



City of Oakland

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

Meeting Minutes - FINAL *Rules & Legislation Committee

Thursday, December 9, 2021

10:30 AM

Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Oakland City Council Rules & Legislation Committee convened at 10:31 a.m. with President Pro Tempore Thao presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Roll Call / Call To Order

Excused 1 - Carroll Fife

Present 3 - Sheng Thao, Nikki Fortunato Bas, and Dan Kalb

1 PUBLIC COMMENT:

COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

There were 5 Public Comment Speakers

- 2** Approval Of The Draft Minutes From The Committee Meeting Of November 18, 2021
[21-0844](#)

Attachments: [View Report](#)

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

Excused: 1 - Fife

Aye: 3 - Thao, Fortunato Bas, and Kalb

NO VOTE: 0

3 New Scheduling Items

Council President Fortunato Bas called a Special December 21, 2021 City Council Meeting at 9:30 a.m.

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

Excused: 1 - Fife

Aye: 3 - Thao, Fortunato Bas, and Kalb

NO VOTE: 0

3.1 Subject: FY2020-21 Q4 And FY2021-22 Q1 Revenue And Expenditure Report (R&E)
From: Finance Department
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2020-21 Fourth Quarter And FY 2021-22 First Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds [21-0916](#)

Attachments: [View Report](#)
[View Supplemental Report - 12/17/2021](#)
[View Supplemental Attachment C - 12/17/2021](#)

This Informational Report be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/13/2021

3.2 Subject: HHAP 2 And 3 Funds
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating Round 2 Homeless Housing, Assistance, And Prevention Program (“HHAP 2”) Grant Funds In An Amount Not To Exceed Nine Million, Three Hundred Eleven Thousand, Five Hundred Sixty-Eight Dollars (\$9,311,568) Awarded To The City Of Oakland For The Provision Of Emergency Homeless Interventions;

(2) Authorizing The City Administrator (Or Designee) To Take All Steps Necessary To Apply For And Receive Round 3 Homeless Housing, Assistance, And Prevention Program (“HHAP 3”) Grant Funds Allocated To The City Of Oakland;

(3) Accepting And Appropriating HHAP 3 Grant Funds In The Amount Of Twenty-Four Million, Sixty-Six Thousand, Eight Hundred Twenty-Two Dollars And Fifty-Two Cents (\$24,066,822.52) Allocated To The City Of Oakland For The Provision Of Emergency Homeless Interventions; And

(4) Allocating Up To Ten Million Dollars (\$10,000,000) Of HHAP Grant Funds To Provide Long-Term Operating Funds For Homekey Program Extremely Low-Income Permanent Housing Sites
[21-0919](#)

Attachments: [View Report And Attachments](#)
[View Legislation](#)
[View Supplemental Report - 12/17/2021](#)
[88949 CMS](#)

This City Resolution be Scheduled.to go before the *Special Life Enrichment Committee to be heard 12/13/2021

3.3 Subject: Homeless Youth Guaranteed Income Pilot
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Authorizing The Use Of Up To One Million, Six Hundred Eighty-Nine Thousand, Nine Hundred Twenty-Five Dollars (\$1,689,925) Of Homeless Housing And Assistance Program Grant Funds Awarded To Oakland By The State Of California For Oakland's Homeless Youth Guaranteed Income Pilot Program;

(2) Awarding A Professional Service Agreement In An Amount Not To Exceed Four Hundred Ten Thousand, Six Hundred Sixty-Five Dollars (\$410,665) To Young Women's Freedom Center For The Provision Of Homeless Youth Guaranteed Income Planning, Recruitment, And Supportive Services From January 1, 2022 Through June 30, 2024;

(3) Waiving The Competitive Bidding Process And Awarding A Professional Service Agreement In An Amount Not To Exceed One Million, Two Hundred Seventy-Nine Thousand, Two Hundred Sixty Dollars (\$1,279,260) To FII-National, Doing Business As, UpTogether, To Administer The Direct Cash Assistance To Be Provided To Homeless Youth Participating In The Guaranteed Income Program From January 1, 2022 Through June 30, 2024;

(4) Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With The University Of Chicago, Chapin Hall Policy Research Center To Include Oakland's Homeless Youth Guaranteed Income Pilot Program In A National Research Study Through June 30, 2024; And

(5) Accepting A Gift Of In-Kind Services From Point Source Youth To Support Oakland's Homeless Youth Guaranteed Income Pilot Program Valued At Three Hundred Seventy-Five Thousand Dollars (\$375,000) And Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With Point Source Youth For The Provision Of Said In-Kind Services Through June 30, 2024

[21-0934](#)

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

This City Resolution be Scheduled to go before the *Special Life Enrichment Committee to be heard 12/13/2021

3.4 Subject: Five Year Pavement Prioritization Plan
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution: Establishing A Five-Year Prioritization Plan For The City Of Oakland's Complete Streets Paving Program (2022-2027) And Adopting California Environmental Quality Act ("CEQA") Exemption Findings; And
[21-0903](#)

- Attachments:** [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Legislation](#)
[88975 CMS](#)

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/14/2021

2) A Resolution: Authorizing The City Administrator To Award All Paving And Concrete Construction Contracts That Follow All City Advertising And Competitive Bidding Requirements And Are Awarded In Direct Service Of Delivering The 2022 Five Year Prioritization Plan In A Amount Not to Exceed Seventy-Five Millions Dollars, Without Return To City Council
[21-0904](#)

- Attachments:** [View Legislation](#)
[View Supplemental Legislation - 12/17/2021](#)
[88976 CMS](#)

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/14/2021

3.5 Subject: Illegal Dumping Surveillance Camera Program
From: Oakland Public Works
Recommendation: Receive An Informational Report On The Use Of Cameras To Monitor Illegal Dumping Hot Spots Throughout The City Of Oakland
[21-0929](#)

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

This Informational Report be Scheduled.to go before the *Special Public Works Committee to be heard 12/14/2021

3.6 Subject: Ghost Gun Ordinance
From: Councilmembers Kalb, Gallo And Vice Mayor Kaplan
Recommendation: Adopt An Ordinance Amending Chapter 9.36 "Weapons" To Require Privately Made Firearms, Commonly Referred To As "Ghost Guns," To Comply With State Law, Prohibit Nonexempt Persons From Possessing, Selling, Offering For Sale, Transferring, Purchasing, Transporting, Receiving Or Manufacturing An Unfinished Firearm Frame Or Receiver That Has Not Been Imprinted With A Serial Number And Prohibiting Nonexempt Persons From Possessing, Manufacturing Or Assembling A Privately Made Firearm That Has Not Been Imprinted With A Serial Number
[21-0922](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Notice And Digest](#)
[View Supplemental Report - January 12, 2022](#)
[View Supplemental Legislation - January 12, 2022](#)

This City Resolution be Scheduled to go before the *Special Public Safety Committee to be heard 12/14/2021

3.7 Subject: Assistance For Businesses Impacted By Armed Robberies
From: Vice Mayor Kaplan, Councilmember Fife, Gallo, And Pro Tem Thao
Recommendation: Adopt A Resolution To Direct The City Administrator To Assist Impacted Businesses Who Have Been Harmed By Armed Robberies By (1) Researching And Implementing City-Issued Loans To Impacted Businesses Can Be Deferred Or Waived, (2) Researching Options For Tax Rebates For Impacted Businesses And Returning To Council For Authorization As Needed, (3) Researching And Implementing, To The Extent Allowed Under The Program, The City's Provision Of Funding Through The City's Façade Improvement/Tenant Improvement Programs To Help Businesses Rebuild And Install Security Doors/Gates And Related Infrastructure, (4) Identify And Apply For State Of California Grant Funds That Can Be Granted To Oakland's Cannabis And East Oakland Businesses To Cover The Costs Of Repairs, Losses And/Or Other Damages Suffered Due To Recent Crime Activity, And (5) Conduct An Intensive Outreach Campaign To Impacted Businesses To Inform Them Of The Availability Of Any Existing City Support To Remediate The Economic Harm Caused By Armed Robberies
[21-0917](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Revised Report 12/10/2021](#)

[View Revised Legislation 12/10/2021](#)

[View Supplemental City Administrator Report 12/10/21](#)

[88982 CMS](#)

Approved the Title Change read into record

This City Resolution be Scheduled to go before the *Special Public Safety Committee to be heard 12/14/2021

3.8 Subject: County Support For Gun Violence Reduction
From: Councilmember Taylor
Recommendation: Adopt A Resolution Calling For The County Of Alameda To Support Oakland's Gun Violence Reduction Efforts By: (1) Strengthening Workforce Development Programs Focused On Justice-Involved Oakland Residents, (2) Substantially Increasing Investments Into Reentry Support Services For Oakland's Returning Citizens, (3) Conducting An Equity Analysis On Case Charging And Case Closure Data By City, For Cases Presented To The District Attorney, And Develop A Plan For Addressing Any Inequity That May Lead To Adverse Public Safety Outcomes, And (4) Collaborating With The City Of Oakland's Department Of Violence Prevention To Strengthen Violence Interruption In Jails To Complement Violence Interruption Efforts In The Community [21-0921](#)

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

Approved for 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 12/21/2021

3.9 Subject: Honoring Oakland's Homicide Victims
From: Councilmember Taylor
Recommendation: Adopt A Resolution In Remembrance And Honoring The Lives Lost Due To Homicide In The City Of Oakland In 2021 And Calling For Community Healing And Cooperation To Collectively Address The Root Causes Of Violence And Crime [21-0935](#)

Attachments: [View Report](#)
[View Legislation](#)
[88981 CMS](#)

Approved for 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 12/21/2021

3.10 Subject: Amending Fiscal Year 2021-22 Master Fee Schedule (MFS)
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 13654 C.M.S. (Which Adopted The Fiscal Year 2021-22 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland Referenced Herein
[21-0900](#)

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

Approved as a Public Hearing

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/21/2021

3.11 Subject: IAFF MOU Amendment With Aircraft Rescue Fire Fighters Services
From: Human Resources Management Department
Recommendation: Adopt A Resolution Approving An Amendment To The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters, Local 55 (IAFF MOU), Increasing The Fire Protection And Aircraft Rescue Firefighting Services (ARFF) Specialty Pay By An Additional 4% Retroactively Effective As Of The First Full Pay Period In July 2021 And Conditioned Upon The Agreement By The Port Of Oakland To Provide Full Reimbursement To The City For ARFF Pay
[21-0902](#)

Attachments: [View Report](#)
[View Legislation](#)
[88963 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 12/21/2021

3.12 Subject: Acceptance Of SAMHSA ReCAST Grant
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating A Grant Awarded By The United States Substance Abuse And Mental Health Services Administration (SAMHSA) In The Amount Of Five Million Dollars (\$5,000,000) To Be Disbursed In Equal Payments Of One Million Dollars (\$1,000,000) Annually For Five Years For The Resiliency In Communities After Stress And Trauma (Recast) Program From September 29, 2021 Through September 30, 2026;

(2) Approving 1.00 Full Time Equivalent Project Manager I And 0.50 Full Time Equivalent Administrative Assistant II Positions In The Human Services Department From September 29, 2021 To September 30, 2026 For Required Program Implementation;

(3) Awarding Grant Agreements To Various Non-Profit And Public Agencies To Provide Trauma Informed Behavioral Health Services To High-Risk Youth And Their Families Impacted By Violence And Systemic Racism From October 1, 2021 Through September 30, 2022; And

(4) Waiving Request For Proposal/Qualifications Requirements And Awarding Professional Service Agreements To Resource Development Associates In An Amount Not To Exceed Fifty Thousand Dollars (\$50,000) And Bright Research Group In An Amount Not To Exceed One Hundred, Twenty-Five Thousand Dollars (\$125,000) For One-Year Terms From September 29, 2021 Through September 30, 2022 To Provide Services Necessary To Fulfill The Requirements Of The Recast Grant

[21-0927](#)

Attachments: [View Report](#)
[View Legislation](#)
[88964 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 12/21/2021

3.13 Subject: AC-OCAP 2022 CSBG State Contract Resolution
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting Anti-Poverty Community Services Block Grant (CSBG) In The Amount Of One Million, Three Hundred, Ninety-One Thousand, Five Hundred Sixty-Nine Dollars (\$1,391,569) Awarded By The California Department Of Community Services And Development For The January 1, 2022 Through December 31, 2022 Program Year (“2022 CSBG Program Year”);

(2) Amending Resolution No. 88717 C.M.S., Which Adopted The Fiscal Year 2021-23 Biennial Budget, To Decrease The Amount Of CSBG Funds Appropriated For The 2022 CSBG Program Year By Four Thousand, Five Hundred Eighty-Nine Dollars (\$4,589);

(3) Authorizing The City Administrator Or Designee To Accept And Appropriate Any Additional CSBG Funds Awarded By The California Department Of Community Services And Development For The 2022 CSBG Program Year, Without Returning To Council;

(4) Authorizing The City Administrator Or Designee To Amend Existing CSBG Agreements To Increase The Amount And Extend The Term As Authorized By Any Additional CSBG Award During 2022 CSBG Program Year, Without Returning To Council; And

(5) Authorizing The Use Of General Purpose Funds To Pay The Human Services Department Central Services Overhead Charges For 2022 CSBG Programs In The Amount Of One Hundred Forty-Four Thousand, Seven Hundred Seventy-Seven Dollars (\$144,777)

[21-0924](#)

Attachments: [View Report](#)

[View Legislation](#)

[88951 CMS](#)

Staff requested to withdraw and bring back to Rule Committee for Scheduling

This City Resolution be * Withdrawn and Rescheduled.to go before the *Rules & Legislation Committee

- 3.14** Subject: Bay View Industrial Services Contract Extension and Expansion
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Extend An Existing Agreement With Bay View Industrial Services (Also Known As Bay View Environmental Services) To Provide Emergency And Non-Emergency Responses To Hazardous Materials Collected At The City's Approved Transfer And Storage Station And Waste Abandoned In The City's Public Right Of Way Through February 2024; (2) Expand The City's Current Agreement And Scope Of Work To Include The On Scene Mitigation And Or Removal Of Physical Hazards, Biohazard, And Contaminants Which May Risk The Safety Of The General Public; And (3) Increase The Total Amount Of The Agreement To An Amount Not To Exceed Five Hundred Fifteen Thousand Dollars (\$515,000) With The Option To Extend For An Additional Year And Increase The Contract Amount For Additional Services, Without Returning To Council, Based On Availability Of Project Funds; On The December 21, 2021 City Council Agenda On Consent
[21-0925](#)

Staff requested to withdraw and bring back to Rule Committee for Scheduling

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee

- 3.15** Subject: Professional Services Agreements For On-Call Landscape Architects
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award And Execute A Series Of Professional Services Agreements For On-Call Landscape Architectural Services For A Period Of Four (4) Years With The Following Firms: 1) Bay Tree; 2) Bottomley Associates; 3) Community Design And Architecture; 4) Dillingham Associates; 5) Jett.; 6) Keller Mitchell; 7) Kimley Horn; 8) Mantle; 9) Merrill Morris Partners; 10) Meyer Studio Land Architects; 11) NCE; 12) PGA Design; 13) RHAA Landscape Architects; 14) Terrain Studio; 15) UDLA And 16) WRT, Each For An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00)
[21-0899](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Legislation](#)
[88965 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 12/21/2021

3.16 Subject: Skyline Boulevard Evacuation Corridor Fire Prevention Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate 1) Six Hundred Thousand Dollars (\$600,000) From The California Department Of Forestry And Fire Protection (CAL FIRE) Fuel Reduction Program, And 2) Two Hundred And Twenty-Four Thousand Dollars (\$224,000) From The CAL FIRE Fire Prevention Grants Program, For A Total Of Eight Hundred And Twenty-Four Thousand Dollars (\$824,000) For The Completion Of The Skyline Boulevard Evacuation Corridor Project Involving The Removal Of Dead And Hazardous Trees Along Skyline Boulevard, And The Planting Of One Hundred And Fifty (150) Oak Trees As Shaded Fuel Breaks [21-0901](#)

- Attachments:** [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[View Supplemental Legislation - 12/17/2021](#)
[88966 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 12/21/2021

3.17 Subject: Hamilton Apartments Loan Extension
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Amending Two Affordable Housing Loans Authorized By Redevelopment Agency Resolution Nos. 91-38 C.M.S., 95-09 C.M.S., And 97-73 C.M.S. To 2101 Telegraph Avenue Associates, An Affiliate Of Mercy Housing, Inc., For The Hamilton Apartments Project At 2101 Telegraph Avenue To (1) Extend The Term Of The Loans And Regulatory Agreement By Fifty-Five Years; (2) Reduce The Interest Rate Of The Loans From Six Percent To Three Percent Simple Interest; And (3) Update The Repayment Terms And Other Provisions To Be Consistent With Current City Policies [21-0926](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[88967 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 12/21/2021

3.18 Subject: First Substantial Amendment To The 2021-2022 Annual Action Plan
From: Housing And Community Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution:

(1) Accepting And Appropriating Home Investment Partnership (“HOME”) Grant Funds In The Amount Of Eleven Million Three Hundred Twenty-Five Thousand Nine Hundred Forty-One Dollars (\$11,325,941) Awarded To The City Of Oakland By The U.S. Department Of Housing & Urban Development Under The American Rescue Plan (ARP) Act To Provide Housing, Rental Assistance, Shelter And Other Support Services To Persons Who Are Homeless Or At Risk Of Homelessness, And Other Vulnerable Populations; And

(2) Authorizing The City Administrator To Prepare And Submit To The United States Department Of Housing & Urban Development A Home-ARP Allocation Plan As Part Of The City’s First Substantial Amendment To Its Fiscal Year (FY) 2021-22 Consolidated Annual Action Plan; And

(3) Authorizing The City Administrator To Award Home Program Agreements For Eligible Activities As Set Forth In Exhibit A, Attached Hereto, And The City’s Home-ARP Allocation Plan Submitted As Part Of Its Amended FY 2021-22 Consolidated Annual Action Plan Subject To Compliance With Any Applicable Competitive Bidding Requirements, Without Returning To Council

[21-0930](#)

- Attachments:** [View Report](#)
[View Report Attachment A](#)
[View Legislation](#)
[View Report Exhibit A](#)
[88977 CMS](#)

Approved as a Public Hearing

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/21/2021

3.19 Subject: 1707 Wood Street Exclusive Negotiation Agreement Extension
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Amending Resolution No. 87795 C.M.S. To Authorize An Amendment To The Exclusive Negotiation Agreement (ENA) With Midpen Housing Corporation And Habitat For Humanity East Bay/Silicon Valley, Inc., For The Development Of Affordable Housing At The City-Owned Real Property Located At 1707 Wood Street, To Extend The Term By Eighteen Months, With Two Administrative Options To Extend The Term An Additional Six Months And Up To Eighteen Months
[21-0906](#)

Attachments: [View Report](#)
[View Legislation](#)
[88968 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 12/21/2021

3.20 Subject: Amend Five Professional Services Agreements
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Terms Of Five Professional Services Agreements With Increases To The Amounts Of Three Professional Services Agreements To The Following Consultants Who Will Provide Critically Needed Services To The Housing And Community Development Department And Waive The Request For Proposals/Qualifications Process:

(1) City Data Services, Extending The Term From December 15, 2021 To December 31, 2024 With An Option To Renew For Two Additional One-Year Terms And Expanding The Scope Of Work And Increasing The Amount Of The Agreement From \$43,100 To An Amount Not To Exceed \$177,180; And

(2) Katharine Gale, Extending The Term From December 31, 2021 To June 30, 2022 And Increasing The Amount Of The Agreement From \$41,040 To An Amount Not To Exceed \$50,000; And

(3) Amy Hiestand Consultant, LLC Extending The Term From December 31, 2021 To December 31, 2022 And Increasing The Amount Of The Agreement From \$99,999 To An Amount Not To Exceed \$150,000; And

(4) Kenneth Jones, Extending The Term From December 31, 2021 To December 31, 2022; And

(5) Urban Homesteading Assistance Board, Extending The Term From April 5, 2021 To December 31, 2022

[21-0928](#)

Attachments: [View Report](#)
[View Legislation](#)
[88969 CMS](#)

Staff read into record a correction to the subject

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/21/2021

3.21 Subject: Appeal Of 1396 5th Street Project
From: Planning And Building Department
Recommendation: TITLE CHANGE

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](#)

This City Resolution be Withdrawn with No New Date.

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](#)

This Report and Recommendation be Withdrawn with No New Date.

[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](#)

This Report and Recommendation be Withdrawn with No New Date.

3.22 Subject: Tribal Agreement For Dr. Kenneth Anderson Senior Housing Project
From: Planning & Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Tribal Cultural Resources Treatment And Monitoring Agreement Pursuant To Senate Bill 35 (2017) With The Confederated Villages Of Lisjan Regarding The Avoidance Of Any Adverse Effects On Tribal Cultural Resources As A Result Of The Dr. Kenneth Anderson Affordable Senior Housing Project Located At 1003 E. 15th Street
[21-0915](#)

- Attachments:** [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[88970 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 12/21/2021

3.23 Subject: License Agreement With Woven Multimedia For Nonexclusive Right To “I’m Oakland”
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing A License Agreement With Sabereh Mohammadkashi Dba Woven Multimedia For The Nonexclusive Right To Use The Documentary Short Film “I’m Oakland” Produced For The City As Part Of The Cultural Strategist-In-Government Program
[21-0914](#)

- Attachments:** [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Legislation](#)
[88971 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 12/21/2021

3.24 Subject: Gateway Bank, F.S.B. V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Gateway Bank, F.S.B. V. City Of Oakland And Does 1 - 10, Inclusive, Alameda County Superior Court Case No. RG21098594, City Attorney's File No. 33856, In The Amount Of Three Hundred-Seven Thousand And Three Hundred-Seventy Dollars And Eight Cents (\$307,370.08) (Department Of Public Works - Failed Sewer Main)

[21-0933](#)

Attachments: [View Report](#)
[View Legislation](#)
[88962 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 12/21/2021

Recommendations From Committees:

Recommendations From The Special Public Works Committee:

3.25 Subject: Report On Waste Management's Contractual Obligations To The City Of Oakland
From: Councilmember Gallo And President Pro Tempore Thao
Recommendation: Receive A Report On Waste Management's Contractual Obligations To The City Of Oakland, Including Information On Thirty (30) Day Pick-Ups, Street Cans, And The Number Of Businesses Operating In Oakland Without A Waste Management Contract

[21-0720](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Report Attachment D](#)

This Informational Report be Received and Filed.

3.26 Subject: Report On The School Crossing Guards Program
From: Councilmember Gallo And President Pro Tempore Thao
Recommendation: Receive A Report On The School Crossing Guards Program, Including Information On Which OUSD Schools Have Guards, And How Many At Each School, As Well As The Number Of Guards Hired To-Date And The Number Needed To Be Hired To Fill Authorized Budgeted Levels
[21-0721](#)

Attachments: [View Report](#)

This Informational Report be Received and Filed.

Recommendations From The Special Community & Economic Development Committee:

3.27 Subject: Report On Save And Downtown Streets Team Programs
From: Councilmember Fife
Recommendation: Receive An Informational Report From The Human Services Department On Implementation, Performance, And Outcomes Of The Soldiers Against Violence Everywhere (Save) And Downtown Streets Team’s Workforce Development And Employment Training Programs Serving Unhoused Individuals
[21-0584](#)

Attachments: [View Report](#)
[View Supplemental Report 11/18/2021](#)

This Informational Report be Received and Filed.

03.28 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; On The March 15, 2022 City Council Meeting As A Public Hearing
[21-0739](#)

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

Staff requested that this item be schedule to the first city council meeting February 2022

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/1/2022

3.29 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](#)
[View Supplemental Report - 12/17/2021](#)
[View Supplemental Attachment A - 12/17/2021](#)
[View Supplemental Exhibit A - 12/17/2021](#)
[View Presentation - 12/17/2021](#)
[View Supplemental Report - 1/6/2022](#)
[View Supplemental Exhibit - 1/6/2022](#)
[View Supplemental Attachment A - 1/6/2022](#)

Approved as a Public Hearing

This Ordinance be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/21/2021

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[21-0880](#)

- Attachments:** [December 13, 2021 Draft Special Life Enrichment Agenda](#)
[December 13, 2021 Draft Special Finance and Management Agenda](#)
[December 14, 2021 Draft Public Works Agenda](#)
[December 14, 2021 Draft Public Safety Agenda](#)
[December 16, 2021 Previously Distributed Rules and Legislation Agenda](#)
[Finance Pending List](#)
[Public Works Pending List](#)
[Community And Economic Development Pending List](#)
[Life Enrichment Committee Pending List](#)
[Education Partnership Committee Pending](#)
[Public Safety Pending](#)
[Rules and Legislation Comte Pending List](#)
[December 21.21.2021 Draft City Council Agenda](#)
[December 23, 2021 Draft Rules And Legislation](#)

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

Excused: 1 - Fife

Aye: 3 - Thao, Fortunato Bas, and Kalb

NO VOTE: 0

CHANGES MADE TO THE PREVIOUSLY DISTRIBUTED 10 DAY AGENDAS

CHANGES MADE TO THE DECEMBER 14, 2021 SPECIAL COMMITTEE AGENDAS

Changes Made To December 14, 2021 Special Public Safety Committee

Subject: 2021 Emergency Operations Plan Update
From: Oakland Fire Department
Recommendation: Adopt A Resolution Adopting The 2021 Oakland Emergency Operations Plan Update
[21-0716](#)

Withdrawn and placed on Public Safety Committee Pending List No Date Specific

This City Resolution be * Withdrawn and Rescheduled to go before the *Public Safety Committee

Subject: Gun Crime Data And Police Response Report
From: Oakland Police Department
Recommendation: Receive An Informational Report And Recommendations For Action Regarding Making Guns The Top Law Enforcement Priority For Oakland; Supporting The Decrease Of Illegal Guns And Gun Violence By Increasing Gun Tracing, Improving Response Time To Shooting Notifications, And Prioritizing Response To Gun Crime
[TITLE CHANGE]
[21-0863](#)

Attachments: [View Report](#)

This Informational Report be Withdrawn with No New Date.

CHANGES MADE TO THE DRAFT DECEMBER 21, 2021 CITY COUNCIL AGENDA

Chair Thao Noted the Cancellation of the December 23, 2021 Rules

Subject: Contract Award For HSIP8 - Oakland Hills
From: Transportation Department
Recommendation: Adopt A Resolution (1) 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); And (2) Adopt Appropriate California Environmental Quality Act (CEQA) Findings [21-0875](#)

- 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](#)
[88961 CMS](#)

Approved the Title Change read into record

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/21/2021

Subject: Appeal Of 1396 5th Street Project
From: Planning And Building Department
Recommendation: TITLE CHANGE

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](#)

Staff requested to withdraw this item from the December 21, 2021 City Council Agenda

This City Resolution be Withdrawn with No New Date.

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](#)

Staff requested to withdraw this item from the December 21, 2021 City Council Agenda

This Report and Recommendation be Withdrawn with No New Date.

[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](#)

Staff requested to withdraw this item from the December 21, 2021 City Council Agenda

This Report and Recommendation be Withdrawn with No New Date.

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; On The March 15, 2022 City Council Meeting As A Public Hearing
[21-0739](#)

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

Staff requested to withdraw this item from the December 21, 2021 City Council Agenda and Reschedule to February 1, 2022 City Council Agenda

This Ordinance be Rescheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/1/2022

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 City Senior Center Programs; (5) Dental Offices; (6) Public Libraries; (7) City Hall; And (8) Large Indoor Events At City And Privately-Owned Facilities
[21-0877](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - Kalb 12/17/2021](#)
[View Supplemental Report - 12/17/2021](#)
[13669 CMS](#)

Approved the Title Change read into record

This Ordinance be Accepted.

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, Tiny Homes/Pallet Shelters And Sanitation, By (1) Authorizing The Use Of 796 66th Avenue As A Managed Safe RV Site And Sanitation; (2) Seek Authorization From Game Changers LLC For The Use Of 2201-2601 Wood Street For Tiny Homes/Pallet Shelters And Sanitation; (3) Seek Authorization From The State To Use The CalTrans Parcel At The Interstate 880 At High Street As A Managed Safe RV Site And Sanitation; (4) To Direct Staff To Develop A Sliding Fee Scale For Use At City-Managed RV Sites And Return To Council With Such Amendments To The Master Fee Schedule As Needed To Implement It; (5) To Adopt A Budget Amendment To The Biennial Budget For Fiscal Years 2021-2023 To Allocate Funding For Capital, Start Up And Operational Costs For Parcels Located At 796 66th Avenue And 2201-2601 Wood Street, As Shown In Exhibit 1; And (6) To Direct The Administration And Oakland’s Lobbyist, To Pursue Additional Funds, Including From Alameda County, State, And Federal Sources For These Purposes
[21-0879](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Exhibit 1](#)
[View Report - Revised](#)
[View Legislation - Revised](#)
[View Report - Exhibit 1 Revised](#)
[View Supplement Report - Kaplan 12/17/2021](#)
[View Supplemental Exhibit 1 - Kaplan 12/17/2021](#)
[View Supplemental Legislation - Kaplan 12/17/2021](#)
[88948 CMS](#)

Approved the Title Change read into record

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/21/2021

5 Determinations Of Closed Session

A Special Closed Session was called for December 16, 2021 at 12:00PM

A motion was made by Dan Kalb, seconded by Nikki Fortunato Bas, that this matter be Approve as Submitted. The motion carried by the following vote:

Excused: 1 - Fife

Aye: 3 - Thao, Fortunato Bas, and Kalb

NO VOTE: 0

Open Forum (Total Time Available: 15 Minutes)

2 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Council adjourned the meeting at 11:51 a.m.

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

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Telecommunications Relay Service:711

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

*** In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.**