



# City of Oakland

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

## Meeting Minutes - FINAL \*Rules & Legislation Committee

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Thursday, October 20, 2022

10:30 AM

Virtual Tele- Conference Via Zoom

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**Please See The Agenda To Participate In The Meeting**

The Rules And Legislation Committee convened at 10:30 a.m., with Pro Tempore Thao presiding as Chairperson.

### 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**

*14 speakers spoke during Public Comment.*

**2** Approval Of The Draft Minutes From The Committee Meeting Of October 6, 2022  
[22-0796](#)

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

**A motion was made by Dan Kalb, seconded by Carroll Fife, 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 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

**3.1** Subject: Beach Street And Mandela Parkway Unhoused Interventions  
From: Councilmember Fife  
Recommendation: Adopt A Resolution Directing The City Administrator To (1) Expand Access To The Existing Beach Street Homeless Intervention Site (Caltrans Lease Area 04-ALA-580-38 & 39) For All Vehicle Types, Including But Not Limited To, Trucks And Vans And Identify The Necessary Funds To Service The Site; And (2) Negotiate A Lease Agreement With The California Department Of Transportation (Caltrans) To Establish A New Homeless Intervention Site On Caltrans Right Of Way Parcels Located North Of 34th Street On Mandela Parkway And Identify The Necessary Funds And Service Providers To Service The Site  
[22-0853](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89455 CMS](#)

*A title change was read into record.*

*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 11/1/2022**

**3.2** Subject: Cultural Conservation Easement To Sogorea Te' Land Trust In Joaquin Miller Park  
From: Economic Workforce Development Department, Office Of The Mayor, & Pro Tem Thao  
Recommendation: Adopt An Ordinance (1) Granting A Cultural Conservation Easement Over An Approximately 5-Acre Portion Of Joaquin Miller Park Known As Sequoia Point To The Sogorea Te' Land Trust (Grantee), At No Cost, To Preserve And Enhance The Cultural, Historic, Educational, Natural Resource, Scenic, And Open Space Values Of The Easement Property In Perpetuity; And (2) Authorizing The City Administrator To Negotiate And Enter Into A Memorandum Of Agreement For The Implementation Of The City Of Oakland's Reserved Rights And The Grantee's Rights And Obligations Under The Conservation Easement, And To Amend Said Memorandum Of Agreement Without Returning To Council; And (3) Amending The Oakland Municipal Code To Add Section 12.64.420 To Authorize The Use Of Parks By Recipients Of Conservation Easements Without Obtaining Park Permits; And (4) Making California Environmental Quality Act Findings  
[TITLE CHANGE]  
[22-0849](#)

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

*A title change was read into record.*

*Pro Tempore Thao was added as a co-author.*

*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**

**3.3** Subject: Homekey Site Preparation Documentation  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution Appropriating And Allocating An Amount Not To Exceed \$45,000 From The Affordable Housing Trust Fund, Redevelopment Dissolution Funds, For Fiscal Year 2022-2023 To Assist Co-Applicants In Obtaining Site Preparation Documentation, Including But Not Limited To, Site Surveys And Appraisals, For City-Owned Land Located At 9418 Edes Avenue And 606 Clara Street Which May Be Used For Possible Future Projects Under The State Of California Homekey Program [22-0854](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89468 CMS](#)

***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 11/1/2022**

**3.4** Subject: Housing, Residential Rent And Relocation Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of John Deboer As A Tenant Representative, And Kristina Rosales As An Alternate Tenant Representative To The Housing, Residential Rent And Relocation Board [22-0850](#)

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

**This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 11/3/2022**

**3.5** Subject: Mayor's Appointment To The Police Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Brenda Harbin-Forte To The Police Commission As A Commissioner [22-0851](#)

**Attachments:** [View Report](#)  
[View Resume](#)  
[View Application](#)  
[View Legislation](#)  
[View Supplemental Application 11/21/2022](#)

**This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 11/3/2022**

- 3.6 Subject: Acceptance Of Incentive And Technical Assistance For Heat Pump Water Heaters At Oakland Municipal Buildings  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept In-Kind Technical Assistance And No-Cost Installation Of Heat Pump Hot Water Heaters In The Amount Of \$74,516.70 From Willdan Group Inc. At Nine Municipal Library Buildings To Further The City’s Climate, Electrification, And Equipment Modernization Goals And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

[TITLE CHANGE]

[22-0848](#)

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

**This City Resolution be Scheduled.to go before the \*Special Public Works Committee to be heard 11/15/2022**

- 3.7 Subject: 7211 Foothill Blvd Parcel Restriction  
From: Councilmember Taylor  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate The Removal, Amendment, Or Waiver Of Restrictions Imposed On The City-Owned 7101 Foothill Boulevard Parcel (Apn 039-3291-020) That Restricts Occupancy By Restaurants That Compete With McDonalds And Taco Bell In Order To Significantly Further Economic Development And Affordable Housing In East Oakland

[22-0852](#)

- Attachments:** [View Report](#)  
[View Legislation](#)  
[View Attachment 1](#)  
[View Attachment 2](#)  
[View Attachment 3](#)  
[View Supplemental Legislation 12/2/2022](#)

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

***Due To The Presence Of Councilmember Taylors Staff, A Quorum Of The City Council Was Noted, And A Motion Was Made By Councilmember Kalb And Seconded By Councilmember Fife To Adjourn The Meeting Of The Rules And Legislation Committee, And To Convene As A Special Meeting Of The Full Council At 11:12 P.M.***

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
[22-0797](#)

- Attachments:** [October 24, 2022 Finance And Management Committee Agenda](#)  
[October 24, 2022 Public Safety Committee Agenda](#)  
[October 24, 2022 Life Enrichment Committee Agenda](#)  
[October 25, 2022 Public Work Committee Agenda](#)  
[October 25, 2022 Community And Economic Development Committee Agenda](#)  
[October 27, 2022 Rules And Legislation Committee Agenda](#)  
[Finance And Management Pending List](#)  
[Public Works Pending List](#)  
[Community And Economic Development Pending List](#)  
[Life Enrichment Pending List](#)  
[Public Safety Pending List](#)  
[Rules And Legislation Pending List](#)  
[Draft November 1, 2022 City Council Agenda](#)  
[Draft November 3, 2022 Rules & Legislation Committee Agenda](#)

A motion was made by Nikki Fortunato Bas, seconded by Carroll Fife, 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

**CHANGES MADE TO THE OCTOBER 24, 2022 FINANCE AND MANAGEMENT COMMITTEE AGENDA**

*The Rules And Legislation Committee moved to cancel the Monday regular October 24, 2022 Finance And Management Committee, and the special November 14th and December 12th 2022 Finance And Management Committees and scheduling special meetings on Tuesday October 25th, November 15th and December 13th at 10:30 AM*

This be Accepted.

**CHANGES MADE TO THE OCTOBER 25, 2022 PUBLIC WORKS COMMITTEE AGENDA**

*The Rules And Legislation Committee moved to cancel the Tuesday regular October 25, 2022 Public Works Committee, and the special November 15th and December 13th 2022 Public Works Committees and scheduling special meetings on Monday October 24th, November 14th and December 12th at 10:30 AM*

This be Accepted.

**CHANGES MADE TO THE NOVEMBER 1, 2022 CITY COUNCIL DRAFT AGENDA**

Subject: Recognized Obligation Payment Schedule FY 2023-2024

From: Finance Department

Recommendation: Adopt A Resolution Approving The Submission Of A Recognized Obligation Payment Schedule And Oakland Redevelopment Successor Agency Administrative Budget For July 1, 2023 Through June 30, 2024, And Transmission Of Both To The Countywide Oversight Board, The Alameda County Auditor-Controller And The State Department Of Finance For Approval

[22-0815](#)

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

[View Legislation and Exhibits A & B](#)

***This Item was withdrawn and rescheduled to the Special Finance and Management Committee on Tuesday November 15, 2022***

**This ORSA Resolution be \* Withdrawn and Rescheduled.to go before the \*Special Finance & Management Committee to be heard 11/15/2022**

Subject: City Of Oakland Declaring Its Intention To Establish The Oakland Enhanced Infrastructure Financing District  
From: President Pro Tempore Thao And Councilmember Fife  
Recommendation: Adopt A Resolution: (1) Expressing The City's Interest In Establishing One Or More Enhanced Infrastructure Financing Districts To Fund Affordable Housing That Affirms The City's Commitment To Furthering Fair Housing And Infrastructure Improvements; And (2) Directing The City Administrator To Return To Council With A Report And Recommendation Outlining The Timeline And Process For A Proposal To Establish An Enhanced Infrastructure Financing District Exclusively For East Oakland; And (3) Directing The City Administrator To Return To Council With A Report And Recommendation Outlining The Timeline And Process For A Proposal To Establish An Enhanced Infrastructure Financing District Exclusively For West Oakland; And (4) Directing The City Administrator To Return To Council With A Report And Recommendation Outlining The Timeline And Process For A Proposal To Establish An Enhanced Infrastructure Financing District For East And West Oakland, Combined; And (5) Directing The City Administrator To Work With Kosmont Consulting To Bring Forth These Reports And Recommendations To Be Presented To The First Finance And Management Committee Of December 2022  
[22-0802](#)

**Attachments:** [View Legislation](#)  
[View Supplemental Report 10/27/2022](#)  
[View Supplemental Attachment 10/27/2022](#)  
[89480 CMS](#)

*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 11/1/2022

## 5 Determinations Of Closed Session

*No report out from the City Attorney.*

This be Accepted.

## Open Forum

*3 speakers spoke during open forum.*

## Adjournment

*There being no further business, the Committee adjourned the meeting at 11:34 a.m.*



## **Americans With Disabilities Act**

**If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.**

**Office of the City Clerk - Agenda Management Unit**

**Phone: (510) 238-6406**

**Fax: (510) 238-6699**

**Recorded Agenda: (510) 238-2386**

**Telecommunications Relay Service:711**

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

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