Of Surveillance Camera Technology To Aid In Criminal Investigations While Minimizing Privacy Concerns; And 4) The Unfreezing Of Eight (8) Frozen Positions To Allow For Full Staffing Of The Ceasefire Unit; And

B. Directing The City Administrator To Return To Council No Later Than The Council's First Meeting In January 2022, With An Information Report On The Following: 1) A Proposal For Doubling The Clearance Rate Of Homicides And Other Part 1 Crimes Including The Creation Of A Clearance Rates Dashboard; 2) A Staffing Plan To Increase The Number Of Filled Sworn Officer Positions To Eight Hundred (800) By December 2023; 3) Identification Of Grant Opportunities To Increase National Integrated Ballistic Information Network (NIBIN) Gun Tracing Efforts; 4) Monitor And Report Back To Council On The Effectiveness Of The 911 Surge Response Teams To Inform Whether Council Should Continue With The Freezing Of These Forty-One (41) Positions As Directed By The Council President's June 2021-23 Amended Budget; And 5) A Plan For Ensuring Equitable 911 Response Across The City And Eliminating The Higher Volume Of Unanswered Calls In Bureau Of Field Operations (BFO) Two Versus Bureau Of Field Operations (BFO) One

[21-0920](#)

**Legislative History**

12/7/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Councilmember Taylor made a Motion, seconded by Councilmember Gallo, to Scheduling this item to the December 21, 2021 City Council Agenda on Non-Consent, using Rules 7 Part 8. The Motion Passed with a Vote of 8 Ayes*

- 10 Subject: Amending The City's Hiring Plan For Police Officers  
From: President Pro Tempore Thao  
Recommendation: Adopt A Resolution Amending The City's Hiring Plan For Police Officers For The Purpose Of Ensuring Compliance With Measure Z, A 2014 Pared Tax That Funds Public Safety Services, To; (1) Authorize A \$50,000 Hiring Bonus For Lateral Hires Who Successfully Complete OPD's Lateral Academy And Accept An Officer Position With The City Of Oakland As A Sworn Officer; (2) Require That Lateral And Local Incentives Return The Entire Financial Incentive To The City If They Leave The City Before Completing 18 Months Of Service; (3) Require That Lateral Hires Who Leave Before Completing 5 Years Of Service With The Oakland Police Department ("OPD") Repay A Prorated Amount Based On Their Tenure With OPD; (4) Authorize A \$20,000 Signing Bonus For Local Residents Who Successfully Complete OPD's Academy And Accept A Position With The City Of Oakland As A Sworn Officer; (5) Directing That Interview Panels For Police Recruits Shall Include At Least One Person Representing Expertise In NSA/Race And Equity And One Youth 18 Years-24 Years Of Age; And (6) To Exclude Any Police Officer With A History Of Misconduct Or Police Brutality, And In Cases Were Misconduct Information Is Not Available Or There Are Disclosure Challenges, If The Review Board Recommends The Lateral Hire; Subject To Completing Legally Required Collective Bargaining And The City Attorney's Review Of The Legality Of All Of The Foregoing  
[21-0931](#)

**Legislative History**

12/7/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*President Pro Tempore Thao made a Scheduling Motion, seconded by Vice Mayor Kaplan, to Schedule this item to the December 21, 2021 City Council Agenda on Non-Consent*

- 11 Subject: Informational Report On The Status On Authorized Grants  
From: Vice Mayor Kaplan  
Recommendation: Receive An Informational Report From The City Administrator On The Status Of Council-Authorized Grants And The Process For Issuance Of 'Grants, Including: For Each Grant Approved By Council In 2021, Whether All Or Part Or None Of Funds Have Been Issued, Status Of Any Remaining Steps To Be Taken And Funds To Be Issued  
[21-0695](#)

**Attachments:** [View Report](#)  
[View Report Attachment A](#)

**Legislative History**

9/23/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>The Rules And Legislation Committee Approved the following Title Change Read into record;</i>	
	<i>Receive An Informational Report From The City Administrator On The Status Of Council-Authorized Grants And The Process For Issuance Of 'Grants, Including: For Each Grant Approved By Council In 2021, Whether All Or Part Or None Of Funds Have Been Issued, Status Of Any Remaining Steps To Be Taken And Funds To Be Issued; and</i>	
	<i>to be scheduled to Non-Consent</i>	
10/19/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>The Council Committee continued staffs recommendations to the December 21, 2021 City Council Agenda with direction that staff report back with status updates of the grantees, grantee grant use and whether organizations are for profit or non-profit</i>	

## **ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF**

### **OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)**

#### **ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 6:30 P.M., Unless Extended By Majority Vote Of  
The Council)**

#### **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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**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.**

**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 8:30 A.M. TO 5:00 P.M.**