

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, April 20, 2023

10:30 AM

City Council Chamber, 3rd Floor

***Rules & Legislation Committee**

*Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612*

City of Oakland Website: <http://www.oaklandca.gov>

The Public May Observe And/Or Participate In This Meeting Many Ways.

OBSERVE:

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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. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:

- **THE E-COMMENT FUNCTION IS CURRENTLY UNAVAILABLE. Please Email Written Comments To Cityclerk@Oaklandca.Gov. Written Comments Must Be Submitted At Least 24 Hours Prior To The Meeting Time To Be Delivered To Committee Members.**
- **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 Comment Via Zoom, Members Of The Public Must Submit An Electronic Speakers Card By Emailing Cityclerk@Oaklandca.Gov. The Email Should Include The Name And Date Of The Meeting, The Agenda Number, & Zoom Profile Name (Which At The Speakers Discretion May Be Their Legal Name Or Other Information To Identify Them) Or Phone Number.**

• **Once You Have Submitted Your Electronic Speaker Card - To Comment Via Zoom , Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Being Taken On A Eligible Agenda Item At The Presiding Officers Discretion. 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.](https://support.zoom.us/hc/en-us/articles/205566129-raise-hand-in-webinar)**

• **To Comment By Phone, Upon Submitting An Electronic Speakers Card, 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

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, any action or informational item that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval, except: 1) any item having a high level of public interest or controversy as determined by the Rules and Legislation Committee; 2) any action item that the Rules and Legislation Committee has placed on the Consent Calendar in accordance with Rule 26; or 3), any item that requires a public hearing or that is otherwise ineligible by law as a Consent Item.**

• **Non-Consent Item: shall mean, for the purposes of the City Council agenda, 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 the Rules and Legislation Committee or: 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.**

COMMITTEE MEMBERSHIP:

*Councilmember Carroll Fife, District 3; President Pro Tempore Dan Kalb, District 1;
Councilmember Janani Ramachandran, District 4; Chairperson: Council President Nikki
Fortunato Bas, District 2*

1 Roll Call / Call To Order

2 NO DRAFT MINUTES FOR APPROVAL

3 New Scheduling Items

- 3.1** Subject: Honoring And Commending Brian Carthan For 36 Years Of Exemplary Service
From: Councilmember Gallo
Recommendation: Adopt A Resolution Honoring And Commending Brian Carthan For 36 Years Of Exemplary Service To The City Of Oakland; On The May 2, 2023 City Council Agenda As Ceremonial
[23-0310](#)
- 3.2** Subject: Resolution In Support Of California State Assembly Bill 363 (Bauer-Kahan)
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill 363 (Bauer- Kahan) That Would Protect Bees, Clean Water, People, And The Future Of Our Food Supply By Requiring The Department Of Pesticide Regulation To Complete An Evaluation Of The Use Of Neonicotinoid (Neonic) Pesticides On Turf And Ornamental Plants In Non-Agricultural Settings; On The May 2, 2023 City Council Agenda On Consent
[23-0311](#)
- 3.3** Subject: Resolution In Support Of AB 930
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of AB 930, The Reinvestment In Infrastructure For A Sustainable And Equitable California (Rise) Act Of 2023, Which Permits Two Or More Local Governments To Jointly Form A Rise District To Unlock Tax Increment Financing For Infrastructure And Equitable Development; On The May 2, 2023 City Council Agenda On Consent
[23-0314](#)
- 3.4** Subject: Honoring The Ukrainian Resistance Of Russia's Invasion
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Reaffirming Oakland's Commitment To The Principles Of Democracy And Self Governance, And Condemning The Continued Russian Invasion Of Ukraine; On The May 2, 2023 City Council Agenda On Consent
[23-0315](#)

- 3.5** Subject: Celebrating East Bay Municipal Utility District's (EBMUD) 100th Anniversary
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution In Celebration Of East Bay Municipal Utility District's 100 Years Of Serving The East Bay; On The May 2, 2023 City Council Agenda On Consent
[23-0316](#)
- 3.6** Subject: Celebration Of May As Affordable Housing Month
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution In Celebration Of May As Affordable Housing Month And Celebrating The Service And Leadership Of Our Affordable Housing Providers Toward A More Vibrant, Equitable And Just City; On The May 2, 2023 City Council Agenda On Consent
[23-0318](#)
- 3.7** Subject: Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Marcos Escobar As An Undesignated Representative To The Housing, Residential Rent And Relocation Board; On The May 4, 2023 Rules And Legislation Committee Agenda
[23-0319](#)
- 3.8** Subject: City Planning Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Alex Randolph, Josie Ahrens, And Natalie Sandoval As Members Of The City Planning Commission: On The May 4, 2023 Rules And Legislation Committee Agenda
[23-0320](#)
- 3.9** Subject: Amending And Extending The Civicorps Schools Contract Agreement
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving The City's Advertising And Solicitation Of Proposals/Qualifications Requirements And Authorizing The City Administrator To: (1) Extend The Contract With Civicorps Schools (Contract Purchase Order 2020003454), Established Per Resolution Number 87719 C.M.S., For Five Additional Years Ending In 2029 With An Expanded Scope Of Work; And (2) Increase The Contract Amount From Three Hundred Thousand Dollars (\$300,000) To An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000); On The May 9, 2023 Public Works And Transportation Committee Agenda
[23-0305](#)

- 3.10** Subject: Award On-Call Sanitary Sewer Construction Services
From: Oakland Public Works Department
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator Or Designee To Execute Construction Contracts For On-Call Sanitary Sewer Construction Services That Follow All City Advertising And Competitive Bidding Requirements And Are Awarded In Direct Service Of Delivering The On-Call Sanitary Sewer Construction Services For A Duration Of Three Years To The Following Tiers, Without Return To City Council (A) Tier 1 Firms Each For An Amount Not-To-Exceed Seven Million Dollars (\$7,000,000.00) Annually To Qualified Contractors; And (B) Tier 2 Firms Each For An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00) Annually To Qualified Contractors; And (2) Adopting Appropriate California Environmental Quality Act Findings; On The May 9, 2023 Public Works And Transportation Committee Agenda
[23-0306](#)
- 3.11** Subject: Award On-Call General Construction Services
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Construction Contracts For On-Call Construction Services That Follow All City Advertising And Competitive Bidding Requirements And Are Awarded In Direct Service Of Delivering The On Call General Construction Services For A Duration Of Three Years To The Following Tiers, Without Return To City Council: (1) Tier 1 Firms Each For An Amount Not-To-Exceed Four Million Dollars (\$4,000,000.00) Annually To Qualified Contractors; (2) Tier 2 Firms Each For An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00) Annually To Qualified Contractors; On The May 9, 2023 Public Works And Transportation Committee Agenda
[23-0307](#)
- 3.12** Subject: Malonga Informational Report
From: Oakland Parks And Recreation Youth Department
Recommendation: Receive An Informational Report For The Malonga Casquelourd Center For The Arts (Malonga or MCCA) On The Status Of (1) Lease Agreements With Malonga Arts Collective Members, (2) Scope And Budget Of A Master Plan For Cultural Arts Programming At Malonga, And (3) City's Feasibility Study And Building Assessment; On The May 9, 2023 Community And Economic Development Committee Agenda
[23-0321](#)

3.13 Subject: Study Session On The Oakland 2045 General Plan Update
 Form: Planning And Building Department
 Recommendation: Conduct A Study Session On The Oakland 2045 General Plan Update Process As Follows: (A) Receive An Informational Presentation On The Public Review Draft Safety Element; (B) Receive An Informational Presentation On The Public Review Draft Environmental Justice Element; And (C) Provide Feedback To Staff On The Public Review Drafts Of Safety And Environmental Justice Element; On The June 13, 2023 Community And Economic Development Committee Agenda And Public Safety Committee Agenda

[23-0308](#)

3.14 Subject: Adding Chapter 10.74 To The OMC Imposing Fines And Penalties
 From: Councilmember Gallo
 Recommendation: Adopt An Ordinance Adding Chapter 10.74 To The Oakland Municipal Code Imposing Fines And Penalties Against Organizers And Facilitators Of Sideshows; On The May 9, 2023 Public Safety Committee Agenda

[22-0830](#)

Attachments:

- [View Report](#)
- [View Legislation](#)
- [View Supplemental Report 12/1/2022](#)
- [View Supplemental Report - 12/15/2022](#)
- [View Supplemental Legislation - 12/15/2022](#)

Legislative History

10/13/22	*Rules & Legislation Committee <i>A Title Change Accepted</i>	Scheduled to the *Special Public Safety Committee
11/14/22	*Special Public Safety Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Special Public Safety Committee approved staff's recommendations to be Forward to the December 6, 2022, City Council Agenda on Non-Consent with a supplemental report that includes the following:

- 1. How will the ordinance be implemented without the use of a High-Speed chase*
- 2. How do we define a promoter*
- 3. How is a bystander participant defined*
- 4. How will youth be engaged*
- 5. What is the age rang of the participants*
- 6. Will there be community service opportunities for those fined other than just monetary penalties*
- 7. What percentage of Vehicles involved are stolen*
- 8. Can staffing for entail gathering be done by civilians and not sworn officers*
- 9. Are we pursuing additional state, federal, regional monies for traffic calming*

11/17/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This item was scheduled to the December 6, 2022 City Council Agenda On Non Consent.</i>
12/6/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>A motion was made by Councilmember Gallo to adopt this item, but failed due to lack of a second.</i> <i>A motion was made by Vice Mayor, seconded by Councilmember Reid to continue this item to the December 20, 2022, City Council Meeting. The motion passed with a vote of 5 Ayes; 3 Excused: Fife, Taylor, Thao</i>
12/20/22	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	* Withdrawn and Rescheduled to the *Rules & Legislation Committee <i>A motion was made by Councilmember Fife, seconded by Council President Bas to withdraw this item, and place it on the Rules And Legislation Committee Pending List, No Date Specific, and schedule to a future City Council Meeting after January 9, 2023.</i> <i>A substitute motion was made by Councilmember Taylor, seconded by Councilmember Gallo to approve this item on introduction. The motion failed with the following vote: 3 Ayes: Gallo, Kalb, Taylor; 3 NO: Fife, Kaplan, Bas; 2 Excused: Reid, Thao</i> <i>The initial motion to withdraw and place the item on the Rules And Legislation Committee Pending List , No Date Specific passed with the following vote: 4 Ayes: Fife, Kalb, Kaplan, Bas; 2 NO: Gallo, Taylor; 2 Excused: Reid, Thao</i>

3.15 Subject: OPD Q1 2023 Staffing Report
Form: Oakland Police Department
Recommendation: Receive An Informational Report Of Oakland Police Department's Q1 2023 Staffing; On The May 23, 2023 Public Safety Committee Agenda
[23-0309](#)

3.16 Subject: Council President's Proposed Budget Amendments
From: Council President Fortunato Bas
Recommendation: Approve A Report And Recommendation Of The Council President's Proposed Budget Amendments To The Fiscal Year 2023-2025 Proposed Budget For The City Of Oakland; On A June 15, 2023 Special City Council Agenda At 10:30 A.M.
[23-0317](#)

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[23-0264](#)

- Attachments:**
- [April 25, 2023 Special Finance And Management Committee Agenda](#)
 - [April 25, 2023 Public Works And Transportation Committee Agenda](#)
 - [April 25, 2023 Community And Economic Development Committee Agenda](#)
 - [April 25, 2023 Life Enrichment Committee Agenda](#)
 - [CANCELLED April 25, 2023 Public Safety Committee](#)
 - [April 27, 2023 Rules And Legislation Committee Agenda](#)
 - [Finance and Management Committee Pending List](#)
 - [Public Works And Transportation Committee Pending List](#)
 - [Community And Economic Development Pending List](#)
 - [Life Enrichment Committee Pending List](#)
 - [Education Partnership Committee Pending List Revised 03.30.23](#)
 - [Public Safety Committee Pending List](#)
 - [Rules And Legislation Committee Pending List](#)
 - [May 2, 2023 Concurrent Meeting Of The ORSA And The City Council Agenda](#)
 - [May 4, 2023 Rules And Legislation Committee Agenda](#)

5 Determinations Of Closed Session

Open Forum

Adjournment

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

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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 8:30AM 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.**