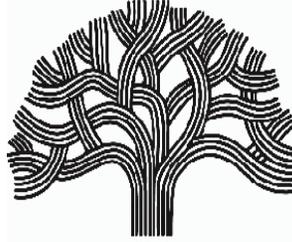


City of Oakland

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



CITY OF OAKLAND

Meeting Minutes - FINAL

Tuesday, November 1, 2022

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 Oakland Redevelopment Successor Agency and the City Council convened at 1:31 P.M., with Council President Nikki Fortunato Bas presiding as Chairperson

The Roll Call was modified to note Vice Mayor Kaplan present at 1:35 p.m.

ROLL CALL / CITY COUNCIL

Excused 1 - Rebecca Kaplan

Present 7 - Loren Taylor, Sheng Thao, Nikki Fortunato Bas, Carroll Fife, Dan Kalb, Noel Gallo, and Treva Reid

ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations From The Mayor, Council Acknowledgements/Announcements):

MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS

(Requests To: Reschedule Items From Consent To Non-Consent To The Next Council Agenda, Speak On Consent Calendar, Register Votes, Change Order Of Items, Reconsiderations, Pull Items Held In Committee):

1 PUBLIC COMMENT: COMMENTS ON ALL ITEMS EXCEPT PUBLIC HEARINGS 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 1:44 P.M. and closed at 1:59 P.M.

43 individuals spoke during Public Comment.

2 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

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

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

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
[22-0841](#)

Attachments: [View Report](#)
[89451 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
[22-0842](#)

Attachments: [View Report](#)
[89452 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
[22-0843](#)

Attachments: [View Report](#)
[89453 CMS](#)

This City Resolution was Adopted.

- 2.4** Subject: Teleconference Meetings Of The City Council
From: Office Of The City Administrator
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
[22-0844](#)

Attachments: [View Report](#)
[89454 CMS](#)

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

Aye: 7 - Thao, Fortunato Bas, Fife, Kalb, Gallo, Kaplan, and Reid

No: 1 - Taylor

NO VOTE: 0

- 2.5** 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](#)

This City Resolution was Adopted.

- 2.6** Subject: Rockridge BID Annual Report And Intention To Levy FY 2023-2024 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 2023-2024 For The Rockridge Business Improvement District; And 3) Scheduling A Public Hearing For December 6, 2022
[22-0820](#)

Attachments: [View Report](#)
[View Legislation And Exhibit](#)
[89456 CMS](#)

This matter was approved to be adopted and as a direct result a Public Hearing was scheduled to be placed on the December 6, 2022 City Council Agenda as file id (22-0883)

This City Resolution was Adopted.

- 2.7** Subject: Montclair BID Annual Report And Intention To Levy FY 2023-2024 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 2023-2024 For The Montclair Business Improvement District; And (3) Scheduling A Public Hearing For December 6, 2022
[22-0821](#)

Attachments: [View Report](#)
[View Resolution And Exhibit](#)
[89457 CMS](#)

This matter was approved to be adopted and as a direct result a Public Hearing was scheduled to be placed on the December 6, 2022 City Council Agenda as file id (22-0884)

This City Resolution was Adopted.

- 2.8** Subject: Updates To The Oakland Police Department (OPD) Criminalistics Laboratory (Crime Lab) DNA Instrumentation And Analysis Software Use Policy And Impact Reports
From: Oakland Police Department
Recommendation: Adopt A Resolution: Approving Updates To 1) The Oakland Police Department (OPD) Criminalistics Laboratory (Crime Lab) DNA Instrumentation And Analysis Software Biometric Technology Use Policy; And (2) The OPD Crime Lab's Surveillance Impact Report For Its Use Of DNA Instrumentation, Analysis And Software; And (3) Accepts 2021 Biometric DNA Analysis Technology Annual Report
[22-0823](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Legislation](#)
[89458 CMS](#)

This City Resolution was Adopted.

- 2.9** Subject: Accept And Appropriate OPD DNA Backlog Grant Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Thousand Five Hundred Eighty-Six Dollars (\$400,586) From The U.S. Department Of Justice (DOJ), Office Of Justice Programs (OJP), Bureau Of Justice Assistance (BJA) For Implementation Of The Fiscal Year 2022 DNA Capacity Enhancement For Backlog Reduction (CEBR) Grant Program For The Oakland Police Department (OPD); 2) Waive The Advertising And Competitive Bidding Requirements For The Purchase Of DNA Typing Supplies And Instruments From (1) Qiagen For Fifty-Five Thousand Six Hundred Dollars (\$55,600), (2) Promega For One Hundred Sixty-Five Thousand Three Hundred Ninety Dollars (\$165,390), (3) Thermo Fisher/Life Technologies For Forty-Three Thousand Two Hundred Forty-Eight Dollars (\$43,248), (4) NicheVision For Twenty-Nine Thousand Five Hundred Dollars (\$29,500), And (5) Beckman Coulter For One Hundred Thousand Dollars (\$100,000)
[22-0824](#)

Attachments: [View Report](#)
[View Legislation](#)
[89459 CMS](#)

This City Resolution was Adopted.

- 2.10** Subject: Accept And Appropriate OPD Coverdell Grant Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds In An Amount Not To Exceed Sixty-Four Thousand Seven Hundred Thirty-Six Dollars (\$64,736) From The California Governor's Office Of Emergency Services (CALOES), For The 2021 Paul Coverdell Forensic Science Improvement Program, During The Grant Period Of April 1, 2022 - June 30, 2023, To Support The Oakland Police Department (OPD) Crime Laboratory Operations [22-0825](#)

Attachments: [View Report](#)
[View Legislation](#)
[89460 CMS](#)

This City Resolution was Adopted.

- 2.11** Subject: OFCY FY2022-2023 Grant Awards Corrections
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 89245 C.M.S. Which Awarded 2022-2023 Oakland Fund For Children And Youth (OFCY) Grants: (1) To Correct The Grant Award Amount For Music Is Extraordinary, Inc. From \$125,000 To \$75,000; And (2) To Correct The Name Of Bay Area Outreach & Recreation Program (BORP) To "Bay Area Outreach & Recreation Program, Inc."; And (3) To Correct The Name Of "Team Inc." To "Tech Exposure & Access Through Mentoring Inc." [22-0831](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Legislation](#)
[89461 CMS](#)

This City Resolution was Adopted.

- 2.12** Subject: Department Of Violence Prevention Services Funding Recommendations
From: Department Of Violence Prevention
Recommendation: Adopt A Resolution Amending Resolution 89273 Authorizing The City Administrator To Execute Grant Agreements With Non-Profits And Public Agencies To Provide Violence Prevention And Intervention Services In Accordance With The 2014 Oakland Public Safety And Services Violence Prevention Act For The Period July 1, 2022 To June 30, 2023 In A Total Amount Not To Exceed Nineteen Million Three Hundred And Fifty Thousand Dollars (\$19,350,000), With A One-Year And Six-Month Option To Renew Through December 31, 2024, Pending Council Approval And Available Funds [22-0832](#)

Attachments: [View Report](#)
[View Legislation](#)
[89462 CMS](#)

This City Resolution was Adopted.

- 2.13** Subject: Agreement Between Oakland Fire Department And Tablet Command
From: Oakland Fire Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Enter Into A Professional Services Agreement With Tablet Command To Provide The Oakland Fire Department With A Mobile Incident Command And Response Information Technology System, For The Period Of November 1, 2022 Through October 31, 2025, At A Cost Of Sixty Thousand Dollars (\$60,000), With An Option To Extend The Agreement For Two Years At A Cost Of Thirty Thousand Dollars (\$30,000) Per Year, For A Total Authorized Contract Amount Not To Exceed One Hundred And Twenty Thousand Dollars (\$120,000); And (2) Waiving The Multi-Step Solicitation Process, And Local And Small Business Enterprise (L/SBE) Program Requirements For The Proposed Contract With Tablet Command [22-0835](#)

Attachments: [View Report](#)
[View Legislation](#)
[89463 CMS](#)

This City Resolution was Adopted.

2.14 Subject: City Of Oakland 2022 Zero Emission Vehicle Action Plan
From: Transportation Department
Recommendation: Adopt An Ordinance: (A) Amending Ordinance No. 13654 C.M.S (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish Fees For Charging Electric Vehicles, (B) Amending Municipal Code Section 10.48.010(B) To Add Fines For Parking A Vehicle In An Electric Charging Designated Space While Not Connected For Electric Charging Purposes; And (C) Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[22-0709](#)

Attachments: [View Legislation](#)

[View Exhibit](#)

[View Supplemental Legislation - 11/2/2022](#)

[View Supplemental Notice & Digest - 11/2/2022](#)

[13706 CMS](#)

This item was approved to be withdrawn and to go to the November 3, 2022 Rules & Legislation Committee Meeting for scheduling.

A motion was made by Sheng Thao, seconded by Noel Gallo, that this matter be * Withdrawn and Rescheduled to go before the *Rules & Legislation Committee, to be heard 11/3/2022. The motion carried by the following vote:

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

NO VOTE: 0

2.15 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 B) Adopting California Environmental Quality Act Findings

[22-0798](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Corrected Supplemental Report and Attachment A-D -](#)

[10/13/2022](#)

[13707 CMS](#)

[Proof of Publication](#)

This item was approved to be withdrawn and to go to the November 3, 2022 Rules & Legislation Committee Meeting for scheduling.

A motion was made by Sheng Thao, seconded by Noel Gallo, that this matter be * Withdrawn and Rescheduled to go before the *Rules & Legislation Committee, to be heard 11/3/2022. The motion carried by the following vote:

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

NO VOTE: 0

2.16 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 One Million Two Hundred Nine Thousand Three Hundred Seventy Five Dollars (\$1,209,375) For The Operation Of A 75 Space Recreational Vehicle (RV) Safe Parking Site At The City-Owned Property At 796 66th Avenue For An Eight Month Term To Commence Upon The Completion Of Construction At The Site And Making Appropriate Findings Under The California Environmental Quality Act
[22-0710](#)

Attachments: [View Report](#)
[View Legislation](#)
[89464 CMS](#)

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

Aye: 7 - Taylor, Thao, Fortunato Bas, Kalb, Gallo, Kaplan, and Reid

No: 1 - Fife

NO VOTE: 0

2.17 Subject: International Boulevard Improvements Project Construction Contract Award
From: Transportation Department
Recommendation Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Gruendl Inc. DBA Ray's Electric, For The International Boulevard Pedestrian Lighting And Sidewalk Improvement Project, Project No. 1000844, The Lowest, Responsible And Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Six Million, Five Hundred Eighty-Seven Thousand, Eight Hundred And Seventy-Six Dollars (\$6,587,876.00); And Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[22-0740](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Legislation](#)
[89465 CMS](#)

This City Resolution was Adopted.

- 2.18** Subject: Foothill Boulevard Pedestrian Safety Improvement Project
From: Transportation Department
Recommendation: Adopt A Resolution (1) Waiving Further Advertising And Competitive Bidding, (2) Authorizing The City Administrator To Negotiate And Award A Construction Contract To The Lowest Bidder Beliveau Engineering Contractors For The Foothill Boulevard Pedestrian Safety Improvement Project, Project No. 1005163, In An Amount Not To Exceed Six Hundred Forty-Three Thousand And One Hundred Ten Dollars (\$710,135.00) In Accord With Project Plans And Specifications, Contractor's Bid, City Contracting Programs And State Requirements And (3) Adopting Appropriate California Environmental Quality Act Findings
[22-0741](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment D](#)
[View Attachment C](#)
[View Legislation](#)
[89466 CMS](#)

This City Resolution was Adopted.

- 2.19** Subject: Oakland Asian Cultural Center Lease And Ten-Year Grant Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance (A) Authorizing The City Administrator To Negotiate And Execute A 10-Year Lease Between The City And API Cultural Center, Inc. Of The Condominium Located At 388 9th Street, Suite 290, With One 5-Year Administrative Option To Extend And Rent Of One Dollar (\$1) Per Year For Operation And Management Of The Oakland Asian Cultural Center, And (B) Adopting California Environmental Quality Act Findings
[22-0768](#)

Attachments: [View Report and Attachment A & B](#)
[View Legislation](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

2) A Resolution Awarding A Ten (10) Year Grant To API Cultural Center, Inc. To Support The Operation And Programs Of The Oakland Asian Cultural Center In Annual Amounts Of Two Hundred Thousand Dollars (\$200,000), Subject To Funding Availability

[22-0769](#)

Attachments: [View Report and Attachment A & B](#)

[View Legislation](#)

[89467 CMS](#)

This City Resolution was Adopted.

2.20 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](#)

A motion was made by Councilmember Gallo, seconded by Vice Mayor Kaplan to adopt the item as amended. The motion passed with a vote of 8 Ayes. The Resolution was adopted with the following amendments:

Of the Legislation, The title reads as follows: "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, and authorizing a grant in that amount to co-applicants to assist 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."

On page 2, The Resolved Clause to read as follows: "RESOLVED: That the Oakland City Council appropriates and allocates an amount not to exceed \$45,000 from the Affordable Housing Trust Fund, Redevelopment Dissolution Funds 2022-2023 (Fund 1870, Project 1000386, Org 89929) for a grant to co-applicants to assist in obtaining site preparation documentation, including but not limited to, site surveys and appraisals, for the City-owned site located at 9418 Edes Avenue and 606 Clara Street, which may be used for possible future projects under the State of California Homekey Program."

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

NO VOTE: 0

2.21 Subject: Tekeste Ghebreslasie 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 Tekeste Ghebreslasie V. City Of Oakland, Rachelle Louise Stephens And Does 1-20, Inclusive, Alameda County Superior Court Case No. RG18929921, City Attorney's File No. 32645, In The Amount Of Five Hundred Thousand Dollars And No Cents (\$500,000.00) (Human Services Agency - Car Accident/Personal Injury)
[22-0855](#)

Attachments: [View Report](#)
[View Legislation](#)
[89469 CMS](#)

This City Resolution was Adopted.

2.22 Subject: Joan McCloskey 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 Joan McCloskey V. City Of Oakland, And Does 1-25, Inclusive, Alameda County Superior Court Case No. HG20068494, City Attorney's File No. 31049, In The Amount Of Three Hundred And Ten Thousand Dollars And No Cents (\$310,000.00) (Department Of Public Works - Inverse Condemnation)
[22-0856](#)

Attachments: [View Report](#)
[View Legislation](#)
[89470 CMS](#)

This City Resolution was Adopted.

2.23 Subject: PG&E Corporation And Pacific Gas And Electric Company
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of In Re: PG&E Corporation And Pacific Gas And Electric Company, United States Bankruptcy Court, Northern District Of California, San Francisco Division, Bankruptcy Case No. 19-30088, City Attorney File No. FIN-190069 For The Amount Of One Hundred Twenty-Nine Thousand Eight Hundred Seventy-Three Dollars And Eighty-Nine Cents (\$129,873.89) Payable To The City Of Oakland (Department Of Finance - Claim In Bankruptcy Court)
[22-0857](#)

Attachments: [View Report](#)
[View Legislation](#)
[89471 CMS](#)

This City Resolution was Adopted.

2.24 Subject: Mady Willie 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 Mady Willie V. City Of Oakland And Does 1-25, Alameda County Superior Court Case No. 21CV001591, City Attorney File No. 34719, In The Amount Of Eighty-Five Thousand Dollars And No Cents (\$85,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)
[22-0858](#)

Attachments: [View Report](#)
[View Legislation](#)
[89472 CMS](#)

This City Resolution was Adopted.

S2.25 Subject: Emergency Rental Assistance
From: Vice Mayor Kaplan And Council President Bas
Recommendation: Adopt A Resolution Calling On The United States Department Of The Treasury, Governor Newsom, And The California Department Of Housing And Community Development To Fully Cover All Pending Qualified Emergency Rental Assistance Applications
[22-0873](#)

Attachments: [View Report](#)
[View Legislation](#)
[89473 CMS](#)

This City Resolution was Adopted.

S2.26 Subject: 2021 As-Needed Pavement Rehabilitation Services
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate In The Open Market For 2021 As-Needed Pavement Rehabilitation Services (Project 1006103); And Authorizing The City Administrator To Award Construction Contracts To (1) Gallagher & Burk, (2) McGuire & Hester And (3) O.C. Jones & Sons, Provided That All Meet The Contractor's Bid Schedule Of The Lowest Responsible Bid Of Gallagher & Burk, For 2021 As-Needed Pavement Rehabilitation Services (Project Number 1006103) In Accordance With The Project Plans And Specifications And The Lowest Responsive, Responsible Bidder In An Amount Not To Exceed Fifteen Million, Twenty-Three Thousand, Two Hundred And Fifty Dollars (\$15,023,250.00), Contingent Upon Availability Of Funds, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And
[22-0772](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Legislation](#)
[89474 CMS](#)

This City Resolution was Adopted.

2) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate In The Open Market For 2021 As-Needed Pavement Rehabilitation Services (Project 1006104); And Authorizing The City Administrator To Award A Construction Contract For 2021 As-Needed Pavement Rehabilitation Services (Project 1006104) To Gallagher & Burk, The Lowest Responsive, Responsible Bidder In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Fifteen Million, Twenty-Three Thousand, Two Hundred And Fifty Dollars (\$15,023,250.00), Contingent Upon Availability Of Funds, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And
[22-0773](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Legislation](#)
[89475 CMS](#)

This City Resolution was Adopted.

3) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate In The Open Market For 2021 As-Needed Pavement Rehabilitation Services (Project 1006105); And Authorizing The City Administrator To Award A Construction Contract For 2021 As-Needed Pavement Rehabilitation Services (Project 1006105) To Gallagher & Burk, The Lowest Responsive, Responsible Bidder In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Five Million, Seven Hundred Fifty-Seven Thousand, Nine Hundred Seventy-Seven Dollars, And Fifty Cents (\$5,757,977.50), Contingent Upon Availability Of Funds, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[22-0774](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Legislation](#)
[89476 CMS](#)

This City Resolution was Adopted.

S2.27 Subject: Fiscal Year 2022-23 Cultural Funding Grants - Round One
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Awarding Grants To Forty-Nine (49)
Oakland-Based Nonprofit Organizations Providing Arts And Cultural Services In Oakland
For Fiscal Year 2022-23 (Round One), In A Total Amount Not To Exceed One Million One
Hundred Eighty-Five Thousand Three Hundred Fifty Dollars (\$1,185,350
[22-0739](#)

Attachments: [View Report and Attachment A-C](#)
[View Legislation](#)
[89477 CMS](#)

This City Resolution was Adopted.

S2.28 Subject: Status Of Required Audits
From: Office Of The City Auditors
Recommendation: Receive An Informational Report From The City Auditor On The Status
Of Required Audits
[22-0531](#)

Attachments: [View Report](#)
[View Supplemental Report 10/28/2022](#)

This Informational Report was Received and Filed.

S2.29 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 Oakland Municipal Code Section 2.04.051.B; And

(2) Execution Of A Funding Agreement Between The City Of Oakland And The Fox Oakland Theater, Inc. To Accept And Appropriate One Million Dollars (\$1,000,000) To Fund Roof And HVAC Repairs At The Fox Theater

[22-0795](#)

Attachments: [View Report and Attachment A B](#)
[View Legislation](#)
[89478 CMS](#)

This City Resolution was Adopted.

S2.30 Subject: Amendments To Rent Adjustment Program Ordinance
From: Housing And Community Development Department
Recommendation: Adopt An Ordinance Amending The Rent Registry Ordinance (Ordinance No. 13695 C.M.S.) To Modify The Initial Submission Deadline For Rent Registry Registration Forms From March 1, 2023 To July 1, 2023

[22-0793](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - 10/20/2022](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

S2.31 Subject: Amendments To Rent Adjustment Program Regulations
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Adopting Amendments To The Rent Adjustment Program Regulations Approved By The Housing Residential Rent And Relocation Board To Clarify Substantial Compliance With The Rent Registry Ordinance (Ordinance No. 13695 C.M.S.)
[22-0794](#)

Attachments: [View Report](#)
[View Legislation](#)
[89479 CMS](#)

This City Resolution was Adopted.

S2.32 Subject: Arroyo Viejo Food Hub
From: Office Of The City Administrator
Recommendation: Adopt A Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease Agreement With The Alameda County Deputy Sheriffs' Activities League (DSAL), A California Nonprofit Corporation, For A Term Of Three Years With Three 2-Year Options In Exchange For Tenant Improvements Estimated At Approximately Seven Hundred Thousand Dollars (\$700,000) For The Leasing Of Approximately 1,600 Square Feet Of Space At The Arroyo Viejo Recreation Center Located At 7701 Krause Avenue, Oakland, For Food Distribution And Rentable Commercial Kitchen (Food Hub) To Be Operated In Partnership With The Black Cultural Zone Community Development Corporation (BCZ); And Adopting California Environmental Quality Act (CEQA) Findings
[22-0816](#)

Attachments: [View Report w Attachment A-D](#)
[View Legislation](#)
[View Supplemental Report Taylor - 10/20/2022](#)
[View Supplemental Legislation - 11/27/2022](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS
[22-0859](#)

Attachments: [October 20, 2022 CLOSED SESSION REPORT OUT OF FINAL ACTION - Tekeste Ghebreslasie v. City of Oakland](#)
[October 20, 2022 CLOSED SESSION REPORT OUT OF FINAL ACTION - Mady Willie v. City of Oakland and DOE](#)
[October 20, 2022 CLOSED SESSION REPORT OUT OF FINAL ACTION - In re PG&E Corporation, and Pacific Ga](#)
[October 20, 2022 CLOSED SESSION REPORT OUT OF FINAL ACTION - Joan E. McCloskey v. City of Oakland a](#)

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

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

NO VOTE: 0

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 4, AND
OCTOBER 18, 2022
[22-0845](#)

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

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

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

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 6** Subject: Performance Audit Of The City Of Oakland's Homelessness Services Recommendations And Implementation Plan
From: Council President Bas And Pro Tem Thao
Recommendation: Approve A Report And Recommendations On The Performance Audit Of The City Of Oakland's Homelessness Services: Better Strategy And Data Are Needed For More Effective And Accountable Service Delivery And Positive Outcomes For Oakland's Homeless Residents From The City Auditor's Office; And Receive A Written Review And Assessment From The City Administrator Of The Audit Findings With A Plan, Timeline And Budget For Implementing Improvements To Be Led By The Homelessness Administration

[22-0750](#)

Attachments: [View Report](#)

[View Supplemental Powerpoint 10/27/2022](#)

A motion was made by Pro Tempore Thao, seconded by Councilmember Kalb to accept the item and return to the Life Enrichment Committee with the tracking of success, and how we are completing lateral success. The motion passed with a vote of 8 Ayes:

A motion was made by Sheng Thao, seconded by Dan Kalb, that this matter be Accepted. The motion carried by the following vote:

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

NO VOTE: 0

- 7 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 motion was made by Carroll Fife, seconded by Sheng Thao, that this matter be Adopted. The motion carried by the following vote:

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

NO VOTE: 0

- 8** Subject: Declaration Of A Local State Of Emergency In Oakland
From: Councilmember Gallo And President Pro Tempore Thao
Recommendation: Adopt A Resolution (1) Declaring A Local State Of Emergency In The City Of Oakland Due To Gun Violence; (2) Calling On The State To Assist In Establishing 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 And (3) Calling On The State To Provide Resources To Address Increasing Gun Violence In Oakland
[22-0803](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation - 10/26/2022](#)
[89481 CMS](#)

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

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

NO VOTE: 0

- 10** 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](#)
[13712 CMS](#)

A motion was made by Noel Gallo, seconded by Treva Reid, 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 12/6/2022. The motion carried by the following vote:

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

NO VOTE: 0

S11 Subject: OPD Cops Grant 2022
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Accept And Appropriate Grant Funds In An Amount Not To Exceed One Million Eight Hundred Seventy-Five Thousand Dollars (\$1,875,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS) To Fund The Entry-Level Salary And Fringe Benefits Costs Of Fifteen (15) Full-Time Equivalent (FTE) Police Officers And Appropriate The Funds To The Oakland Police Department (OPD); (2) Authorize An Appropriation Of Thirteen Million Thirty Three Thousand Four Hundred And Nineteen Dollars (\$13,033,419) To Cover The Local Match Requirement; And (3) Authorize The General Purpose Fund To Subsidize The Central Services Overhead Costs Of Nine Hundred Ninety-Two Thousand Seven Hundred Dollars (\$992,700) For A Total City Of Oakland Contribution Of Fourteen Million Twenty Six Thousand One Hundred And Nineteen Dollars (\$14,026,119) And A Total Program Cost Not To Exceed Fifteen Million Nine Hundred And One Thousand One Hundred And Nineteen Dollars \$15,901,119

[TITLE CHANGE]

[22-0871](#)

Attachments: [View Report](#)
[View Legislation](#)
[89482 CMS](#)

Council President Bas made a motion, seconded by Councilmember Gallo to approve the urgency finding on item S11 (22-0871) for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action

is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting. The

Motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

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

Excused: 1 - Fife

Aye: 6 - Thao, Fortunato Bas, Kalb, Gallo, Kaplan, and Reid

Absent: 1 - Taylor

NO VOTE: 0

At 7:05 P.M. Councilmember Fife was noted Excused

At 7:06 P.M. A Motion Was Made by Councilmember Kalb, Seconded by Councilmember Gallo To Extend The Meeting Beyond 5 Hours. The Motion Passed With The Following Vote: 7 Ayes; 1 Excused - Fife

- 9 Subject: Approve OPD's Policies In Accordance With California Government Code § 7070 Et Seq. (AKA“AB 481”) And OMC Chapter 9.6
From: Oakland Police Department
Recommendation: Adopt An Ordinance Approving Controlled Equipment Use Policies For The Oakland Police Department To Acquire And Use The Following Types Of “Militarized” Equipment In Conformance With Government Code Section 7070 And Oakland Municipal Code Chapter 9.65: (1) Departmental Rifles; (2) Chemical Agents; (3) Unmanned Aerial Systems; (4) Noise-Flash Diversion Devices (Flash Bangs); (5) Riot Helmets; (6) Specialty Impact Munitions; (7) Armored Vehicles; (8) Chemical Agents; And (9) Remote Controlled Ground Systems (Robots) And Pole Cameras
[22-0776](#)

Attachments: [View Report](#)

[View Attachment A - DGO K-7 Military Equipment Policy](#)

[View Attachment B - DGO K-06 Rifles](#)

[View Attachment C - Patrol Rifle Impact Report](#)

[View Attachment D - TB III-H Specialty Impact Munitions](#)

[View Attachment E - SIM Impact Report](#)

[View Attachment F - TB III-P.04 - Armored Vehicles Mil Equip](#)

[View Attachment G - Armored Vehicles Impact Report](#)

[View Attachment H - TB III-G 16 Crowd control](#)

[View Attachment I - Riot Helmets Impact Report](#)

[View Attachment J - TB V-F.02 Chemical Agents 2022](#)

[View Attachment K - Chem Agent Impact Report](#)

[View Attachment L - DGO I25 Unmanned aerial systems](#)

[View Attachment M - UAS Drone Controlled Equipment Impact Report](#)

[View Attachment N - DGO I26 Robots](#)

[View Attachment O - Robots and Pole Cameras Controlled Equipment
Impact Report](#)

[View Attachment P - TB III-P.05 - Noise Flash Diversion Devices](#)

[View Attachment Q - Flash Bang Impact Report](#)

[View Legislation](#)

[View Exhibit A - DGO K-7 Military Equipment Policy](#)

[View Exhibit B - DGO K-06 Rifles](#)

[View Exhibit C - TB III-H Specialty Impact Munitions](#)

[View Exhibit D - TB III-P.04 - Armored Vehicles Mil Equip](#)

[View Exhibit E - TB III-G 16 Crowd control](#)

[View Exhibit F - TB V-F.02 Chemical Agents](#)

[View Exhibit G - DGO I25 Unmanned aerial systems](#)

[View Exhibit H - TB III-P.05 - Noise Flash Diversion Devices](#)

[View Exhibit I - DGO I26 Robots](#)

[View Revised Legislation 12/1/2022](#)

[View Supplemental Report 12/1/2022](#)

A motion was made by Councilmember Gallo, seconded by Councilmember Taylor to adopt the item.

A substitute motion was made by Councilmember Kalb, seconded by Council President Bas to continue this item to the December 6, 2022 City Council Meeting and a request for the Police Commission to review proposed amendments from the community before December 6, 2022. The motion passed with the following vote: 4 Ayes: Kalb, Kaplan, Thao, Bas; 2 NO: Gallo, Taylor; 2 Excused: Fife, Reid

As a direct result of the substitute motion, the original motion failed.

A motion was made by Dan Kalb, seconded by Nikki Fortunato Bas, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/6/2022. The motion carried by the following vote:

Excused: 2 - Fife, and Reid

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

No: 2 - Taylor, and Gallo

NO VOTE: 0

At 7:56 P.M. Councilmember Reid was noted Excused

S12 Subject: Assembly Bill 43 Implementation Plan And Ordinance Related To Business Activity District Speed Limit Lowering
From: Transportation Department
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 10.20 (Speed Limits) And Adopting Appropriate California Environmental Quality Act Findings To Establish 20 Mile Per Hour (MPH) And 25 MPH Speed Limits In Business Activity Districts As Defined In Assembly Bill 43
[22-0819](#)

Attachments: [View Report](#)

[View Report Attachment A](#)

[View Report Attachment B](#)

[View Legislation](#)

A motion was made by Councilmember Gallo, seconded by Councilmember Kalb to adopt the item and request to add additional streets particularly around schools. The motion passed with the following vote: 5 Ayes; Gallo, Kalb, Kaplan, Taylor, Bas 3 Excused: Fife, Thao, Reid

A motion was made by Noel Gallo, seconded by Dan Kalb, 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 12/6/2022. The motion carried by the following vote:

Excused: 3 - Thao, Fife, and Reid

Aye: 5 - Taylor, Fortunato Bas, Kalb, Gallo, and Kaplan

NO VOTE: 0

AT 8:21 P.M. Pro Tempore Thao was noted Excused

S13 Subject: Piedmont Library Lease Agreement
From: Oakland Public Library
Recommendation: Adopt An Ordinance: (A) Authorizing The City Administrator To Negotiate And Execute: (1) A 50-Year Joint Occupancy And Lease Agreement With Oakland Unified School District For Property Located At 86 Echo Avenue, With Two 5-Year Administrative Options To Extend And Rent Of \$4,000 Per Month Increasing 10 Percent Every 5 Years During The Term For Constructing And Operating A Public Library, Subject To Appropriation Of Funds Necessary For Construction; And (2) A Joint Use Cooperative Agreement With The District For The New Library; And (3) An Extension Of The Existing Joint-Use Lease Agreement With The District For The Existing Piedmont Avenue Branch Library Located At 80 Echo Avenue Until Completion Of The New Library; And (B) Adopting California Environmental Quality Act Findings [22-0817](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Report Exhibit A](#)
[View Supplemental Report 11/4/2022](#)
[View Supplemental Report Attachment A 11/4/2022](#)

A motion was made by Dan Kalb, seconded by Nikki Fortunato Bas, that this matter be * Withdrawn and Rescheduled to go before the *Special Life Enrichment Committee, to be heard 11/14/2022. The motion carried by the following vote:

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

NO VOTE: 0

S14 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 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 The 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
[22-0784](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Committee Recommendation 10/27/2022](#)
[89483 CMS](#)

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

Excused: 3 - Thao, Fife, and Reid

Aye: 5 - Taylor, Fortunato Bas, Kalb, Gallo, and Kaplan

NO VOTE: 0

AT THE CALL OF COUNCIL PRESIDENT BAS A SPECIAL CITY COUNCIL MEETING WAS CALLED FOR NOVEMBER 9, 2022, TO BE HELD AT 1:30 P.M.

To hear the following items:

Subject: City Of Oakland 2022 Zero Emission Vehicle Action Plan
From: Transportation Department
Recommendation: Adopt An Ordinance: (A) Amending Ordinance No. 13654 C.M.S (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish Fees For Charging Electric Vehicles, (B) Amending Municipal Code Section 10.48.010(B) To Add Fines For Parking A Vehicle In An Electric Charging Designated Space While Not Connected For Electric Charging Purposes; And (C) Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[22-0709](#)

Attachments: [View Legislation](#)

[View Exhibit](#)

[View Supplemental Legislation - 11/2/2022](#)

[View Supplemental Notice & Digest - 11/2/2022](#)

[13706 CMS](#)

At the call of Council President Bas a Special City Council Meeting was called for November 9, 2022. This item was withdrawn and scheduled to the November 9, 2022 Special City Council Meeting

This Ordinance be * Withdrawn and Rescheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/9/2022

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 B) Adopting California Environmental Quality Act Findings

[22-0798](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Corrected Supplemental Report and Attachment A-D -](#)

[10/13/2022](#)

[13707 CMS](#)

[Proof of Publication](#)

At the call of Council President Bas a Special City Council Meeting was called for November 9, 2022. This item was withdrawn and scheduled to the November 9, 2022 Special City Council Meeting

This Ordinance be * Withdrawn and Rescheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/9/2022

OPEN FORUM / CITIZEN COMMENTS

The call of the que opened at 8:32 P.M. and closed at 8:37 P.M.

7 individuals spoke during Open Forum.

ADJOURNMENT OF COUNCIL SESSION

**(Meeting Shall Conclude No Later Than 6:30 P.M., Unless Extended By Majority Vote Of
The Council)**

*There being no further business, the Council adjourned the meeting in memory of
Robert Warwick at 8:45 p.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.

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