

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 Minutes - DRAFT

Thursday, October 6, 2022

10:30 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

***Rules & Legislation Committee**

The Rules & Legislation Committee convened at 10:36 A.M., with Pro Tempore Thao presiding as Chairperson.

Present 4 - Nikki Fortunato Bas, Carroll Fife, Dan Kalb, and Sheng Thao

COMMITTEE MEMBERSHIP:

Roll Call / Call To Order

Present 4 - Nikki Fortunato Bas, Carroll Fife, Dan Kalb, and Sheng Thao

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

The call of the que opened at 10:37 a.m. and closed at 10:52 a.m.

22 individuals spoke during Public Comment

2 Approval Of The Draft Minutes From The Committee Meeting Of September 22, 2022 [22-0737](#)

Attachments: [View Report](#)

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

Aye: 4 - Fortunato Bas, Fife, Kalb, and Thao

NO VOTE: 0

3 New Scheduling Items

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

Aye: 4 - Fortunato Bas, Fife, Kalb, and Thao

NO VOTE: 0

3.1 Subject: Short-Term Housing Solutions For Residents Of The Wood Street Encampment
From: Office Of The City Administrator
Recommendation: Adopt The Following;

1) Receive An Informational Report Regarding Short-Term Housing Solutions For The Residents Of The Wood Street Encampment; And
[22-0805](#)

On Non-Consent

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/18/2022

2) Adopt A Resolution Amending Resolution 89283 C.M.S., Which Adopted The Midcycle Budget For Fiscal Year 2022-23, To Allocate An For Amount Not To Exceed One Hundred And Eighty Thousand Dollars (\$180,000) From The General Purpose Fund To Be Used In Support Of Applying For A State Of California Department Of Toxic Substances Control Waiver To Allow For Temporary Habitation At The Former Army Base North Gateway Site; On The October 18, 2022 City Council Agenda As A Public Hearing
[22-0806](#)

On Non-Consent

A title change was 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 10/18/2022

3.2 Subject: Approve The Oakland Police Department's Policies In Accordance With California Government Code § 7070 Et Seq. (AKA "AB 481") And Oakland Municipal Code Chapter 9.6
From: Oakland Police Department
Recommendation: Adopt A Resolution Approving Oakland Police Department's (OPD) Policies In Accordance With California Government Code § 7070 Et Seq. (AKA "AB 481") And Oakland Municipal Code Chapter 9.6; On The October 18, 2022 City Council Agenda On Consent
[22-0776](#)

On Non-Consent

A title change was 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 10/18/2022

3.3 Subject: Appraisals For Proposed Homekey Project

From: Vice Mayor Kaplan

Recommendation:

[OLD TITLE]

Adopt A Resolution Appropriating And Allocating An Amount Not To Exceed \$20,000 From The General Fund For Fiscal Year 2022-2023 To Retain An Independent Appraiser To Appraise City Land At 9418 Edes Avenue And 606 Clara Street Intended For A Possible Future Project Under The State Of California Homekey Program

[NEW TITLE]

Adopt A Resolution Appropriating And Allocating An Amount Not To Exceed \$20,000 From The Affordable Housing Trust Fund, Redevelopment Dissolution Funds, For Fiscal Year 2022-2023 To Retain An Independent Appraiser To Appraise City Land At 9418 Edes Avenue And 606 Clara Street Intended For A Possible Future Project Under The State Of California Homekey Program; On The October 18, 2022 City Council Agenda [22-0778](#)

On 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 10/18/2022

3.4 Subject: Community Cabin Program At 2601 Wood Street
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting, Appropriating, And Authorizing Agreement For Receipt Of Additional Encampment Resolution Funding (ERF) Funding In The Estimated Amount Of Three Million Six Hundred Thousand Dollars (\$3,600,000) Expected To Be Awarded From The State Of California To Fund Interim Housing Construction, Operations, And Services At 2601 Wood Street Through June 30, 2024;

(2) Authorizing The City Administrator To Enter Into A Professional Services Agreement With A Provider To Be Selected By The Human Services Department Through A Competitive Request For Qualifications (RFQ) Process Using ERF Funds In An Amount Not To Exceed \$2,243,274 For The First Year And A Total Amount Not To Exceed \$4,486,548 For The Full Term, To Operate And Manage An Interim Community Cabin Program At 2601 Wood Street From November 1, 2022 Through June 30, 2024, With An Option To The Extend The Term Within The Limits Of The ERF Award;

(3) Authorizing The City Administrator To Negotiate And Execute A Lease Amendment Between The City And Game Changer (Marine) LLC For 2201 And 2601 Wood Street, Oakland, To Extend The Term To June 30, 2024, With Three 1-Year Extensions In An Amount Not To Exceed \$35,000 Per Year, To Operate An Interim Recreational Vehicle (RV) Safe Parking Program And Community Cabin Program; And

(4) Making Appropriate Findings Under The California Environmental Quality Act; On The October 18, 2022 City Council Agenda On Consent
[22-0788](#)

On 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 10/18/2022

- 3.5** Subject: Fiscal Year 2018 Urban Search and Rescue (US&R) Supplemental Funding
From: Oakland Fire Department
Recommendation: Adopt A Resolution Amending Resolution Numbers 87503 And Number 88161 C.M.S. Which, Among Other Things, Authorized The City Administrator To Accept, Appropriate, And Administer Fiscal Year (FY) 2018 Urban Search And Rescue Grant Funds From The Federal Emergency Management Agency In The Amount Of One Million Three Hundred Twenty-One Thousand Eight Hundred And Twenty-Three Dollars, By Extending The Period For Receipt Of Said Grant Funds To August 31, 2022; On The On The October 18, 2022 City Council Agenda On Consent
[22-0789](#)

On 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 10/18/2022

3.6 Subject: City Center T5/T6 Site B - Second DDA Amendment
From: Economic And Work Force Development Department
Recommendation: Adopt An Ordinance: (A) Authorizing The City Administrator To Negotiate And Execute:

(1) A Second Amendment To The Disposition And Development Agreement Between The City Of Oakland And Strada T5, LLC, Which Will, Among Other Things, (A) Convert The Agreement To A Lease Disposition And Development Agreement, For Development Of A University Campus On The City Center T-5/T-6 Property Located On The Block Bounded By Broadway, 11th Street, 12th Street And Clay Street; (B) Extend The Term Up To 15 Months With Nonrefundable Monthly Extension Fees Of \$6,000; And (C) Provide Two Optional Administrative Six-Month Extensions Each For A Nonrefundable Extension Fee Of \$40,000; And

(2) A 99-Year Ground Lease Of The Property Between The City And Samuel Merritt University, Or Its Affiliate, And Related Documents For (A) Base Rent Of \$1 Per Year Prepaid On The Commencement Date, (B) Monthly Construction Rent Of 50 Percent Of Minimum Rent Commencing On The Rent Commencement Date For The Construction Period, (C) Initial Minimum Rent Of \$236,400 Commencing At The End Of The Construction Period, (D) A Credit Of The \$50,000 Good Faith Deposit Applied To Construction Rent And/Or Minimum Rent, And (E) One-Time Rent Credit Not To Exceed \$500,000 For Remediation Of The Property; And

Adopting California Environmental Quality Act Findings; On The October 18, 2022 City Council Agenda As A Public Hearing
[22-0798](#)

On Non-Consent

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/18/2022

- 3.7** Subject: Fiscal Year 2019 Urban Search And Rescue (US&R) Funding Extension
From: Oakland Fire Department
Recommendation Adopt A Resolution To Amend Resolution No. 87936 C.M.S., Which Among Other Things Authorized The City Administrator To Accept, Appropriate And Administer 2019 Federal Emergency Management Agency (FEMA) Urban Search And Rescue (US&R) Grant Funds In The Amount Of One Million Two Hundred Thirty-Five Thousand One Hundred And Four Dollars (\$1,235,104), By Extending The Period For Receipt Of Grant Funds To August 31, 2023; On The October 18, 2022 City Council Agenda On Consent
[22-0799](#)

On 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 10/18/2022

- 3.8** Subject: City Of Oakland Declaring Its Intention To Establish The Oakland Enhanced Infrastructure Financing District
From: Council President Pro Tempore Thao And Councilmember Fife
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Declaring Its Intention To Establish The Oakland Enhanced Infrastructure Financing District To Finance The Construction, Repair, Acquisition, And/Or Maintenance Of Capital Improvements And Facilities, Including The Acquisition And/Or Remediation Of Land For Such Improvements And Facilities; Establishing A Public Financing Authority; And Authorizing Certain Other Actions Related Thereto; On The October 18, 2022 City Council Agenda On Non-Consent
[22-0802](#)

On 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 11/1/2022

- 3.9** Subject: Declaration Of A Local State Of Emergency In Oakland
From: Councilmember Noel Gallo
Recommendation: Approve A Report And Recommendations Declaration Of A Local State Of Emergency In Oakland California, Given The Growth Of Public Health Crisis That Oakland Is Currently Facing, We Must Ask That The State Of California To Further Assist With Immediate Establishments Of An Action-Oriented 90-Day Statewide Taskforce To Assist In The Development And Implementation Of Local, Comprehensive Violence Reduction Strategies Focused On Gun Violence Reduction. The Guidance And Resources Of The State Of California Are Desperately Needing To Help Communities, Like Oakland, To Address The Rapidly Rising Incidence Of Gun Crime And Violence; On The October 18, 2022 City Council Agenda On Non Consent
[22-0803](#)

This Report and Recommendation be Withdrawn with No New Date.

3.10 Subject: RFP For City Stables Concessionaire
From: Councilmember Taylor
Recommendation: Adopt A Resolution Authorizing The City Administrator To Issue An (“RFP”) Request For Proposal For A Concessionaire At The Oakland City Stables Located At 13560 Skyline Blvd And Offer Activities Such As Horseback Riding Lessons And Sustainable Agriculture Education And Ensuring Convenient And Affordable Access For Youth From Low Income And Underserved Communities; Additional Activities May Include Horse Boarding, Riding Lessons, Training, Clinics And Outreach Programs; On The October 24, 2022 Life Enrichment Committee Agenda
[22-0804](#)

A title change was read into record

This City Resolution be Scheduled.to go before the *Special Life Enrichment Committee to be heard 11/14/2022

3.11 Subject: Contracts For Tenant And Owner Representation At RAP Proceedings
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing: (1) A Contract With Centro Legal De La Raza For Provision Of Legal Representation Services To Low- And Moderate-Income Tenants At Rent Adjustment Program Petition Proceedings And Housing, Residential Rent And Relocation Adjustment Board Appeal Proceedings In The Amount Of \$239,271 From November 1, 2022, Through June 30, 2023, And (2) A Contract With East Bay Rental Housing Association For Provision Of Legal Representation Services To Small Property Owners At Rent Adjustment Program Petition Proceedings And Housing, Residential Rent And Relocation Board Appeal Proceedings In The Amount Of \$100,000 From November 1, 2022, Through June 30, 2023: On The October 25, 2022 Special Community & Economic Development
[22-0784](#)

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 10/25/2022

3.12 Subject: Amendments To Rent Adjustment Program Ordinance And Regulations
From: Housing And community Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Rent Registry Ordinance (Ordinance No. 13695 C.M.S.) To Modify The Initial Submission Deadline For Registration Forms From March 1, 2023 To July 1, 2023 And; And
[22-0793](#)

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 10/25/2022

2) A Resolution Adopting Amendments To The Rent Adjustment Program Regulations Approved By The Housing Residential Rent And Relocation Board To Clarify Substantial Compliance With Ordinance No. 13695 C.M.S. ("Rent Registry Ordinance"); On The October 25, 2022 Special Community & Economic Development Committee Agenda [22-0794](#)

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 10/25/2022

3.13 Subject: Fox Theater Funding Agreement And Design Contract
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The Following:

(1) Execution Of A Professional Services Agreement With Wiss, Janney, Elstner Associates, Inc. (WJE) In A Not-To-Exceed Amount Of One Hundred And Fifty Thousand Dollars (\$150,000) To Deliver Additional Design, Bidding And Construction Support Services, In Two Phases, For Roof And Heating, Ventilation And Air Conditioning (HVAC) Repairs At The Fox Theater And Waiver Of The Competitive Process Pursuant To OMC Section 2.04.051.B; And

(2) Execution Of A Funding Agreement Between The City Of Oakland And The Fox Oakland Theater, Inc. ("FOT") To Accept And Appropriate One Million Dollars (\$1,000,000) To Fund Roof And HVAC Repairs At The Fox Theater; On The October 25, 2022 Community & Economic Development Committee Agenda [22-0795](#)

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 10/25/2022

3.14 Subject: Analysis Of The Potential Impacts Of The Oakland Waterfront Ballpark District At The Howard Terminal Proposed By The Oakland Athletics
From: Councilmember Gallo
Recommendation: Receive An Informational Report And Testimony From Subject Matter Experts Related To Analysis Of The Potential Impacts Of The Oakland Waterfront Ballpark District At The Howard Terminal Proposed By The Oakland Athletics (Project). Receive Report On Analysis Conducted By: Professor Nola Agha, Ph.D., The University Of San Francisco, Professor Of Sport Management, Report Entitled "Evaluation Of The Revenues, Costs, And Impacts Of The Proposed Oakland Waterfront Ballpark District At Howard Terminal On The City Of Oakland". Vice Admiral Peter Neffenger, USCG (RET), Neffenger Consulting, And Rear Admiral Roy Nash, USGC (RET), Nash Maritime Consulting, Report Entitled "The Oakland Waterfront Ballpark District Project At Howard Terminal, Maritime And Seaport Impacts And Considerations".; On The October 25, 2022 Community & Economic Development Committee Agenda [22-0800](#)

This Informational Report be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 11/29/2022

3.15 Subject: Cost Of Responding To Fires That Occurred On California Department Of Transportation Property Within Oakland City Limits In Fiscal Year 2022
 From: Council President Pro Tempore Thao And Councilmember Fife
 Recommendation: Receive An Informational Report From The City Administrator And The Oakland Fire Department On The Cost Of Responding To Fires That Occurred On California Department Of Transportation Property Within Oakland City Limits In Fiscal Year 2022; On The November 14, 2022 Finance And Management Committee Agenda [22-0801](#)

This Informational Report be Scheduled to go before the *Finance & Management Committee to be heard 11/14/2022

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[22-0738](#)

- Attachments:** [October 10, 2022 Special Life Enrichment Committee Agenda](#)
[October 10, 2022 Finance & Management Committee Agenda](#)
[October 11, 2022 Public Safety Committee Agenda](#)
[October 13, 2022 Rules Committee Agenda](#)
[Finance And Management Pending List](#)
[Public Works Pending List](#)
[Community And Economic Development Pending List](#)
[Life Enrichment Pending List](#)
[Education Partnership Pending List](#)
[Public Safety Pending List](#)
[Rules And Legislation Pending List](#)
[Draft October 18, 2022 City Council Agenda](#)
[Draft October 20, 2022 Rules And Legislation Agenda](#)

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

Aye: 4 - Fortunato Bas, Fife, Kalb, and Thao

NO VOTE: 0

DUE TO THE PRESENCE OF COUNCILMEMBER GALLO, AT 11:27 A.M., A MOTION WAS MADE BY COUNCILMEMBER KALB, SECONDED BY COUNCILMEMBER FIFE TO ADJOURN AND ENTER INTO A SPECIAL CITY COUNCIL MEETING. THE MOTION PASSED WITH A VOTE OF 4 AYES: BAS, FIFE, KALB AND THAO

CHANGES MADE TO THE OCTOBER 18, 2022 CITY COUNCIL DRAFT AGENDA

Subject: Amend ABC Security Service Inc. Contract To Increase Spending Authority
From: Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Increase The Security Contract Amount By Four Hundred Thousand Dollars Per Month (\$400,000.00) On A Month-To-Month Basis, For Up To Four (4) Months In A Total Amount Not To Exceed One Million, Six Hundred Thousand Dollars (\$1,600,000.00) Until Request For Proposal Number 269336 Is Awarded; And (2) Waive The Competitive Request For Proposal/Qualification Selection Requirement
[22-0779](#)

A title change was 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 10/18/2022

Subject: Proposed Responses To The 2021-2022 Alameda County Civil Grand Jury Reports
From: Office Of The City Administrator
Recommendation: Approve A Report And Recommendation To Authorize The Council President To Submit Responses On Behalf Of The City To The 2021-2022 Alameda County Civil Grand Jury Final Reports Titled: (1) "Oakland Fails To Enforce Financial Disclosure Rules To Protect The Public"; (2) "Lack Of Fire Inspections In Oakland Creates Unnecessary Risks"; And (3) "Management Failures At Planning And Building Department Cost Oakland Millions"
[22-0630](#)

A title change was read into record

This Report and Recommendation be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/18/2022

Subject: 66th Ave. RV Safe Parking Program Professional Services Agreement
From: Human Services Department
Recommendation: Adopt A Resolution Awarding A Professional Services Agreement To Urban Alchemy In An Amount Not To Exceed Two Million Ten Thousand Dollars (\$2,010,000) For The Operation Of A 126 Space Recreational Vehicle (RV) Safe Parking Site At The City-Owned Property At 796 66th Avenue For A Term Of October 1, 2022 Through June 30, 2023 And Making Appropriate Findings Under The California Environmental Quality Act
[22-0710](#)

A title change was 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 10/18/2022

AT THE CALL OF COUNCIL PRESIDENT BAS, AN OCTOBER 18, 2022 SPECIAL CITY COUNCIL MEETING WAS CALLED TO BE HELD AT 10:00 A.M.

5 Determinations Of Closed Session

Open Forum

The call of the que opened at 12:02 p.m. and closed at 12:07 p.m.

4 individuals spoke during Open Forum

Adjournment

There being no further business, the Rules & Legislation adjourned the meeting at 12:10 p.m.

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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