

# 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, June 6, 2023

4:00 PM

City Council Chamber, 3rd Floor

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

*Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612*

*City of Oakland Website: <http://www.oaklandca.gov>*

**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/86399586726> 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: 863 9958 6726

If asked for a participant ID or code, press #.

**PUBLIC COMMENT WILL BE TAKEN ON EACH ACTION ITEM. ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK MUST FILL OUT A SPEAKER CARD FOR EACH ITEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK: (1) PRIOR TO COUNCIL ACTION ON MODIFICATIONS TO THE AGENDA FOR ITEMS AGENDIZED BEFORE THE NON-CONSENT CALENDAR, AND (2) PRIOR TO THE INTRODUCTION OF THE FIRST CONSENT ITEM, UNLESS CONSENT TO SPEAK IS GIVEN BY THE PRESIDING OFFICER OR A MAJORITY OF THE COUNCIL. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING.**

**ELECTRONIC SPEAKER CARDS / 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 twenty four (24) hours before posted meeting time.
- To Comment In Person, Members Of The Public Must Submit A Separate Speaker Card For Each Item On The Agenda To The City Clerk Before The Item Is Called.
- To Comment Via Zoom, Members Of The Public Must Submit An Electronic Speakers Card By Emailing [Cityclerk@Oaklandca.Gov](mailto:Cityclerk@Oaklandca.Gov). The Email Should Include The Name And Date Of The

Meeting, The Agenda Number, & Zoom Profile Name (Which At The Speakers Discretion May Be Their Legal Name Or Other Information To Identify Them) Or Phone Number.

- Once You Have Submitted Your Electronic Speaker Card - To Comment Via Zoom , Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Being Taken On A Eligible Agenda Item At The Presiding Officers Discretion. 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, Upon Submitting An Electronic Speakers Card, 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

#### **DEFINITION OF TERMS:**

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

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

- **Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval, except: 1) any item having a high level of public interest or controversy as determined by the Rules and Legislation Committee; 2) any action item that the Rules and Legislation Committee has placed on the Consent Calendar in accordance with Rule 26; or 3), any item that requires a public hearing or that is otherwise ineligible by law as a Consent Item.

- **Non-Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that: 1) a Standing Committee has forwarded to the full Council without unanimous recommendation for approval; 2) has a high level of public interest or controversy as determined by the Rules and Legislation Committee or: 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

**1 Call To Order**

**2 ROLL CALL / CITY COUNCIL**

*COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Kevin Jenkins, District 6; President Pro Tempore Dan Kalb, District 1; Councilmember Rebecca Kaplan, At Large; Councilmember Janani Ramachandran, District 4; Councilmember Treva Reid, District 7; Council President Nikki Fortunato Bas, District 2*

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

**4 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MAY 16, 2023**

[23-0439](#)

**5 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):**

**6 CONSENT CALENDAR (CC) ITEMS:**

- 6.1** 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  
[23-0440](#)
- 6.2** 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  
[23-0441](#)
- 6.3** Subject: Declaration Of A Local Emergency On Homelessness  
From: Councilmember 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  
[23-0442](#)

**6.4** Subject: City Planning Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Alex Randolph, Josie Ahrens, And Natalie Sandoval As Members Of The City Planning Commission  
[23-0320](#)

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

**Legislative History**

4/20/23	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
5/11/23	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 2 speakers for this item*

**6.5** Subject: Measures M, N, Library C, Z, D, Parks Q, AA, And Zoo Measure Y FY 2023-24 Cost-Of-Living Tax Adjustment, Fixing Rate Of Tax, And Levying Tax  
From: Finance Department  
Recommendation: Adopt An Ordinance 1) Authorizing A Fiscal Year 2023-24 Increase In The Rate Of Property Tax Imposed By Voter-Approved Measures; And 2) Fixing The Rate Of The Property Tax And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2023-24 For The Emergency Medical Services Retention Act Of 1997 (Measure M), The Paramedic Services Act Of 1997 (Measure N), The Library Services Retention And Enhancement Act Of 1994 (Library Measure C), The 2014 Oakland Public Safety And Services Violence Prevention Act (Measure Z), The 2018 Oakland Public Library Preservation Act (Measure D), The 2020 Oakland Parks And Recreation Preservation, Litter Reduction, Homelessness Support Act (Parks Measure Q), The Children's Initiative Of 2018 (Measure AA), And The 2022 Oakland Zoo Animal Care, Education And Improvement Ordinance (Zoo Measure Y)  
[23-0401](#)

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

*FINAL PASSAGE (Second Reading) WILL OCCUR ON JUNE 20, 2023.*

**Legislative History**

5/11/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*On Consent*

*Pursuant to Rule 24, a statement was made on record as to the item bypassing committee.*

**6.6** Subject: Adding Chapter 10.74 To The OMC Imposing Fines And Penalties  
From: Councilmember Gallo  
Recommendation: Adopt An Ordinance Adding Chapter 10.74 To The Oakland Municipal  
Code Imposing Fines And Penalties Against Organizers And Facilitators Of Sideshows  
[22-0830](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Supplemental Report 12/1/2022](#)  
[View Supplemental Report - 12/15/2022](#)  
[View Supplemental Legislation - 12/15/2022](#)  
[View Supplemental Legislation - 4/27/2023](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON MAY 16, 2023; 8 AYES.*

**Legislative History**

10/13/22	*Rules & Legislation Committee <i>A Title Change Accepted</i>	Scheduled to the *Special Public Safety Committee
11/14/22	*Special Public Safety Committee  <i>The Special Public Safety Committee approved staff's recommendations to be Forward to the December 6, 2022, City Council Agenda on Non-Consent with a supplemental report that includes the following:</i>	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<ol style="list-style-type: none"><li><i>1. How will the ordinance be implemented without the use of a High-Speed chase</i></li><li><i>2. How do we define a promoter</i></li><li><i>3. How is a bystander participant defined</i></li><li><i>4. How will youth be engaged</i></li><li><i>5. What is the age rang of the participants</i></li><li><i>6. Will there be community service opportunities for those fined other than just monetary penalties</i></li><li><i>7. What percentage of Vehicles involved are stolen</i></li><li><i>8. Can staffing for entail gathering be done by civilians and not sworn officers</i></li><li><i>9. Are we pursuing additional state, federal, regional monies for traffic calming</i></li></ol>
11/17/22	*Rules & Legislation Committee  <i>This item was scheduled to the December 6, 2022 City Council Agenda On Non Consent.</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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12/6/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>A motion was made by Councilmember Gallo to adopt this item, but failed due to lack of a second.</i>	
	<i>A motion was made by Vice Mayor, seconded by Councilmember Reid to continue this item to the December 20, 2022, City Council Meeting. The motion passed with a vote of 5 Ayes; 3 Excused: Fife, Taylor, Thao</i>	
12/20/22	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	* Withdrawn and Rescheduled to the *Rules & Legislation Committee
	<i>A motion was made by Councilmember Fife, seconded by Council President Bas to withdraw this item, and place it on the Rules And Legislation Committee Pending List, No Date Specific, and schedule to a future City Council Meeting after January 9, 2023.</i>	
	<i>A substitute motion was made by Councilmember Taylor, seconded by Councilmember Gallo to approve this item on introduction. The motion failed with the following vote: 3 Ayes: Gallo, Kalb, Taylor; 3 NO: Fife, Kaplan, Bas; 2 Excused: Reid, Thao</i>	
	<i>The initial motion to withdraw and place the item on the Rules And Legislation Committee Pending List , No Date Specific passed with the following vote: 4 Ayes: Fife, Kalb, Kaplan, Bas; 2 NO: Gallo, Taylor; 2 Excused: Reid, Thao</i>	
4/20/23	*Rules & Legislation Committee	Continued
	<i>Continued to Rules and Legislation Committee for Scheduling</i>	
4/27/23	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
5/9/23	*Public Safety Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>4 Speakers Spoke On This Item</i>	
	<i>The Committee Approved The Recommendations Of Staff To Forward This Item, Specifically The Supplemental Legislation - 4/27/2023 To The May 16, 2023 City Council Agenda On Consent.</i>	
5/11/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>On Consent</i>	

5/16/23

\* 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

*A motion was made by Councilmember Gallo, seconded by President Pro  
Tempore Kalb to approve the item as amended. The motion passed with 8 Ayes.  
The Ordinance was approved as amended on First Introduction, and scheduled  
for Final Passage June 6, 2023.*

*The Ordinance Was Approved On First Introduction With The Following  
Amendments:*

*Of the Supplemental Legislation - 4/27/2023, of 10.74.030 Definitions, On Page  
3; Subsection F. adding paragraph 7. to read One (1) or more drivers is  
demonstrating or performing automotive stunts including but not limited to  
spinning doughnuts, vehicles swerving back and forth, burning rubber,  
spinning cars, racing or obstructing any public street, highway or in an  
Offstreet Parking Facility.*

*Page 5; of 10.74.060 Penalties and Violations, Section A. Paragraph 1.  
Violation a Misdemeanor., adding 'that may be charged by the District  
Attorney' to the last sentence.*

*Of Section B. Civil Penalties., adding paragraph 1. to read, The City may assess  
the following penalties for violations of this chapter: (a) one thousand dollars  
(\$1,000.00) for the first violation; (b) two thousand five hundred (\$2,500.00)  
for the second violation; and (c) five thousand dollars (\$5,000.00) for the third  
violation and for each subsequent violation committed within a calendar year.*

*And, adding paragraph 2. to read, The City may recover damages caused by  
any violation of this section.*

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

**ACTION ON THE NON-CONSENT CALENDAR PORTION OF THE AGENDA WILL  
COMMENCE AT 5:00 P.M., OR AS SOON THEREAFTER AS REASONABLY  
PRACTICABLE:**

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



- 8.1 Subject: FY 2023-24 Master Fee Schedule  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance No. 13726 C.M.S. (Which Adopted The Fiscal Year 2022-23 Revised Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By The City Of Oakland  
[23-0408](#)

**Attachments:** [View Report](#)  
[View Attachments A 1-15](#)  
[View Legislation And Exhibits](#)

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

*FINAL PASSAGE (Second Reading) WILL OCCUR ON JUNE 20, 2023.*

**Legislative History**

5/11/23	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
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- 8.1 Subject: Delinquent Real Property Transfer Taxes Assessment Of Liens  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Overruling Protests And Objections, If Any, And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection  
[23-0402](#)

**Legislative History**

5/11/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*As A Public Hearing*

*Pursuant to Rule 24, a statement was made on record as to the item bypassing committee.*

- 8.3 Subject: Fiscal Year (FY) 2023-24 Landscaping And Lighting District (LLAD) - Confirmation  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The City Of Oakland Landscaping And Lighting Assessment District Fiscal Year (FY) 2023-2024 Preliminary Engineer's Report And The Levying Of Assessments  
[23-0437](#)

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

**OPEN FORUM / PUBLIC COMMENTS**

**ADJOURNMENT OF COUNCIL SESSION**

(Meeting Shall Conclude No Later Than 10:00 P.M., Unless Extended By Majority Vote Of  
The Council)

**Americans With Disabilities Act**

If you need special assistance, including translation services 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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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.