

City of Oakland

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



CITY OF
OAKLAND

Agenda - DRAFT

Tuesday, October 1, 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/84911667541> 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: 849 1166 7541
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

- 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: Honoring Cultural Affairs Manager Roberto Bedoya
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Honoring Cultural Affairs Manager Roberto Bedoya Upon His Retirement For His Outstanding Service to the City of Oakland And His Unwavering Support Of Oakland's Artists And Cultural Communities

[25-0082](#)

Sponsors: Fortunato Bas

Legislative History

9/12/24

*Rules & Legislation
Committee

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

As A Ceremonial

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:

- 5.1 Approval Of The Draft Minutes From The Meeting Of September 17, 2024

[25-0092](#)

- 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
[25-0089](#)
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
[25-0090](#)
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
[25-0091](#)
Sponsors: Kaplan
Attachments: [View Legislation](#)

5.5 Subject: Ordinance Amending Ordinance No. 13647 C.M.S.
From: Department Of Workplace And Employment Standards And Councilmember
Fife
Recommendation: Adopt An Ordinance Amending Ordinance No. 13647, Which
Amended Certification Requirements In Oakland's Local And Small Local Business
Enterprise (L/SLBE) Program, To Revise And Correct Certification Requirements
[22-0648](#)

Sponsors: Fife

Attachments: [View Report](#)

[View Attachment A](#)

[View Legislation](#)

[View Supplemental Report and Attachment A - 11/8/2022](#)

[View Supplemental Legislation 11/10/2022](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON SEPTEMBER 17, 2024; TBD
AYES*

Legislative History

7/19/22 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Continued to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

As a direct result of the failed motion, from the July 19, 2022 Special City Council Meeting, item regarding "Ordinance Amending Ordinance No. 13647" was terminated, therefore eliminating the main motion to continue the item.

A motion was made by Pro Tempore Thao, seconded by Councilmember Gallo to schedule a new item (22-0648) "Ordinance To Amend Ordinance No. 13647 C.M.S" to the July 26, 2022 Special City Council Meeting.

The motion passed with a vote of 6 Ayes: Gallo, Kalb, Reid, Taylor, Thao, Fortunato Bas; 2 Excused: Fife, Kaplan

7/26/22 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council No Action Taken

A motion was made by Vice Mayor Kaplan seconded by Councilmember Gallo to direct staff to meet with stakeholders who've raised complaints and expressed concerns, as well correspond with the City of San Francisco about a reciprocal program; once staff have undertaken both efforts, request staff to revise and return to Council. The motion passed with the following: 5 Ayes: Fife, Gallo, Kaplan, Thao, Bas; 2 No: Kalb, Reid; 1 Excused: Taylor

11/3/22 *Rules & Legislation Committee Scheduled to the *Special Community & Economic Development Committee

11/15/22	*Special Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Special Community & Economic Development Committee approved staff's recommendations to be Forwarded to the December 6, 2022, City Council Agenda on Consent:</i>
11/17/22	*Rules & Legislation Committee	Rescheduled to the *Rules & Legislation Committee <i>This item was not scheduled, and was deferred to the December 1, 2022 Rules And Legislation Committee for scheduling.</i>

5.6 Subject: Flex Streets Program Outdoor Private Property Use
From: Councilmember Fife
Recommendation: Adopt A Ordinance Amending Section 8.62.080 Of The Oakland Municipal Code (O.M.C.) For The Purposes Of: (1) Reinstating The Portion Of The Flex Streets Program Facilitating Use Of Private Outdoor Space For: (A) Retail Businesses To Sell Goods And Merchandise And Offer Services, And (B) Limited Or Full Service Restaurants To Place Tables, Chairs, And Other Dining Elements For Serving Customers In Privately Owned Outdoor Areas, With A New Sunset Date Of December 31, 2025; And (2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings [25-0051](#)

Sponsors: Fife

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - 9/11/2021](#)

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

INTRODUCTION (First Reading) WAS PASSED ON SEPTEMBER 17, 2024; TBD AYES

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:

6.1 Subject: 2024 PRO Housing Grant Application
From: Housing And Community Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing The City Administrator To Apply For The 2024 Federal "Pathways To Removing Obstacles To Housing" Grant, And, If Awarded, Accept And Appropriate Up To \$7 Million In Grant Proceeds To Predevelopment And Process Streamlining For Affordable Housing, And Allocating \$5 Million From The Resources Reserved For Rapid Response Homeless Housing Projects As Matching Funds For The Grant

[25-0072](#)

Sponsors: Housing And Community Development Department

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

Legislative History

9/12/24	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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And On The October 1, 2024 City Council Agenda As A Public Hearing

7 ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

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.