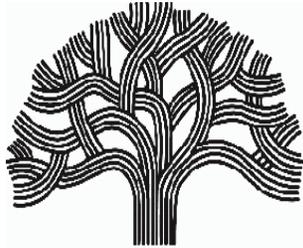


City of Oakland

*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, November 16, 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/83280398060> 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: 832 8039 8060

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

- 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
[21-0786](#)
Attachments: [View Report](#)
- 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
[21-0787](#)
Attachments: [View Report](#)
- 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
[21-0788](#)
Attachments: [View Report](#)

2.4 Subject: Teleconference Meetings Of The City Council
From: Office Of The City Administrator's
Recommendation: 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
[21-0789](#)

Attachments: [View Legislation](#)

2.5 Subject: Recognizing November 2021 As Native American Heritage Month
From: Councilmember Gallo
Recommendation: Adopt A Resolution Recognizing November 2021 As Native American Heritage Month In The City Of Oakland Honoring And Celebrating The Culture, Traditions, And Contributions Of Native American Communities And Community Leaders In All Council Districts For Their Continual Year-Round Work
[21-0799](#)

Attachments: [View Legislation](#)

Legislative History

10/28/21	*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: Honoring California Retired Teachers
From: Councilmember Taylor
Recommendation: Adopt A Resolution Acknowledging November 7-13, 2021 As California Retired Teacher's Week And Honoring The Contributions Of Past, Present, And Future Teachers In Oakland Schools For Their Many Contributions And Sacrifices Made To The Benefit of Oakland Students And Families
[21-0810](#)

Legislative History

10/28/21	*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: RPR Architects And Dialog Design On-Call Contract Increase For Main Library / Fire Stations Renovations And Downtown Facility Asset Inventory
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification ("RFP/Q") Requirement And Authorizing The City Administrator To Increase The On-Call Architectural Services Agreement With: (1) RPR Architects By An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To Six Hundred Fifty Thousand Dollars (\$650,000.00) And, (2) Dialog Design (Formerly Byrens Kim Designworks) By An Amount Not-To-Exceed Fifty Thousand Dollars (\$50,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To Five Hundred Fifty Thousand Dollars (\$550,000.00)
[21-0776](#)

Legislative History

10/28/21	*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: Sanitary Sewer Sub-Basin Rehabilitation Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution (1) Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For Sanitary Sewer Rehabilitation Sub-Basin 85-202 (Project No. 1004810) And With Contractor's Bid For An Amount Not To Exceed Five Million, Eight Hundred Seventy-Seven Thousand, Four Hundred Eighty-Five Dollars (\$5,877,485.00) And (2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[21-0780](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.9** Subject: Caltrans Maintenance Bikeway Infrastructure
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Amendments To Maintenance Agreements Between The City And California Department Of Transportation (Caltrans) Relating To Bikeway Infrastructure In Order To Reduce Delay Of Construction Projects
[21-0775](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2.10 Subject: Maintenance Agreements LAMMPS, Fruitvale Alive
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Execute The Maintenance Agreement Between The City And California Department Of Transportation (Caltrans) For The Laurel Access To Mills, Maxwell Park And Seminary (LAMMPS) Project As Part Of The Terms Of The Caltrans Encroachment Permit No. 0416-NMC 1563 Required For Construction Underneath The Macarthur Boulevard Undercrossing (Bridge No. 33-316);
And
[21-0777](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2) A Resolution Authorizing City Administrator To Execute The Maintenance Agreement Between The City And California Department Of Transportation (Caltrans) For The Fruitvale Alive! Gap Closure Project As Part Of The Terms Of A Future Caltrans Encroachment Permit Applied For By The City
[21-0778](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2.11 Subject: Amending Resolution No. 88558 C.M.S. To Reallocate Continuum Of Care Grant Funds
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 88558 C.M.S. To Reallocate \$190,408 In Continuum Of Care Grant Funds From First Place For Youth To Covenant House California And Authorizing The City Administrator To Amend The Grant Agreement With Covenant House California To Increase The Amount By \$190,408 For A Total Grant Amount Not To Exceed \$525,735 For The Provision Of Transitional Housing And Supportive Services To Homeless Youth Through July 31, 2022
[21-0779](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.12** Subject: FY 2021-2026 Urban Area Security Initiative (UASI) Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To: (A) Enter Into A Grant Agreement With The City And County Of San Francisco To Receive Up To One Million And Fifty Thousand Dollars (\$1,050,000.00) Of Urban Area Security Initiative (UASI) Grant Funds For Fiscal Years (FY) 2021-2026; (B) Appropriate And Administer Said Funds; (C) Approve The FY 2021-2026 UASI Recommended Spending Plans; (D) Accept And Appropriate Additional FY 2021-2026 UASI Grant Funds In An Amount Not To Exceed Fifty Percent (50%) Of The Original Grant Award, At A Total Authorized Amount Of One Million Five Hundred And Seventy Five Thousand Dollars (\$1,575,000); (E) Expend Funds In Accordance With Said Spending Plans Without Further Council Approval, Including Purchases In Excess Of The City Administrator's Purchasing Authority Of Equipment And Services Required By The Grant Provided The City's Hiring And Contract Requirements/Policies Are Followed; And (2) Authorizing A General Purpose Fund Contribution At A Rate Of 13.34% To Cover Disallowed Central Service Overhead (CSO) Charges Estimated At Seventy One Thousand, Two Hundred Sixty Three Dollars (\$71,263) Annually; And (3) Waiving The City's Advertising And Competitive Bidding And Purchasing Requirements For Procurement Of Equipment When Required By The Grant

[21-0796](#)

Legislative History

10/28/21	*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: FY 2021 FEMA Port Security Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Their Designee, To: (1) Enter Into An Agreement With The U.S. Department Of Homeland Security's Federal Emergency Management Agency (FEMA) To Accept A Port Security Grant In The Amount Of Eight Hundred Twenty Five Thousand Dollars (\$825,000.00) To Purchase A Fire Boat And Other Necessary Resources For The Period Starting September 1, 2021 Through August 31, 2024; (2) Appropriate And Administer Said Funds; (3) Expend Port Security Grant Funds In Accordance With The City's Purchasing Requirements And Programs/Policies; And (4) Allocating Funds In The Amount Of Two Hundred Seventy Five Thousand Dollars (\$275,000.00) As Required By The Grant Award To Cover The Remaining Cost Of The Fire Boat

[21-0797](#)

Legislative History

10/28/21	*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: HomeBase Trailers Amendment To Extend The Term
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Emergency Professional Services Agreement With Housing Consortium Of The East Bay (HCEB) For The Provision Of Emergency Shelter Services To Individuals At High Risk Of Serious Illness Or Death Due To COVID-19 To Extend The Term Of The Agreement Through June 30, 2022
[21-0800](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.15** Subject: Oakland Day Laborer Program Contract
From: Economic and Workforce Development Department
Recommendation: Adopt A Resolution Authorizing (1) The City Administrator To Enter Into A Professional Services Agreement With Causa Justa::Just Cause And Its Partners (Street Level Health And Centro Legal De La Raza) To Administer The Oakland Day Laborer Program For Fiscal Years 2021-2023 In An Amount Not To Exceed \$220,000 Per Year For A Total Amount Not To Exceed \$440,000; And (2) Waiving The Formal Request For Proposals / Qualifications Process For The Professional Services Agreement
[21-0805](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.16** Subject: Workforce Contracts For General Funded Flatlands Appropriations
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter In Or Amend Contracts With Workforce Development Providers To Provide Comprehensive Career Services To Youth, The Unhoused, And Formerly Incarcerated Residing In The Flatlands Neighborhoods Below Interstate-580 (Fruitvale, Chinatown, East Oakland, West Oakland) For An Amount Not To Exceed \$500,000 As Follows: (1) Lao Family Community Development In The Additional Amount Of \$62,500; (2) The Unity Council In The Additional Amount Of \$62,500; (3) Youth Employment Partnership In The Additional Amount Of \$25,000; (4) Civicorps In The Additional Amount Of \$125,000; (5) East Bay Asian Youth Center In The Amount Of \$75,000; (6) Youth Uprising In The Amount Of \$75,000; And (7) West Oakland Job Resource Center In The Amount Of \$75,000
[21-0807](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.17** Subject: Apply for CalHome 2021 Grant
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds From The California Department Of Housing And Community Development CalHome 2021 Notice Of Funding Availability In An Amount Not To Exceed \$5 Million
[21-0802](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.18** Subject: Request The Alameda County Registrar Of Voters Take All Steps Necessary To Implement Measure QQ
From: Vice Mayor Kaplan, President Pro Tem Thao And President Fortunato Bas
Recommendation: Adopt A Resolution Supporting The City Administrator's Request That The Alameda County Registrar Of Voters Take All Steps Necessary To Update The DIMS Election Management System To Allow 16 And 17-Year Olds To Register To Vote And Participate By Ranked Choice Voting In The Elections Of Oakland School Board Directors And That The California Secretary Of State Provide Any Necessary Authorization For The Update In Order To Implement Measure QQ, Which Authorized The Oakland City Council To Adopt An Ordinance Allowing 16 And 17-Year-Olds To Vote For The Office Of School Board Director
[21-0816](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>President Pro Tempore Thao And President Fortunato Bas Requested to be added as a Co-Sponsor</i>
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2.19 Subject: Construction Innovation And Expanded Housing Options Ordinance
From: Mayor Schaaf, President Pro Temp Thao, And Councilmember Kalb
Recommendation: Adopt An Ordinance To Promote Cost-Efficient Construction
Innovation And Expanded Housing Options By:

(1) Amending The Oakland Planning Code (Oakland Municipal Code (OMC) Title 17) To
(A) Allow Residential Occupancy Of Recreational Vehicles (RVS), Mobile Homes, And
Manufactured Homes In All Zoning Districts Where Residential Uses Are Permitted, (B)
Establish Density And Open Space Regulations For Efficiency Dwelling Units, And (C)
Establish Height Regulations For Modular Construction;

(2) Amending The Oakland Building Construction Code (OMC Chapter 15.04) To Adopt
Voluntary Appendix R To The California Residential Code (Light Straw-Clay
Construction);

(3) Making Conforming Amendments To The Blight Ordinance (OMC Chapter 8.24),
Building Maintenance Code (OMC Chapter 15.08), Affordable Housing Impact Fees
Ordinance (OMC Chapter 15.72), And Transportation And Capital Improvements Impact
Fees Ordinance (OMC Chapter 15.74);

(4) Staying Enforcement Of OMC Sections 8.24.020(F)(2) And 8.24.020(G) For 120
Days; And

(5) Exempting RV Parks Owned, Operated, And Maintained By Non-Profit Organizations
For Permanent, Temporary, Or Emergency Use, Subject To The Planning Code
Standards, From The Special Occupancy Parks Act (Health And Safety Code Section
18200 Et SEQ) Pursuant To Health And Safety Code Section 18865.4; And Making
California Environmental Quality Act Findings
[21-0658](#)

Sponsors: Libby Schaaf, Dan Kalb and Thao

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report 10/28/2021](#)
[View Supplemental Legislation 10/28/2021](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 2, 2021; 8 AYES.

Legislative History

9/16/21	*Rules & Legislation Committee	Continued to the *Rules & Legislation Committee
	<i>The Rules Committee Approved to Continue This Item To The Next Rules Committee For Scheduling</i>	

9/23/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
10/26/21	*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 amended the legislation to add the following;

SECTION 6. Administrative Regulations. "...including but not limited to the process for selecting and inspecting on an annual basis a subset of previously installed Vehicular Residential Facilities as required by the Ordinance."

Add a new Section 10, to direct staff to look into alternate compliance for sewage waste disposal and water supply for Vehicular Residential Facilities and report back to City Council within one year: Additional Research. Building & Planning Staff shall research methods for sewage waste disposal and water supply for vehicular residential facilities. Building & Planning Staff shall present those methods within one year to the City Council as potential methods for alternative compliance to this Ordinance.

Proposed amendment to Ordinance, Section 7 (page 5, PDF page 5): SECTION 7. Non-Profit RV Parks.

This exemption only applies if the nonprofit entity is a registered 501(c)(3) organization based In Alameda County, and If the park is not owned, operated, or managed by a limited liability corporation with a for-profit partner.

Proposed amendment to Exhibit A, Section 17.103.0SS(N) (page A-71, PDF page 77): 17.103.085 N. Parks.

This exemption only applies If the nonprofit entity Is a registered 501(c)(3) organization based in Alameda County, and If the park Is not owned, operated, or managed by a limited liability corporation with a for-profit partner.

This item was approved to be forwarded to the November 2, 2021 City Council Agenda as a Public Hearing.

10/28/21	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Approved as a Public Hearing

11/2/21 * 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 3.1 by the City Clerk, the Public Hearing was opened at 1:57 p.m.

7 individuals spoke on this item.

President Pro Tempore Thao made a motion, seconded by Councilmember Kalb, to close the Public Hearing, and

The Council Committee approved as amended to include the following:

SECTION 10. Additional Research And Reports. The City Administrator Or Designees Are Directed To Look Into Alternative Compliance For Sewage Waste Disposal And Water Supply For Vehicular Residential Facilities And Shall Research Methods For On-Site Sewage Waste Disposal And Water Supply For Vehicular Residential Facilities And Report Back To City Council Within One Year. City Staff Shall Present Those Methods And Information Within One Year To The City Council As Potential Methods For Alternative Compliance To This Ordinance. The City Administrator Shall Conduct A Review Of The Implementation Of This Ordinance Within Three Years And Report Back To City Council With Information Concerning The Number, Type, And Compliance With This Ordinance Of Vehicular Residential Facilities In The City And Any Recommended Changes To This Ordinance; And

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

2.20 Subject: Termination Of RV Pilot Program
From: Mayor Schaaf, President Pro Temp Thao And Councilmember Kalb
Recommendation: Adopt An Ordinance Amending Section 5.72.190 Of The Oakland Municipal Code (OMC) To Terminate The Recreational Vehicle (RV) On Undeveloped Property Pilot Program On December 31, 2021; And Making California Environmental Quality Act Findings

[21-0660](#)

Sponsors: Libby Schaaf, Kalb and Thao

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 2, 2021; 8 AYES.

Legislative History

9/16/21 *Rules & Legislation Committee Continued to the *Rules & Legislation Committee
The Rules Committee Approved to Continue This Item To The Next Rules Committee For Scheduling

9/23/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
10/26/21	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This item was approved to be forwarded to the November 2, 2021 City Council Agenda as a Public Hearing.</i>
10/28/21	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved as a Public Hearing</i>
11/2/21	* 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 <i>Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 3:03 p.m.</i> <i>6 individuals spoke on this item.</i> <i>Councilmember Taylor made a motion, seconded by President Pro Tempore Thao, 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</i>

2.21 Subject: Amendment To Rent Adjustment Ordinance To Include Vehicular Residential
Facilities

From: Mayor Schaaf, President Pro Tem Thao And Councilmember Kalb

Recommendation: Adopt An Ordinance To Amend The Rent Adjustment Ordinance
(Oakland Municipal Code Chapter 8.22) To Add Vehicular Residential Facilities As
Covered Units

[21-0661](#)

Sponsors: Libby Schaaf, Kalb and Thao

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Report 10/28/2021](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 2, 2021; 8 AYES.

Legislative History

9/16/21	*Rules & Legislation Committee	Continued to the *Rules & Legislation Committee <i>The Rules Committee Approved to Continue This Item To The Next Rules Committee For Scheduling</i>
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9/23/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
10/26/21	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This item was approved to be forwarded to the November 2, 2021 City Council Agenda as a Public Hearing.</i>
10/28/21	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved as a Public Hearing</i>
11/2/21	* 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 <i>Upon the reading of Item 3.3 by the City Clerk, the Public Hearing was opened at 3:24 p.m.</i> <i>5 individuals spoke on this item.</i> <i>Councilmember Taylor made a motion, seconded by President Pro Tempore Thao, 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</i>

**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: Oak Knoll Community Facilities District (CFD)
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A Resolution Of The City Council Of Formation Of A Community Facilities District,
Three Improvement Areas And A Future Annexation Area To Finance Public
Improvements And Public Services For The Oak Knoll Project, And Making Findings
Under The California Environmental Quality Act (CEQA); And
[21-0811](#)

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</i>
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2) A Resolution Of the City Council Determining the Necessity to Incur Bonded and Other Indebtedness for The Oak Knoll Project Community Facilities District, And Making Findings Under The Environmental Quality Act (CEQA); And

[21-0812](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Approved as a Public Hearing

3) A Resolution Of The City Council Calling Special Elections for Three Improvement Areas In The Community Facilities District for The Oak Knoll Project, And Making Findings Under The California Environmental Quality Act (CEQA)

[21-0813](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Approved as a Public Hearing

3.2 Subject: Oak Knoll Community Facilities District (CFD) - Landowner Election
From: Economic & Workforce Development Department
Recommendation: Conduct A Special Landowner Election And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Of The City Council Declaring Results Of Special Elections For Three Improvement Areas In The Community Facilities District For The Oak Knoll Project, Making Findings Under The California Environmental Quality Act (CEQA), And Directing Recording Of Notices Of Special Tax Lien; And

[21-0814](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Approved as a Public Hearing

2) 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](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 16, 2021.

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

- 3.3** 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

Approved as a Public Hearing and the Title Change read into record

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

Approved as a Public Hearing and the Title Change read into record

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

[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

Approved as a Public Hearing and the Title Change read into record

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 NOVEMBER 2, 2021
[21-0785](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 6 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 2021-2); 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](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 21, 2021.

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>

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 Regulations CCR 14, Section 18989.1(A)(2), (The Short-Lived Climate Pollutant Reduction Act Of 2016) 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](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 21, 2021.

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>

3) An Ordinance Amending Oakland Planning Code Chapter 17.118 (Recycling Space Allocation Requirements), To Comply With Senate Bill (SB) 1383 And SB 1383 Regulations CCR 14 Section 18989.1(A)(2), (The Short-Lived Climate Pollutant Reduction Act Of 2016) 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](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 21, 2021.

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>

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](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON DECEMBER 21, 2021.

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>

7 Subject: Fiscal Year 2021-22 Cultural Funding Grants - Round One
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Awarding Grants To 69 Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland For Fiscal Year 2021-22 (Round One), In A Total Amount Not To Exceed \$1,265,500
[21-0804](#)

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 for Non-Consent</i>

8 Subject: Approval Of AASEG Term Sheet
From: Vice Mayor Kaplan And Councilmember Gallo
Recommendation: Adopt One Of The Following Resolutions:

1) A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Exclusive Negotiating Agreement (ENA) With The African American Sports And Entertainment Group (AASEG), For A Period Of One Year, With One Administrative Option To Extend For Twelve (12) Months, To Work Toward The Acquisition And Development (Including Purchase, Lease, Or Partnership) Of The City's Share of the Oakland Coliseum Complex, Consisting Of Various Parcels Bounded By San Leandro Street, 66th Avenue, Hegenberger Road And Interstate 880, Including, During the ENA Period, To Negotiate Terms For, But Not Limited To, The Financial Plan, And Community Benefits, And Authorizing And Accepting Payment Of An ENA Fee Of \$200,000 Per Year And Project Expense Payments To The City Of Oakland; Or

[21-0724](#)

Sponsors: Gallo

Legislative History

9/30/21 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Approved to be scheduled to the November 2, 2021 City Council Agenda; And

noted Council President Fortunato Bas will schedule this item to October 7, 2021 Closed Session as a Oral Report

10/14/21 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Committee Accepted a Title Change and withdrew this item from November 2, 2021 City Council Agenda and Rescheduled it to the November 16, 2021 City Council Agenda on Non Consent.

2) A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Exclusive Negotiating Agreement (ENA) The Stewart Property Group, LLC, Dave Stewart And Lonnie Murray, For A Period Of One Year, With One Administrative Option To Extend For Twelve (12) Months, To Work Toward The Acquisition And Development (Including Purchase, Lease, Or Partnership) Of The City's Share Of The Oakland Coliseum Complex, Consisting Of Various Parcels Bounded By San Leandro Street, 66th Avenue, Hegenberger Road And Interstate 880, Including, During The ENA Period, To Negotiate Terms For, But Not Limited To, The Financial Plan, And Community Benefits, And Authorizing And Accepting Payment Of An ENA Fee of \$200,000 Per Year And Project Expense Payments To The City Of Oakland

[21-0767](#)

Legislative History

10/14/21

*Rules & Legislation
Committee

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

*The Committee Accepted a Title Change and withdrew this item from November
2, 2021 City Council Agenda and Rescheduled it to the November 16, 2021
City Council Agenda on Non Consent.*

ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF

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

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)**

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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.