

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

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**

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 1:30 p.m.

ROLL CALL / CITY COUNCIL

Present 8 - Carroll Fife, Noel Gallo, Dan Kalb, Rebecca Kaplan, Treva Reid, Loren Taylor, Sheng Thao, and Nikki Fortunato Bas

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

There were 51 Public Comment Speakers

2 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

A motion was made by Kaplan, seconded by Taylor, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 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](#)
[88889 CMS](#)

This City Resolution was Adopted.

- 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](#)
[88890 CMS](#)

This City Resolution was Adopted.

- 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](#)
[88891 CMS](#)

This City Resolution was Adopted.

- 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](#)
[88892 CMS](#)

This City Resolution was Adopted.

- 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](#)
[View Supplemental Legislation - 11/19/2021](#)
[88893 CMS](#)

This City Resolution was Adopted.

- 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](#)

Attachments: [View Report](#)
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[88894 CMS](#)

This City Resolution was Adopted.

- 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](#)

Attachments: [View Report](#)
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[View Supplemental Legislation - 11/12/2021](#)
[88895 CMS](#)

This City Resolution was Adopted.

- 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, And Four Hundred Eighty-Five Dollars (\$5,877,485.00) And (2) Adopting Appropriate California Environmental Quality Act Findings

[21-0780](#)

Attachments: [View Report](#)
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[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Legislation](#)
[88896 CMS](#)

This City Resolution was Adopted.

- 2.9** Subject: Caltrans Maintenance Agreement Amendments For Bikeway Facilities
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](#)

Attachments: [View Report](#)
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[View Report - Attachment B](#)
[View Legislation](#)
[View Supplemental Legislation - 11/19/2021](#)
[View Supplemental Attachment A - 11/19/2021](#)
[88897 CMS](#)

This City Resolution was Adopted.

- 2.10** Subject: Maintenance Agreements LAMMPS And Fruitvale Project
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](#)

Attachments: [View Report](#)
[View Report - Attachment A](#)
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[View Report - Attachment C](#)
[View Report - Attachment D](#)
[View Legislation](#)
[88898 CMS](#)

This City Resolution was Adopted.

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](#)

Attachments: [View Legislation](#)
[88899 CMS](#)

This City Resolution was Adopted.

2.11 Subject: Amending Resolution No. 88558 C.M.S. 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](#)

Attachments: [View Report](#)
[View Legislation](#)
[88900 CMS](#)

This City Resolution was Adopted.

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 Annually For Fiscal Years (FY) 2021-2026, For A Total Amount Not To Exceed Five Million Two Hundred And Fifty Thousand Dollars (\$5,250,000); (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, For A Total Authorized Amount Of Seven Million Eight Hundred And Seventy-Five Thousand Dollars (\$7,875,000); (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; (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](#)

Attachments: [View Report](#)
[View Legislation](#)
[88901 CMS](#)

This City Resolution was Adopted.

- 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 Fireboat 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 Fireboat

[21-0797](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Attachment A](#)
[88902 CMS](#)

This City Resolution was Adopted.

- 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](#)

Attachments: [View Report](#)
[View Legislation](#)
[88903 CMS](#)

This City Resolution was Adopted.

- 2.15** Subject: Oakland Day Laborer Program Contract
From: Economic and Workforce Development Department
Recommendation: Adopt A Resolution Authorizing (1) The City Administrator Or His Designee 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 Year 2021-2023 In An Amount Not To Exceed Two Hundred And Twenty Thousand Dollars (\$220,000) Per Year For A Total Amount Not To Exceed Four Hundred And Forty Thousand Dollars (\$440,000); And (2) Waiving The Formal Request For Proposals / Qualifications Process For The Professional Services Agreement
[21-0805](#)

Attachments: [View Report](#)
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[View Legislation](#)
[88904 CMS](#)

This City Resolution was Adopted.

- 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 Into Or Amend Contracts With Workforce Development Providers To Provide Comprehensive Career Services To Youth, The Unhoused, And The 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](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[88905 CMS](#)

This City Resolution was Adopted.

- 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](#)

Attachments: [View Report](#)
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[View Legislation](#)
[88906 CMS](#)

This City Resolution was Adopted.

- 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](#)

Attachments: [View Report](#)
[View Legislation](#)
[88907 CMS](#)

This City Resolution was Adopted.

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](#)

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

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

[View Supplemental Legislation 11/4/2021](#)

[13666 CMS](#)

This Ordinance was Approved for Final Passage.

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](#)
[13667 CMS](#)

This Ordinance was Approved for Final Passage.

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](#)
[13668 CMS](#)

This Ordinance was Approved for Final Passage.

2.22 Subject: Budget Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Reisa Jaffe To The Budget Advisory Commission
[21-0841](#)

Attachments: [View Report And Legislation](#)
[88908 CMS](#)

This City Resolution was Adopted.

2.23 Subject: Landmarks Preservation Advisory Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Craig Rice As A Member Of The Landmarks Preservation Advisory Board
[21-0842](#)

Attachments: [View Report And Legislation](#)
[88909 CMS](#)

This City Resolution was Adopted.

2.24 Subject: Website Design And Development Services Contract Extension
From: Office Of The City Administrator's
Recommendation: Adopt A Resolution Waiving The Competitive Multiple-Step Solicitation Process Required For The Acquisition Of Information Technology Systems, And Authorizing The City Administrator To Amend The Professional Services Agreement With Exygy, Inc For Website Design And Development Services For The City's Website To Extend The Term By An Additional Two Years And Increase The Compensation By An Amount Not To Exceed \$498,000.00 For A Total Contract Amount Of \$747,000
[21-0817](#)

Attachments: [View Report](#)
[View Legislation](#)
[88910 CMS](#)

This City Resolution was Adopted.

2.25 Subject: Montclair BID Annual Report & Intention To Levy FY 22-23 Assessment
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution: 1) Approving The Annual Report Of The Montclair Business Improvement District Advisory Board; 2) Declaring The Intention To Levy And Collect An Annual Assessment For Fiscal Year 2022-2023 For The Montclair Business Improvement District; And 3) Scheduling A Public Hearing For December 7, 2021
[21-0801](#)

Attachments: [View Report](#)
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[88911 CMS](#)

This City Resolution was Adopted.

- 2.26** Subject: Rockridge BID Annual Report & Intention To Levy FY 22-23 Assessment
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution: (1) Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board; (2) Declaring The Intention To Levy And Collect An Annual Assessment For Fiscal Year 2022-2023 For The Rockridge Business Improvement District; And (3) Scheduling A Public Hearing For December 7, 2021

[21-0803](#)

Attachments: [View Report](#)
[View Exhibit A](#)
[View Legislation](#)
[88912 CMS](#)

This City Resolution was Adopted.

- 2.27** Subject: Michele Williams V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Michele Williams V. City Of Oakland, And Does 1 Through 20, Alameda County Superior Court Case No. Rg19042561, City Attorney's File No. 30925, In The Amount Of Four Hundred Thousand Dollars And Zero Cents (\$400,000.00) (Department Of Public Works - Negligence)

[21-0835](#)

Attachments: [View Report](#)
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[88913 CMS](#)

This City Resolution was Adopted.

- 2.28** Subject: Claim Of Trinette Gist Skinner
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Trinette Gist Skinner, Department Of Fair Employment And Housing Complaint No. 202003-09593013, City Attorney's File No. Ofd-130107, In The Amount Of One Hundred Thirty Thousand Dollars And No Cents (\$130,000.00) Alleging Discrimination, Harassment And Retaliation Based On Gender And Race (Fire Department - Personnel/Discrimination)
[21-0836](#)

Attachments: [View Report](#)
[View Legislation](#)
[88914 CMS](#)

This City Resolution was Adopted.

- 2.29** Subject: Paramount Theatre Of The Arts Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Douglas Boxer, Margaret Grover, Thomas Hart, David P. Johnson, Clinton O. Killian, Michael Panico, Jean Rainer, And Appointment Of Ray Leon And Sima Patel To The Paramount Theatre Of The Arts Board Of Directors
[21-0843](#)

Attachments: [View Report And Legislation](#)
[88915 CMS](#)

This City Resolution was Adopted.

- S2.30** Subject: BAC Report On The City Of Oakland's Biennial 2021-23 Budget Cycle
From: Finance Department
Recommendation: Receive An Informational Report From The Budget Advisory Commission (BAC) On The City Of Oakland's Biennial 2021-23 Budget Cycle
[21-0798](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

**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](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Legislation And Exhibits](#)
[88916 CMS](#)

***Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at
4:26 p.m.***

6 individuals spoke on this item.

***Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, 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***

***Councilmember Reid made a motion, seconded by Vice Mayor Kaplan, to adopt all
3 resolution on Item 3.1 and hearing no objections, the motion passed by with the
following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato
Bas***

**A motion was made by Treva Reid, seconded by Rebecca Kaplan, that this
matter be Adopted. The motion carried by the following vote:**

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

2) A Resolution Of The City Council Determining Necessity To Incur Bonded And Other Indebtedness For The Oak Knoll Project Community Facilities District, And Making Findings Under The California Environmental Quality Act (CEQA); And [21-0812](#)

Attachments: [View Legislation](#)
[88917 CMS](#)

Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 4:26 p.m.

6 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, 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

Councilmember Reid made a motion, seconded by Vice Mayor Kaplan, to adopt all 3 resolution on Item 3.1 and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Treva Reid, seconded by Rebecca Kaplan, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

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](#)

Attachments: [View Legislation And Exhibits](#)

[88918 CMS](#)

Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 4:26 p.m.

6 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, 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

Councilmember Reid made a motion, seconded by Vice Mayor Kaplan, to adopt all 3 resolution on Item 3.1 and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Treva Reid, seconded by Rebecca Kaplan, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 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](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Legislation And Exhibit](#)
[88919 CMS](#)

***Upon the reading of Item 3.2-1 by the City Clerk, the Public Hearing was opened at
4:26 p.m.***

6 individuals spoke on this item.

***Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, 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***

***Councilmember Kalb made a motion, seconded by Vice Mayor Kaplan, to the
resolution on Item 3.2 and hearing no objections, the motion passed by with the
following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato
Bas***

**A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter
be Adopted. The motion carried by the following vote:**

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

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](#)

Attachments: [View Legislation](#)

Upon the reading of Item 3.2-2 by the City Clerk, the Public Hearing was opened at 4:26 p.m.

6 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, 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

Councilmember Reid made a motion, seconded by Councilmember Gallo, to approve on Introduction Item 3.2-2 and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

*A motion was made by Treva Reid, seconded by Noel Gallo, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/21/2021. The motion carried by the following vote:*

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

3.3 The Item Regarding "465 63rd Street Appeal By Property Owner" was Removed from this agenda via Rule 28.

The Item Regarding "465 63rd Street Appeal By Property Owner" was Removed from this agenda via Rule 28.

The Item Regarding "465 63rd Street Appeal By Property Owner" was Removed from this agenda via Rule 28.

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

There was not Oral Closed Session Report Out

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF NOVEMBER 2,
2021
[21-0785](#)

Attachments: [View Report](#)

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Approved. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

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 2021-02); 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](#)

Attachments: [View Report](#)

[View Attachment A](#)

[View Legislation](#)

[View Supplemental Presentation - 11/19/2021](#)

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/21/2021. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

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 (The Short-Lived Climate Pollutant Reduction Act Of 2016) And Its Regulations At California Code Of Regulations At Title 14 Section 18989.1(A)(2), 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](#)

Attachments: [View Legislation](#)

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/21/2021. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

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

Attachments: [View Legislation](#)

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/21/2021. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

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](#)

Attachments: [View Legislation](#)

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/21/2021. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

7 Subject: Oakland GO Bonds, Series 2022C (Measure KK)
From: Finance Department
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds And The Issuance And Sale Of General Obligation Bonds In An Amount Not To Exceed \$220,000,000 And Approving Certain Related Matters
[21-0831](#)

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

A motion was made by Loren Taylor, seconded by Noel Gallo, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/21/2021. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

8 Subject: Winter Relief Funding FY 21-22
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating Up To One Hundred Forty Thousand Dollars (\$140,000) From Alameda County For The North County Winter Relief Efforts;

(2) Authorizing Amendment Of The Grant Agreement With East Oakland Community Project To Increase The Amount By Sixty-Seven Thousand Dollars (\$67,000) For The Provision Of Winter Shelter Beds;

(3) Authorizing Amendment Of The Grant Agreement With St. Mary's Center To Increase The Amount By One Hundred Thousand Dollars (\$100,000) For The Provision Of Street Based Housing Navigation Services And Hotel Vouchers For Seniors During Winter Months;

(4) Authorizing Amendment Of The Grant Agreement With The Society Of Saint Vincent De Paul To Increase The Amount By One Hundred Thirty-Three Thousand One Hundred Ninety-Three Dollars (\$133,193) For The Provision Of Additional Shelter Beds During Winter Months; And

(5) Authorizing The City Administrator To Accept And Appropriate Any Additional Funds Awarded By Alameda County For The Provision Of Fiscal Year 2021- 22 North County Winter Relief Efforts And To Amend The Above-Mentioned Grant Agreements To Increase The Amounts Using Any Additional Funds, Without Returning To Council [21-0834](#)

Attachments: [View Report](#)
[View Legislation](#)
[88920 CMS](#)

A motion was made by Loren Taylor, seconded by Dan Kalb, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 9 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](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Legislation](#)
[88921 CMS](#)

The agenda was modified to show items 10 and item S12 was taken together

- 10 Subject: Coliseum ENA Action
From: Vice Mayor Kaplan And Councilmember Gallo
Recommendation: Adopt One Of The Following Two Options:
- 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

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 11/12/2021](#)

This City Resolution be No Action Taken.

2) A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Exclusive Negotiating Agreement (ENA) With 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](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 11/12/2021](#)

This City Resolution be No Action Taken.

S12 Subject: Coliseum Site ENA
From: Vice Mayor Kaplan
Recommendation: Adopt One Of The Following Two Options:

1) Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Exclusive Negotiating Agreement (ENA) With The Stewart Property Group, LLC, Dave Stewart And Lonnie Murray, Or An Affiliated Entity, With A Term Of Eighteen (18) Months , With One Administrative Option To Extend For Six (6) Months, Subject To Payment Of A Non-Refundable ENA Fee Of \$200,000 Per Year And Project Expense Payments For Actual City Costs Incurred, To Negotiate Potential Terms For The Acquisition And Development 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 Potential Terms For Purchase, Lease, And/Or Partnership; A Financial Plan; And Community Benefits; Or

[21-0854](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 11/12/2021](#)

The Council Committee approved recommendations as amended to include the following:

Page 2, 1st Further Resolved:

FURTHER RESOLVED: That the ENA shall require AASEG to pay to the City of Oakland a non-refundable annual ENA fee of \$200,000 and Project Expense Payments for all costs incurred by the City of Oakland during the ENA negotiations; and be it

Adding:

FURTHER RESOLVED: That the City Council authorizes the City Administrator to accept, deposit and appropriate the ENA Fee of \$200,000 per year into Entity (1), Miscellaneous Capital Projects Fund (5999), in a Project to be determined later, for the fee to negotiate exclusively with the City; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to accept, deposit and appropriate an initial Project Expense Payment (PEP) of no less than \$2.5M to cover actual staff costs and third party expenses into Entity (1), Miscellaneous Capital Projects Fund (5999), in a Project to be determined later, for the administration and management of the ENA and related project; and be it

This City Resolution be No Action Taken.

2) 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), Or An Affiliate Entity, For A Period Of Eighteen (18) Months, With One Administrative Option To Extend For - (6) Months, Subject To Payment Of A Non-Refundable ENA Fee Of \$200,000 Per Year And Project Expense Payments For Actual City Costs Incurred, To Negotiate Potential Terms For The Acquisition And Development 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, Potential Terms For Purchase, Lease, And/Or Partnership; A Financial Plan; And Community Benefits

[21-0855](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 11/12/2021](#)
[88922 CMS](#)

The Council Committee approved recommendations as amended to include the following:

Page 3, 1st Further Resolved:

FURTHER RESOLVED: That the ENA shall require the Stewart Property Group, LLC, Dave Stewart and Lonnie Murray to pay to the City of Oakland a non-refundable annual ENA fee of \$200,000 and Project Expense Payments for all costs incurred by the City of Oakland during the ENA negotiations; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to accept, deposit and appropriate the ENA Fee of \$200,000 per year into Entity (1), Miscellaneous Capital Projects Fund (5999), in a Project to be determined later, for the fee to negotiate exclusively with the City; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to accept, deposit and appropriate an initial Project Expense Payment (PEP) of no less than \$2.5M to cover actual staff costs and third party expenses into Entity (1), Miscellaneous Capital Projects Fund (5999), in a Project to be determined later, for the administration and management of the ENA and related project; and be it

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Adopted as Amended. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 11 Subject: Update From The Oakland Fire Department On The MACRO Pilot Program
From: Oakland Fire Department
Recommendation: Receive An Informational Report From Oakland Fire Department On
The Plan For Developing A Mobile Assistance Community Responders Of Oakland
(MACRO) Advisory Board And Ongoing Grant Writing Support For The Program
[21-0825](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF

President Fortunato Bas took a point of personal privilege and requested that the meeting be adjourned in memory of Wilma Chan

Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Assistance Fire Chief Sean Laffan

Councilmember Fife took a point of personal privilege and requested that the meeting be adjourned in memory of Indigenous lives lost due to genocide and colonization

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

5 speakers spoke during open forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote Of The Council)

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Wilma Chan, and Assistant Chief Sean Laffan, and Indigenous lives lost due to genocide and colonization at 7:57 p.m.

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