



SUPPLEMENTAL

City of Oakland

Meeting Agenda

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

*** Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City Council**
Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA 94612

Tuesday, October 01, 2013

6:00 PM

City Council Chambers, 3rd Floor

**** PLEASE NOTE THE CHANGE IN TIME ****

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

- 1 PLEDGE OF ALLEGIANCE
- 2 ROLL CALL / CITY COUNCIL
- 3 OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

COUNCILMEMBERS: Desley Brooks, District 6; Noel Gallo, District 5; Lynette Gibson McElhaney, District 3; Dan Kalb, District 1; President Pro Tempore Rebecca Kaplan, At-Large; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Council President Patricia Kernighan, District 2

- 4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations From The Mayor, Council Acknowledgements/Announcements):

- 4.1 Subject: Honoring Oakland's Youth Poet Laureate
From: Councilmember Libby Schaaf And Councilmember Desley Brooks
Recommendation: Adopt A Resolution Congratulating Obasi Davis, Oakland Resident, As The City Of Oakland's Second Annual Youth Poet Laureate
(13-0060)
- 4.2 Subject: Resolution Against Domestic Violence
From: Councilmembers Gibson McElhaney And Kalb

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Recommendation: Adopt A Resolution Declaring Freedom From Domestic Violence Is
A Fundamental Human Right
(12-0718)

- 4.3 Subject: Recognizing Volunteer Support Of District 5's Safe And Clean City Efforts
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Volunteers For Their Community
Service To Make Oakland A Safe, Clean City
(13-0070)

**Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to
this agenda.**

- 4.4 Subject: Oakland Airport Connector Update Report
From: Vice Mayor Larry Reid
Recommendation: Receive An Informational Update And Presentation From BART
Regarding The Status Of The Oakland Airport Connector
(13-0036)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF SEPTEMBER
17, 2013

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests To: Reschedule Items From Consent To Non-Consent To The Next Council
Agenda, Speak On Consent Calendar, Register Votes, Change Order Of Items,
Reconsiderations, Pull Items Held In Committee):

7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC 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
(13-0063)
- 7.2-CC Subject: 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
(13-0064)
- 7.3-CC Subject: Violence Prevention & Public Safety Oversight Committee Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Mara Velez And Jamila Iris Edwards
As A Member Of The Violence Prevention And Public Safety Oversight Committee
(13-0056)

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7.4-CC Subject: Add Employee Relations Analyst Classification To Salary Ordinance
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance
No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Employee Relations
Analyst, Principal
(12-0672)

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

INTRODUCTION (First Reading) WAS PASSED ON SEPTEMBER 17, 2013; 7 AYES, 1 EXCUSED - REID.

The September 17, 2013 City Council approved recommendations as amended to add the following:

"Section 3: The Salary steps set forth herein shall be adjusted by the COLAs approved by the Council in Ordinance 13188 passed on August 2, 2013."

7.5-CC Subject: Amending Salary Ordinance - Investment Supervisor Title Change
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance
No. 12187 C.M.S. ("Salary Ordinance") To Change The Title For The Classification Of
Investment Supervisor To Investment Officer And Increase The Salary Range For The
Classification
(13-0014)

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

INTRODUCTION (First Reading) WAS PASSED ON SEPTEMBER 17, 2013; 7 AYES, 1 EXCUSED - REID.

The September 17, 2013 City Council approved recommendations as amended to add the following:

"Section 3: The Salary steps set forth herein shall be adjusted by the COLAs approved by the Council in Ordinance 13188 passed on August 2, 2013."

7.6-CC Subject: Amending Salary Ordinance And Exemption From Civil Service
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance
No. 12187 C.M.S. ("Salary Ordinance") To Change The Title Of Support Services
Administrator To Manager, Support Services And To Lower The Pay Grade Associated

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With The Classification
(13-0015)

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

INTRODUCTION (First Reading) WAS PASSED ON SEPTEMBER 17, 2013; 7 AYES, 1 EXCUSED - REID.

The September 17, 2013 City Council approved recommendations as amended to add the following:

"Section 3: The Salary steps set forth herein shall be adjusted by the COLAs approved by the Council in Ordinance 13188 passed on August 2, 2013."

7.7-CC

Subject: Allocation Of Funds For The Affordable Housing Trust
From: Councilmember Dan Kalb

Recommendation: Adopt An Ordinance (1) Amending Oakland Municipal Code Section 15.68.100 That Established The Affordable Housing Trust Fund To Set Aside An Amount Equal To 25% Of Funds Distributed' To The City As A Taxing Entity Under The Redevelopment Dissolution Laws Into The Affordable Housing Trust Fund, (2) Amending Ordinance No. 12502 C.M.S. That Established A General Fund Reserve Policy To Exempt These Distributions From The Requirement To Use One Time Revenues To Pay For One Time Expenses Or Reduce Negative Fund Balances, And (3) Appropriating And Transferring Such Distributions From The General Purpose Fund To The Affordable Housing Trust Fund

(12-0665)

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

INTRODUCTION (First Reading) WAS PASSED ON SEPTEMBER 17, 2013; 7 AYES, 1 EXCUSED - REID.

The September 17, 2013 City Council further amended the ordinance with the addition of the following:

"As to distribution from the RPTTF, from Fiscal Year 2015-16 through Fiscal Year 2024-2025, this policy shall apply only to distributions to the City as a taxing entity of RPTTF funds under subsection (a)(4) of California Health and Safety Code Section 34183, which are residual amounts distributed to the City after all other RPTTF allocations are made, and shall not apply to distributions of RPTTF funds to the City under subsection (a)(1) of California Health and Safety Code Section 34183, which are amounts distributed to the City that the City would have

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received as passthrough payments if the Redevelopment Agency had not been dissolved. Starting in Fiscal Year 2025-2026, this policy shall apply to all distributions from the RPTTF to the City as a taxing entity under California Health and Safety Code Section 34183."

7.8-CC Subject: Amending Salary Ordinance To Civilianize OPD Positions
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Intake Technician (13-0013)

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

INTRODUCTION (First Reading) WAS PASSED ON SEPTEMBER 17, 2013; 7 AYES, 1 EXCUSED - REID.

The September 17, 2013 City Council approved recommendations and approved the following motion:

- 1) That the number of new Intake Technician positions in the Internal Affairs Department be limited to 5 and that 4 positions be placed in the Citizen's Police Review Board; and**
- 2) A request will be submitted to the Rules Committee on September 19, 2013, for scheduling directly to Council, to appropriately allocate the \$1.4 million previously authorized by the Council.**

S-7.9-CC Subject: MOU With CHP For Two Years Of Crime Suppression Assistance
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Extend The Memorandum Of Understanding (MOU) With The California Highway Patrol (CHP) For Up To Two Years Of Crime Suppression Assistance Whereby CHP Will Deploy 10 Officers In Five, Double Unit Patrol Vehicles And Two Sergeants In A Supervisor Vehicle, Up To Four Days Per Week, At A Cost Not To Exceed Two Million Six Hundred Thousand Dollars (\$2,600,000) August 8, 2013 To August 7, 2015, And A MOU Extension Total Amount Not To Exceed Three Million Two Hundred Seventy Six Thousand Dollars (\$3,267,000), Subject To The Availability Of Funds As Appropriated By The Council (13-0052)

The September 24, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.10-CC Subject: Urban Search And Rescue Grant Funds
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into A Grant Cooperative Agreement With The Federal Emergency Management Agency

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(FEMA) To Accept And Appropriate Funds (FEMA Funds) For The Oakland Fire Department For The Period October 1, 2013 To March 31, 2015, In An Amount Not To Exceed One Million One Hundred Sixty Seven Thousand One Hundred Fifty Four Dollars (\$1,167,154) To Meet Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (US&R) Task Force (US&R Task Force); And 2) Expend The FEMA Funds In Accordance With The Preliminary Spending Plan Without Further Council Approval, Including Funding For Training And The Purchase Of Equipment As Required By The General Services Administration And Other Government Pricing Schedules To Support The US&R Task Force's Response Capability As Directed By FEMA; And 3) Waive The City's Advertising And Competitive Bidding Requirements And Authorize Procurement Of Equipment From The Federal General Services Administration Agency And Or Other Government Pricing Schedules For Expenses Funded By The FEMA Grant; And 4) Approve Travel For City Personnel That Provide Services Under The FEMA Cooperative Agreement Program On Short Notice Without Further Council Authorization.

(13-0045)

**The September 24, 2013 Public Safety Committee approved
recommendations with a vote of 4 Ayes.**

S-7.11-CC Subject: Edward Byrne Memorial Justice Assistance Grant (JAG) Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To: 1) Enter Into An Agreement With Alameda County To Apply For Office Of Justice Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Local Program Funds; And 2) Accept And Appropriate JAG Grant Funds In An Amount Not To Exceed Five Hundred Thousand, Two Hundred Dollars (\$500,200) Annually For The 2013 Federal Fiscal Year (FFY) October 1, 2012 Through September 30, 2016; And 3) Accept And Appropriate JAG Grant Funds In Advance For The 2014 FFY October 1, 2013 Through September 30, 2017 To Supplement Frontline Policing Services

(13-0050)

**The September 24, 2013 Public Safety Committee approved
recommendations with a vote of 4 Ayes.**

S-7.12-CC Subject: Juvenile Accountability Block Grant (JABG) Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee, To: 1) Enter Into A Grant Program Administration Agreement With The State Of California, Corrections Standard Authority, For Juvenile Accountability Block Grant (JABG) Funds; 2) Accept, Appropriate, And Administer JABG Direct Allocation Funds For Fiscal Year (FY) 2013-2014 And FY 2014-2015 To The Oakland Police Department (OPD) In The Amount Not To Exceed Forty Thousand Dollars (\$40,000) For The School Safety Policing Project For The Period July 1, 2013 Through June 30, 2014 And July 1, 2014 Through June 30, 2015; And 3) Waive The Central Services Overhead (CSO) Charges Of One Thousand Six Hundred Sixty-Five Dollars (\$1,665).

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(13-0053)

The September 24, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.13-CC Subject: Enterprise Zone Report And TEA Resolution
From: Office Of The City Administrator
Recommendation: 1) Receive A Report On Oakland's Enterprise Zone, Analyzing The Effects From Statewide Reform Legislation; And

(13-0046)

2) Adopt A Resolution Designating A Targeted Employment Area In Accordance With Revised State Law For The Enterprise Zone Program

(13-0046-1)

The September 24, 2013 Community & Economic Development Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Reid.

S-7.14-CC Subject: MOU With Friends Of Sausal Creek
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Memorandum Of Understanding With The Friends Of Sausal Creek To Implement The Sausal Creek Erosion Control And Restoration Project Funded By A \$540,000.00 Grant From The Department Of Water Resources Jointly Awarded To The City Of Oakland And The Friends Of Sausal Creek And To Appropriate The Grant Funding For Which The City Was Authorized To Apply And Accept Per Council Resolution No. 81697 C.M.S.

(13-0049)

The September 24, 2013 Public Works Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Reid.

S-7.15-CC Subject: Electric Vehicle Memorandum Of Understanding
From: Department Of Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Eighty-Seven Thousand Dollars (\$87,000.00) From The Surface Transportation Program (STP) And/Or Congestion Mitigation And Air Quality Improvement (CMAQ) Through The Metropolitan Transportation Commission (MTC), For The Purchase Of Three (3) Electric Vehicles And Charging Stations For The Direct Benefit Of The City Of Oakland; 2) Authorize The Execution Of A Memorandum Of Understanding (MOU) With The County Of Alameda And Other Collaborative Bay Area Jurisdictions Which Comprise The Bay Area Climate Collaborative (BACC) For Continued Participation In A Federally funded Grant Initiative Designed To Facilitate Each Jurisdiction's Purchase Of Electric Vehicles And Charging Stations; 3) Enter Into One Or More Purchase Agreement(S) With One Or More Select Vendors Identified In Direct Relationship To The Execution Of The Aforementioned MOU As A Means By Which To Purchase Said Vehicles, Charging Equipment And Installation Of Charging Equipment, And 4) Waive The Competitive

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Request For Proposals/ Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Program (L/SLBE) Provisions Associated With The Proposed MOU And The Purchase And Placement Of Electric Vehicles, Charging Stations And Related Equipment And Services
(13-0051)

The September 24, 2013 Public Works Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Reid.

S-7.16-CC Subject: Maintenance And Services Agreement With Scheidt & Bachmann
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposals/ Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements And Authorizing The City Administrator Or Designee To Enter Into A Maintenance And Service Agreement With Scheidt And Bachmann USA, Inc. In Support Of The Parking Access And Revenue Control System Used At Seven City Parking Garages For A Period Of Three Years At A Total Contract Cost Of \$240,000 (\$80,000.00 Per Year X 3 Years)
(13-0054)

The September 24, 2013 Public Works Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Reid.

S-7.17-CC Subject: Immigration Reform Resolution
From: Councilmember Kalb and Councilmember Gallo
Recommendation: Adopt A Resolution in Support of Comprehensive Immigration Reform
(13-0055)

The September 26, 2013 Rules & Legislation Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Reid.

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

**COMMENCING AT 7:00 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

~~9.1 Subject: Establishing Permanent Crematorium Regulations
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, Recommended By The Planning Commission, And As Directed By City Council Under Emergency Ordinance No. 13158 C.M.S., To Amend The Planning Code To Establish Permanent Regulations Pertaining To Crematories Within The City Of Oakland
(13-0043)~~

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The September 26, 2013 Rules & Legislation Committee removed this item from the agenda.

The September 24, 2013 Community & Economic Development Committee took no action on this item.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Ratification Of 2013 Mayor's Recess Actions
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The Oakland City Council 2013 Annual Recess In Conformance With The Council's Rules Of Procedure Codified In Resolution No. 82580 C.M.S., Passed March 9, 2010 (13-0062)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

S-12 Subject: Approval Of Habitat Conservation Fund Application For Grant Funds
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Of The City Council Of Oakland Approving The Application For Grant Funds From The Habitat Conservation Fund Program (13-0077)

The September 26, 2013 Rules & Legislation Committee added this item to the agenda.

S-13 Subject: Report On Educational Opportunities For City Employees
From: Councilmember Desley Brooks
Recommendation: Receive An Updated Informational Report And Possible Action On The City Of Oakland's Partnership With Patten University/UniversityNow's Educational Opportunities For City Employees (13-0033)

The September 24, 2013 Life Enrichment Committee approved recommendations with a vote of 4 Ayes.

The Committee directed staff to update language in the contract to include the following:

- 1. Extend current agreement to 2014; and**
- 2. Include multiple year agreement updates without returning to council for renewal.**

S-14 Subject: Establishing New Definitions And Penalties For Illegal Dumping
From: Office Of The City Attorney And Councilmember Gibson McElhaney
Recommendation: Adopt An Ordinance Enacting the Following: 1) A New Oakland Municipal Code Chapter 8.11 Pertaining To Illegal Dumping And Littering, Defining

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What Constitutes Illegal Dumping, And Setting Administrative, Civil And Criminal Penalties; 2) Amending And Restating Oakland Municipal Code Chapter 9.56 Pertaining To Seizure And Impoundment Of Vehicles Involved In Certain Nuisance Activities: Prostitution, Pandering, Pimping, And Illegal Dumping
(13-0041)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON OCTOBER 15, 2013.

The September 24, 2013 Public Works Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Reid.

The Committee also directed staff to explore the process of amending codes so City employees can have code enforcement abilities.

S-15

Subject: AC Transit MOU And Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Execute A Memorandum Of Understanding (MOU) And A Cooperative Agreement With The Alameda-Contra Costa Transit District (AC Transit) For The Line 51 Transit Performance Initiative Project
(13-0047)

The September 24, 2013 Public Works Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Reid.

S-16

Subject: Reimbursement For Hosting Command For Urban Shield 2013
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The Alameda County Sheriff's Office For The Oakland Fire Department To Host And Participate In The Red Area Command For The Urban Shield 2013 Exercise And Training And To Accept Reimbursement Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) For Expenses Incurred By The Oakland Fire Department For This Event
(13-0040)

The September 24, 2013 Public Safety Committee approved recommendations as amended with a vote of 3 Ayes, 1 No - Gibson McElhaney.

The Committee approved recommendations as amended to include the following revision to the first "Resolved" paragraph to read as follows "... host fire related Red Area Command and participate..."

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CONTINUATION OF OPEN FORUM

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 12:00 A.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 48 hours 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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(TTD)

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.

**LaTonda Simmons
City Clerk and
Clerk of the Council**