

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 - SUPPLEMENTAL

Thursday, October 6, 2022

10:30 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

***Rules & Legislation Committee**

Pursuant to California Government Code Section 54953(e), the City Council has found that an imminent risk to the health of attendees due to the COVID-19 pandemic continues to exist. Therefore, all City Councilmembers will participate in the meeting via phone/video conference without notice of their teleconference locations

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/85644242981> 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: 856 4424 2981
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 twenty four (24) hours 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

COMMITTEE MEMBERSHIP:

**Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5;
Councilmember Loren Taylor, District 6; Chairperson: Councilmember Dan Kalb, District*

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Roll Call / Call To Order

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

2 Approval Of The Draft Minutes From The Committee Meeting Of September 22, 2022

[22-0737](#)

Attachments: [View Report](#)

3 New Scheduling Items

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](#)

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](#)

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](#)

Legislative History

9/29/22

*Rules & Legislation
Committee

Withdrawn with No New Date

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](#)

Legislative History

9/29/22

*Rules & Legislation
Committee

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

On Consent

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](#)

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](#)

- 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](#)

- 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-Fiver 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](#)

- 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](#)
- 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](#)
- 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](#)

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](#)

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](#)

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](#)

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](#)

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](#)

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](#)

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](#)

5 Determinations Of Closed Session

Open Forum

Adjournment

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.