

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, June 20, 2023

4:00 PM

City Council Chamber, 3rd Floor

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

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

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

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/86992696095> 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: 869 9269 6095**

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: (1) PRIOR TO COUNCIL ACTION ON MODIFICATIONS TO THE AGENDA FOR ITEMS AGENDIZED BEFORE THE NON-CONSENT CALENDAR, AND (2) PRIOR TO THE INTRODUCTION OF THE FIRST CONSENT ITEM, UNLESS CONSENT TO SPEAK IS GIVEN BY THE PRESIDING OFFICER OR A MAJORITY OF THE COUNCIL. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS / PUBLIC COMMENTS:

- **eComment. To send your comment directly to Council members and staff BEFORE the meeting starts please click on <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that**

eComment submission closes twenty four (24) hours before posted meeting time.

• To Comment 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 in, (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, Electronic Speaker Cards Must Be Submitted and Received Before The City Clerk Reads the Item Into the Record.**

• 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>.

• 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.

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

4 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MAY 30, 2023 AND
JUNE 6, 2023
[23-0487](#)

**5 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):**

6 CONSENT CALENDAR (CC) ITEMS:

6.1 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
[23-0484](#)

Attachments: [View Legislation](#)

6.2 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
[23-0485](#)

Attachments: [View Legislation](#)

6.3 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
[23-0486](#)

Attachments: [View Legislation](#)

6.4 Subject: Ordinance Authorizing Emergency Shelter Leases
From: Human Services Department
Recommendation: Adopt An Ordinance (1) Authorizing The City Administrator To Negotiate And Execute Amendments To One Lease Agreement And One License Agreement, Each For An Additional Term Of Up To Three Years, At No Monthly Rent In Exchange For Emergency Shelter And Services, On The City-Owned Home Base Lot At 633 Hegenberger Road, With Lessee Youth Spirit Artworks And Licensee Housing Consortium Of The East Bay; And (2) Adopting CEQA Exemption Findings [23-0333](#)

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

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 6, 2023; TBD.

Legislative History

4/27/23	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
5/23/23	*Special Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Special Life Enrichment Committee approved staffs recommendations to be forwarded to the June 6, 2023 City Council Agenda on consent

3 speakers spoke on this item

5/25/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Consent

6.5 Subject: Ordinance Amending OMC Chapter 15.34 C&D Debris Recycling Requirements
From: Oakland Public Works Department
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 15.34 (Construction And Demolition Debris Collection, Transportation, Waste Reduction And Recycling Requirements) To Clarify The Definition Of Affected Projects To Specify The Inclusion Of All Residential And Non-Residential New Construction, Additions, Alterations, Repairs, Demolition, And Historic Resource Removal Regardless Of Size Or Value, And To Require Disposal Facilities That Receive Construction And Demolition Debris From Oakland To Implement Automation That Uploads Certified Weight Records To City Construction And Demolition Debris Tracking Software, And Adopting Appropriate California Environmental Quality Act Findings
[23-0348](#)

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

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 6, 2023; TBD.

Legislative History

4/27/23	*Rules & Legislation Committee	Scheduled to the * Public Works And Transportation Committee
5/23/23	* Special Public Works And Transportation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Special Public Works And Transportation Committee approved staffs recommendations to be forwarded to the June 6, 2023 City Council Agenda on consent

1 speaker spoke on this item

5/25/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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Consent

- 6.6** Subject: Measures M, N, Library C, Z, D, Parks Q, AA, And Zoo Measure Y FY 2023-24 Cost-Of-Living Tax Adjustment, Fixing Rate Of Tax, And Levying Tax
From: Finance Department
Recommendation: Adopt An Ordinance (1) Authorizing A Fiscal Year 2023-24 Increase In The Rate Of Property Tax Imposed By Voter-Approved Measures; And (2) Fixing The Rate Of The Property Tax And Levying A Tax On Real Property In The City Of Oakland For Fiscal Year 2023-24 For The Emergency Medical Services Retention Act Of 1997 (Measure M), The Paramedic Services Act Of 1997 (Measure N), The Library Services Retention And Enhancement Act Of 1994 (Measure C), The 2014 Oakland Public Safety And Services Violence Prevention Act (Measure Z), The 2018 Oakland Public Library Preservation Act (Measure D), The 2020 Oakland Parks And Recreation Preservation, Litter Reduction, Homelessness Support Act (Measure Q), The Children's Initiative Of 2018 (Measure AA), And The 2022 Oakland Zoo Animal Care, Education And Improvement Ordinance (Measure Y)

[23-0401](#)

Attachments:

[View Report](#)

[View Legislation](#)

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 6, 2023; TBD.

Legislative History

5/11/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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On Consent

Pursuant to Rule 24, a statement was made on record as to the item bypassing committee.

5/25/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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A Title Change was read into record

6.7 Subject: FY 2023-24 Master Fee Schedule
From: Finance Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13726 C.M.S. (Which Adopted The Fiscal Year 2022-23 Revised Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By The City Of Oakland [23-0408](#)

Attachments: [View Report](#)
[View Attachments A 1-15](#)
[View Legislation And Exhibits](#)
[View Supplemental Report - 6/1/2023](#)
[View Supplemental Attachments A1- A4 - 6/1/2023](#)

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 6, 2023; TBD.

Legislative History

5/11/23	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
5/22/23	*Special Finance & Management Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

1 Speaker Spoke On this Item

Councilmember Ramachandran made a motion to continue this item to the June 13, 2023 Finance And Management Committee. The motion failed due to lack of a second.

Council President Bas made a motion, seconded by Councilmember Kaplan to Forward As Amended, The Recommendations of staff to the June 6, 2023 City Council Agenda As A Public Hearing, and with request to staff to return with a supplemental report to include further analysis to the negative fund balances of golf and false alarms fees as to whether fee increases could help close or eliminate the negative fund balances and whether it could be equitable in terms of our racial equity goals; As well make sure that we are seeking input from the Cannabis Commission and from Mobile Food Vendors.

The motion passed with a vote of 4 Ayes. The Committee approved to forward the item with the following additional amendments:

Of the Exhibit A-6 - Parks And Recreation And Youth Development, Page J-1: re-lettering the Fee Description of Administration; and

Striking, 4 hr Minimum Weekends from line 'e.'

5/25/23

*Rules & Legislation
Committee

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

Public Hearing

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

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

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

- 8.1 Subject: 2023-24 Annual Action Plan
From: Housing And Community Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A Resolution: (1) Accepting And Appropriating An Award Of United States Department
Of Housing & Urban Development Grant Funds In The Amount Of \$14,664,598 For
Community Development Block Grant (CDBG), Home Investments Partnership (HOME),
Emergency Solutions Grant (ESG), And Housing Opportunities For Persons With Aids
(HOPWA) Programs For Fiscal Year 2023-2024; (2) Authorizing The City Administrator
To Prepare And Submit To The United States Department Of Housing And Urban
Development The Annual Action Plan For Fiscal Year 2023-2024; (3) Appropriating Up To
\$850,000 In Revolving Loan Program Income To Support The City's Residential
Lending/Housing Rehabilitation Programs And Any Amounts Collected In Excess Thereof
For Housing Rehabilitation Activities And Other CDBG-Eligible Activities And Projects
Without Returning To Council; (4) Authorizing The City Administrator To Negotiate And
Execute Grant Agreements Under The Fiscal Year 2023-2024 CDBG, HOME, ESG, And
HOPWA Programs; (5) Authorizing The Use Of General-Purpose Funds To Pay Central
Service Overhead Charges Up To \$11,836 For The 2023 Emergency Solutions Grant
And \$17,220 Under The 2023 Housing Opportunities For Persons With Aids Programs;
And

[23-0393](#)

Legislative History

5/11/23

*Rules & Legislation
Committee

Scheduled

Title Change read into record

*Approved to be scheduled to the 6/13/2023 *Community & Economic
Development Committee And On The 6/20/2023 City Council Agenda As A
Public Hearing*

6/1/23

*Rules & Legislation
Committee

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

As A Public Hearing

2) A Resolutions: (1) Authorizing The City Administrator To Prepare And Submit To The United States Department Of Housing & Urban Development, A Fourth Substantial Amendment To The City Of Oakland's Annual Action Plan For Fiscal Year 2021/2022 And First Substantial Amendment To The City Of Oakland's Annual Action Plan For Fiscal Year 2022/23 To Update HOPWA Allocations For HUD Grant Years 2021 And 2022; (2) Amend Resolution No. 88709, Which Among Other Things, Authorized 2021 HOPWA Allocations Between Alameda County And Contra Costa County, To Modify Said Resolution To Reflect Updated Allocations Made Under The 2021 HOPWA Grant To Specific Entities In An Estimated Total Amount Of \$2,184,446 Contingent Upon Available Funding From The U.S. Department Of Housing & Urban Development; (3) Authorizing The Use Of General Purpose Funds To Pay Up To \$15,826 For Central Services Overhead Charges Under The 2021 HOPWA Grant, Grant No. CAH21-F001; (4) Amending Resolution No. 89310, Which Among Other Things, Authorized 2022 HOPWA Allocations Between Alameda County And Contra Costa County, To Modify Said Resolution To Reflect Updated Allocations Made Under The 2022 HOPWA Grant To Specific Entities In An Estimated Total Amount Of \$3,290,231 Contingent Upon Available Funding From The U.S. Department Of Housing & Urban Development; And (5) Authorizing The Use Of General Purpose Funds To Pay Up To \$15,691 For Central Services Overhead Charges Under The 2022 HOPWA Grant, Grant No. CAH22-F001
[23-0394](#)

Legislative History

5/11/23

*Rules & Legislation
Committee

Scheduled to the *Community & Economic
Development Committee

Title Change read into record

*Approved to be scheduled to the 6/13/2023 *Community & Economic
Development Committee And On The 6/20/2023 City Council Agenda As A
Public Hearing*

6/1/23

*Rules & Legislation
Committee

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

As A Public Hearing

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 9 Subject: Just Cause Amendment Requiring Actual Injury For Breach Of Lease Evictions
From: Councilmember Jenkins And Council President Fortunato Bas
Recommendation: Adopt An Ordinance Amending The Just Cause For Eviction
Ordinance (Oakland Municipal Code 8.22.360) To Require Landlords To Demonstrate
Substantial Actual Injury Before Evicting Tenants For Breach Of Lease
[23-0436](#)

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

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 6, 2023; TBD.

Legislative History

5/25/23 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

Non-Consent

*Pursuant to Rule 24, a statement was made on record as to the item bypassing
committee*

OPEN FORUM / PUBLIC COMMENTS

ADJOURNMENT OF COUNCIL SESSION

**(Meeting Shall Conclude No Later Than 10:00 P.M., Unless Extended By Majority
Vote Of The Council)**

Americans With Disabilities Act

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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

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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.