

# 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 - FINAL**

**Tuesday, November 2, 2021**

**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**

***Pursuant to the Governor's Executive Order N-29-20, all members of the City Council as well as the City Administrator, City Attorney and City Clerk will join the meeting via phone/video conference and no teleconference locations are required***

#### 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/85639736352> 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: 856 3973 6352

If asked for a participant ID or code, press #.

#### COMMENT:

ALL PUBLIC COMMENT ON ACTION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE MEETING UNDER ITEM 1. COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING

There are three ways to submit 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 five (5) minutes before posted meeting time.
- To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. 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, 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](mailto:cityclerk@oaklandca.gov)

- Office of the City Clerk

## ROLL CALL / CITY COUNCIL

*COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Dan Kalb, District 1; Vice Mayor Rebecca Kaplan, At Large; Councilmember Treva Reid, District 7; Councilmember Loren Taylor, District 6; President Pro Tempore Sheng Thao, District 4; Council President Nikki Fortunato Bas, District 2;*

### 1 PUBLIC COMMENT:

**COMMENTS ON ALL ACTION ITEMS EXCEPT PUBLIC HEARINGS WILL NOT BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN**

### 2 CONSENT CALENDAR (CC) ITEMS:

- 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  
[21-0769](#)  
**Attachments:** [View Report](#)
- 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  
[21-0770](#)  
**Attachments:** [View Report](#)
- 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  
[21-0771](#)  
**Attachments:** [View Report](#)

**2.4** Subject: Teleconference Meetings Of The City Council  
From: Office Of The City Administrator's  
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  
[21-0764](#)

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

**Legislative History**

10/14/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*The Committee approved this item to be a recurring item at Council.*

**2.5** Subject: Accept And Appropriate ACTC 2022 CIP Funds  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And  
Appropriate Eight (8) Alameda County Transportation Commission Grants Totaling Three  
Million Nine Hundred Twenty-One Thousand Dollars (\$3,921,000) To Implement The West  
Oakland Transit Improvements Project, Lincoln Elementary Safe Routes To School  
Project, Broadway Shuttle Operations, East 12th Street Bike Lanes, East Bay Greenway  
Segment II, 14th Street Complete Streets, And Oakland Traffic Management Center  
Upgrade; Allocate One Million Six Hundred Eighty-Seven Thousand Six Hundred Sixty-Six  
Dollars (\$1,687,666) In Measure B/BB And Measure KK Funds As The Required City  
Local Match; And Adopt Appropriate California Environmental Quality Act (CEQA)  
Findings  
[21-0759](#)

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

[View Legislation](#)

**Legislative History**

10/14/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.6** Subject: FY 2021-22 OPD Traffic Safety Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2021-2022 Selective Traffic Enforcement Program (STEP), To Be Administered By The Oakland Police Department (OPD); And To Authorize The General Purpose Services Fund To Contribute Sixty Nine Thousand Five Hundred Fifty Dollars (\$69,550) To Cover The Related Central Services Overhead Charges  
[21-0760](#)

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

[View Legislation](#)

**Legislative History**

10/14/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.7** Subject: Designation Of Authorized Agents For FEMA And CalOES  
From: Finance Department  
Recommendation: Adopt A Resolution Designating The City Administrator, The Assistant City Administrator, The Director Of Housing And Community Development, And The Finance Director As Authorized Agents On Behalf Of The City Of Oakland To Execute And Submit All Documents Necessary For Federal Award Funds From The Federal Emergency Management Agency And The State Of California Governor's Office Of Emergency Services  
[21-0762](#)

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

[View Legislation](#)

**Legislative History**

10/14/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.8** Subject: Property Exchange With OUSD At Marston Campbell Park  
From: Economic & Workforce Development Department  
Recommendation: Adopt An Ordinance Authorizing The City Of Oakland (City) To  
Conduct The Following Exchange Of Properties With The Oakland Unified School District,  
A California Public School District (District):

(1) Acquisition Of Approximately 44,791 Square Feet Of Real Property Located At  
Marston Campbell Park Near The Intersection Of 16th Street And Market Street From The  
District At No Cost To The City Pursuant To Oakland Municipal Code (OMC) Section  
2.41.020 And Section 219(6) Of The City Charter;

(2) Disposition Of Approximately 25,939 Square Feet Of Real Property Located At 1700  
Market Street To The District At No Cost Pursuant To OMC Section 2.42.050;

(3) Acquisition Of An Easement From The District Over Approximately 13,884 Square  
Feet Of Real Property Located Immediately Adjacent To 1700 Market Street For The  
Purpose Of Providing Irrigation Facilities To Marston Campbell Park Pursuant To OMC  
Section 2.41.060;

(4) Allocating A Not To Exceed Amount Of Ten Thousand Dollars (\$10,000) For  
Associated Closing Costs And Fees; And

(5) Making California Environmental Quality Act And Surplus Land Act Findings  
[21-0735](#)

**Attachments:**      [View Report](#)  
                              [View Attachment A](#)  
                              [View Attachment B](#)  
                              [View Legislation](#)  
                              [View Exhibit A](#)  
                              [View Exhibit B](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON OCTOBER 19, 2021; 8 AYES.*

**Legislative History**

10/7/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>Approved for Non-Consent</i>	
10/19/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**2.9** Subject: Salary Ordinance Amendments & Exemptions For Various Classifications  
From: Human Resources Management Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Mobile Assistance Community Responders Of Oakland (MACRO) Program Manager; To Add The Full-Time Classification Of Community Intervention Specialist (MACRO); To Add The Full-Time Classification Of Emergency Medical Technician (MACRO); To Add The Full-Time Classification Of Tree Trimmer Crew Leader; To Add The Full-Time Classification Of Head Start/Early Head Start Assistant Instructor; To Add The Full-Time Classification Of Oracle Application Developer III; To Add The Full-Time Classification Of Custom Application Developer III; To Add The Full-Time Classification Of Community Police Review Agency (CPRA) Attorney; To Add The Full-Time Classification Of Benefits Supervisor; To Add The Full Time Classification Of Manager, Payroll; To Amend The Title Of The Full-Time Classification Of Head Start/Early Head Start Substitute Associate Instructor To Head Start/Early Head Start Substitute Instructor; To Amend The Title Of The Permanent Part Time Classification Of Head Start/Early Head Start Substitute Associate Instructor, PPT To Head Start/Early Head Start Substitute Instructor, PPT; To Amend The Title Of The Part-Time Classification Of Head Start/Early Head Start Substitute Associate Instructor, PT To Head Start/Early Head Start Substitute Instructor, PT; To Amend The Title Of The Full-Time Classification Of Parking Meter Collector Supervisor To Parking Meter Collection Supervisor; To Amend The Salary Of The Part-Time Classification Of Lifeguard, PT; To Amend The Salary Of The Part-Time Classification Of Water Safety Instructor, PT; To Amend The Salary Of The Part-Time Classification Of Pool Manager, PT; To Amend The Salary Of The Permanent Part-Time Classification Pool Manager, PPT; To Amend The Salary Of The Full-Time Classification Of Fire Protection Engineer; And To Delete The Full-Time Classification Of Application Developer III  
[21-0738](#)

- Attachments:**      [View Report](#)  
                                 [View Legislation](#)  
                                 [View Supplemental Report 10/14/21](#)  
                                 [View Supplemental Legislation 10/14/21](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON OCTOBER 19, 2021; 8 AYES.*

**Legislative History**

10/7/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/19/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved As Amended On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**2.10** Subject: Public Safety And Services Oversight Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Omar Farmer As A Member Of The Public Safety And Services Violence Prevention Oversight Commission  
[21-0783](#)

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

**2.11** Subject: Scott Morris, Et Al. V. City Of Oakland, Et Al.  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Scott Morris; Sarah Belle Lin; Brian Krans, Michael Katz And Oakland Privacy V. City Of Oakland; Oakland Police Department; Susan Manheimer, In Her Official Capacity; And Ed Reiskin, In His Official Capacity, Alameda County Superior Court Case No. RG20072029, City Attorney's File No. X05223, In The Amount Of One Hundred Twenty-Seven Thousand Five Hundred Dollars And No Cents (\$127,500) As A Result Of An Alleged Public Records Act Violation (Oakland Police Department - Public Records Act)  
[21-0781](#)

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

*Pursuant to Rule 28 of Resolution 88266 C.M.S., this item was added to this agenda*

### **3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:**



**3.1** Subject: Construction Innovation And Expanded Housing Options Ordinance  
From: Mayor Schaaf, President Pro Temp Thao, And Councilmember Kalb  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance  
To Promote Cost-Efficient Construction Innovation And Expanded Housing Options By:

(1) Amending The Oakland Planning Code (Oakland Municipal Code (OMC) Title 17) To  
(A) Allow Residential Occupancy Of Recreational Vehicles (RVS), Mobile Homes, And  
Manufactured Homes In All Zoning Districts Where Residential Uses Are Permitted, (B)  
Establish Density And Open Space Regulations For Efficiency Dwelling Units, And (C)  
Establish Height Regulations For Modular Construction;

(2) Amending The Oakland Building Construction Code (OMC Chapter 15.04) To Adopt  
Voluntary Appendix R To The California Residential Code (Light Straw-Clay  
Construction);

(3) Making Conforming Amendments To The Blight Ordinance (OMC Chapter 8.24),  
Building Maintenance Code (OMC Chapter 15.08), Affordable Housing Impact Fees  
Ordinance (OMC Chapter 15.72), And Transportation And Capital Improvements Impact  
Fees Ordinance (OMC Chapter 15.74);

(4) Staying Enforcement Of OMC Sections 8.24.020(F)(2) And 8.24.020(G) For 120  
Days; And

(5) Exempting RV Parks Owned, Operated, And Maintained By Non-Profit Organizations  
For Permanent, Temporary, Or Emergency Use, Subject To The Planning Code  
Standards, From The Special Occupancy Parks Act (Health And Safety Code Section  
18200 Et SEQ) Pursuant To Health And Safety Code Section 18865.4; And Making  
California Environmental Quality Act Findings

[21-0658](#)

**Sponsors:** Libby Schaaf, Dan Kalb and Thao

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

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS  
ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 16, 2021.*

**Legislative History**

9/16/21	*Rules & Legislation Committee <i>The Rules Committee Approved to Continue This Item To The Next Rules Committee For Scheduling</i>	Continued to the *Rules & Legislation Committee
9/23/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee

**3.2** Subject: Termination Of RV Pilot Program  
From: Mayor Schaaf, President Pro Temp Thao And Councilmember Kalb  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Section 5.72.190 Of The Oakland Municipal Code (OMC) To Terminate The Recreational Vehicle (RV) On Undeveloped Property Pilot Program On December 31, 2021; And Making California Environmental Quality Act Findings  
[21-0660](#)

**Sponsors:** Libby Schaaf, Kalb and Thao

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

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 16, 2021.*

**Legislative History**

9/16/21	*Rules & Legislation Committee	Continued to the *Rules & Legislation Committee <i>The Rules Committee Approved to Continue This Item To The Next Rules Committee For Scheduling</i>
9/23/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee

**3.3** Subject: Amendment To Rent Adjustment Ordinance To Include Vehicular Residential Facilities  
From: Mayor Schaaf, President Pro Temp Thao And Councilmember Kalb  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance To Amend The Rent Adjustment Ordinance (Oakland Municipal Code Chapter 8.22) To Add Vehicular Residential Facilities As Covered Units  
[21-0661](#)

**Sponsors:** Libby Schaaf, Kalb and Thao

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

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 16, 2021.*

**Legislative History**

9/16/21	*Rules & Legislation Committee	Continued to the *Rules & Legislation Committee <i>The Rules Committee Approved to Continue This Item To The Next Rules Committee For Scheduling</i>
9/23/21	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee

- 3.4** Subject: Density Bonus Ordinance Update  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance,  
As Recommended By The Planning Commission, Amending The Oakland Planning Code  
To Update Chapter 17.107 Density Bonus And Incentive Procedure  
[21-0739](#)

**Attachments:** [View Report](#)  
[View Legislation And Exhibit A](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS  
ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 16, 2021.*

**Legislative History**

10/7/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Approved as a Public Hearing*

- 4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &  
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS**
- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 19, 2021**  
[21-0772](#)

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

- 6** Subject: Reports On Outside Boards And Commissions  
From: Vice Mayor Kaplan And Council President Fortunato Bas  
Recommendation: Receive An Informational Reports From Representatives On Outside  
Boards And/Or Commissions To Provide The City Council With A Briefing On General  
Business Regarding The Issues, Activities, Major Decisions And The Agenda Of The  
Body On Which The Representative Serves  
[21-0588](#)

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

**Legislative History**

7/22/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Approved for Non-Consent for September 21, 2021*

9/16/21	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
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*The Rules Committee Approved This Item Be Moved To The Last Item On The  
September 21, 2021 Special City Council Agenda*

9/21/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>Vice Mayor Kaplan noted this item will be brought back to Rules and Legislation Committee for rescheduling</i>	Withdrawn with No New Date
9/30/21	*Rules & Legislation Committee  <i>Approved for Non-Consent</i>  <i>The Rules And Legislation Committee approved a Title Change, striking Oral and adding Informational</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/19/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 7 Subject: OACCA Refunding Of 2012 Refunding Series A Bonds  
From: Finance Department  
Recommendation: Adopt A Resolution (1) Approving Any Action By The Oakland-Alameda County Coliseum Authority Board That May Authorize The Executive Director To Proceed With And Complete Redemption And Refunding Of The 2012 Refunding Series A Lease Revenue Bonds By February 1, 2022; And (2) Authorizing The Council's Delegates To The Authority Board To Vote In Favor Of Any Such Action That Shall Be Considered By The Board, So Long As The Redemption And Refunding Does Not Extend The Maturity Date Of The Existing Bonds Or Increase The Obligations Imposed Upon The City

[21-0782](#)

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

*Pursuant to Rule 28 of Resolution 88266 C.M.S., this item was added to this agenda.*

**OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)**

**ADJOURNMENT OF COUNCIL SESSION**

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

## **Americans With Disabilities Act**

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**Office of the City Clerk - Agenda Management Unit**

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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.**