

# 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 - DRAFT**

**Tuesday, May 21, 2024**

**3:30 PM**

**City Council Chamber, 3rd Floor**

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

## **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/82975179795> 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: 829 7517 9795  
If asked for a participant ID or code, press #.

**PUBLIC COMMENT WILL BE TAKEN ON EACH ACTION ITEM. ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK MUST FILL OUT A SPEAKER CARD FOR EACH ITEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK BEFORE THE ITEM IS READ INTO THE RECORD. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM AT THE END OF THE MEETING.**

### **ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:**

- eComment. To send your comment directly to Council members go to <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 meeting start time.
- To Comment In Person Members Of The Public Must Submit A Separate Speaker Card For Each Item On The Agenda To The City Clerk Before The Item Is Called.
- To Submit An Electronic Speaker Card, Members Of The Public Must (1) Visit The City Of Oakland Meeting Calendar Website At: <https://oakland.legistar.com/Calendar.aspx> (2) Click the hyperlink labeled 'eComment' in the far right column of the meeting you wish to participate, (You Will Be Redirected To The Specific Meeting Webpage); And (3) Register To 'Sign In To Speak' For Each Agenda Item(s) You Wish To Speak to.

**\*To Be Recognized To Speak Via ZOOM, Speaker Cards Must Be Submitted and Received Before The City Clerk Reads the Item Into the Record.**

• Once You Have Submitted Your Speaker Card - Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Taken. When your name is called please raise your hand in zoom (By Pressing “\*9”) and Unmute Your Self By Pressing \*6. You Will Be Permitted To Speak During Your Turn. Instructions On How To “Raise Your Hand” Is Available At: <https://support.zoom.us/hc/en-us/articles/205566129-raise-hand-in-webinar>.

Agenda Management Unit at [cityclerk@oaklandca.gov](mailto:cityclerk@oaklandca.gov)

- Office of the City Clerk

### **DEFINITION OF TERMS:**

• **Action Item:** shall mean any resolution, ordinance, public hearing, motion or recommendation requiring official vote and approval of the City Council to be effective.

• **Informational Item:** shall mean an agenda item consisting only of an informational report that does not require or permit Council action.

• **Consent Item** shall mean, for the purposes of the City Council agenda: 1) approval of Council minutes, and 2) any action or informational item placed on a Council agenda for a Regular Meeting or Special Meeting (i) as a Consent Item by the Rules and Legislation Committee, (ii) pursuant to Rule 28, or (iii) that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval by the members who are present: Consent Item shall not include: 1) any item having a high level of public interest or controversy as determined by the Standing Committee Chair, or the Rules and Legislation Committee, or pursuant to Rule 28; 2) any item that requires a public hearing or that otherwise is ineligible by law as a Consent Item.

• **Non-Consent Item** shall mean, for the purposes of a City Council agenda for a Regular Meeting or Special Meeting, any action or informational item that: 1) a Standing Committee has forwarded to the full Council without unanimous recommendation for approval; 2) has a high level of public interest or controversy as determined by a Standing Committee Chair, the Rules and Legislation Committee, or pursuant to Rule 28; or 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

1 Call To Order

## 2 ROLL CALL / CITY COUNCIL

*COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Kevin Jenkins, District 6; President Pro Tempore Dan Kalb, District 1; Councilmember Rebecca Kaplan, At Large; Councilmember Janani Ramachandran, District 4; Councilmember Treva Reid, District 7; Council President Nikki Fortunato Bas, District 2*

## 3 ACTIONS ON SPECIAL ORDERS OF THE DAY ("Ceremonial Items") Ceremonial Presentations, Including Proclamations, Individual Recognitions, etc.; and Reports Or Presentations From The Mayor, Other Public Officials, Or Special Guests

- 3.1 Subject: Celebrating 2024 Asian American And Pacific Islander Heritage Month  
From: Council President Fortunato Bas And Councilmember Ramachandran  
Recommendation: Adopt A Resolution In Celebration Of May 2024 As Asian American  
And Pacific Islander Heritage Month And Honoring Asian Americans And Pacific  
Islanders Whose Service And Leadership In Oakland Contribute To A More Vibrant And  
Just City  
[24-0389](#)

**Sponsors:** Fortunato Bas and Ramachandran

**Legislative History**

5/2/24	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*As A Ceremonial*

- 3.2 Subject: Semi-Annual Audit Recommendation Follow-Up Report  
From: Office Of The City Auditor  
Recommendation: Receive An Informational Report From The City Auditor On The Extent  
Of Implementation Of Recommendations For Corrective Actions Made In The City  
Auditor's Reports  
[24-0387](#)

**Sponsors:** Office Of The City Auditor

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

**Legislative History**

5/2/24	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*On Consent*

**4 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):**

**5 CONSENT CALENDAR (CC) ITEMS:**

**5.0** Approval Of The Draft Minutes From The Meeting Of April 30, 2024 And May 7, 2024

[24-0392](#)

**5.1** REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &  
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS

[24-0396](#)

**5.2** 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

[24-0393](#)

**Sponsors:** Office Of The City Attorney

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

**5.3** 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

[24-0394](#)

**Sponsors:** Office Of The City Attorney

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

**5.4** Subject: Declaration Of A Local Emergency On Homelessness

From: Councilmember 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

[24-0395](#)

**Sponsors:** Kaplan

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

**5.5** Subject: Authorization Of Fund Balance Transfer To Reconcile The Excess Litter Fee (ELF)  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Appropriating A One Time Use Of Fund Balance In An Amount Not To Exceed \$500,000 From Fund 2417 To Pay Outstanding Invoices To Oakland Venue Management And To Fund Services For The Remainder Of The First Amendment Through November 9, 2024 At A Reduced Compensation Rate  
[24-0381](#)

**Sponsors:** Office Of The City Administrator

**Legislative History**

5/2/24 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Pursuant To Rule 24, A Statement Was Made On Record As To The Item Bypassing Committee*

*On Consent*

**5.6** Subject: Oakland Tourism Business Improvement District 2024  
From: Economic And Workforce Development Department  
Recommendation: Adopt An Ordinance Of The City Council Establishing The Oakland Tourism Business Improvement District  
[24-0338](#)

**Sponsors:** Economic & Workforce Development Department

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

[View Legislation And Exhibit A](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON MAY 7, 2024; TBD AYES*

**Legislative History**

4/25/24 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*On Non-Consent*

**ACTION ON THE NON-CONSENT CALENDAR PORTION OF THE AGENDA WILL COMMENCE AT 5:00 P.M., OR AS SOON THEREAFTER AS REASONABLY PRACTICABLE:**

**6 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:**

**7 ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

- 8** Subject: The Temescal/Telegraph Business Improvement District 2025  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution (1) Declaring An Intention To Form The Temescal/Telegraph Improvement District 2025 ("Temescal/Telegraph BID 2025"); (2) Granting Preliminary Approval Of The Temescal/Telegraph BID Management Plan; (3) Directing Filing Of The Proposed Temescal/Telegraph BID 2025 Assessment District Boundary Description With The City Clerk; (4) Directing Distribution Of A Ballot To All Affected Property Owners In The Proposed Temescal/Telegraph BID To Determine Whether A Majority Protest Exists; And (5) Scheduling A Public Hearing For July 16, 2024 [24-0326](#)

**Sponsors:** Economic & Workforce Development Department

**Legislative History**

4/25/24 \*Rules & Legislation Scheduled to the \*Community & Economic  
Committee Development Committee  
*A Title Change Was Read Into Record*

*On The July 16, 2024 City Council Agenda As A Public Hearing*

5/2/24 \*Rules & Legislation \* Withdrawn and Rescheduled to the \*  
Committee Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the  
City Council

*Pursuant To Rule 24, A Statement Was Made On Record As To The Item  
Bypassing Committee*

*On Non-Consent*

**OPEN FORUM / PUBLIC COMMENTS**

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 9:30 P.M., Unless Extended By Majority Vote Of  
The Council)**

## **Americans With Disabilities Act**

**If you need special assistance, including translation services 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**

**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.**

**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.**