

# 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, May 2, 2023**

**4:00 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/86749229170> 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: 867 4922 9170

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:**

- **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 Council 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](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, 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):

- 3.1** Subject: Celebration Of Asian American And Pacific Islander Heritage Month  
From: Council President Fortunato Bas And Councilmember Ramachandran  
Recommendation: Adopt A Resolution In Celebration Of May 2023 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  
[23-0244](#)

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

**Legislative History**

3/30/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Ceremonial*

- 3.2** 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  
[23-0310](#)

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

**Legislative History**

4/20/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Ceremonial*

- 4** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 18, 2023  
[23-0304](#)

- 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  
[23-0301](#)  
**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  
[23-0302](#)  
**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  
[23-0303](#)  
**Attachments:** [View Legislation](#)

**6.4** Subject: Sewer Agency Charge Billing And Collection Agreement With East Bay Municipal Utility District  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Ten-Year Agreement With East Bay Municipal Utility District (EBMUD) For Sewer Service Charges, Billing And Collection Services, By And Between EBMUD And The City Of Oakland From July 1, 2023 To June 30, 2033; And Making Appropriate California Environmental Quality Act Findings  
[23-0299](#)

**Attachments:**      [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Attachment D](#)  
[View Attachment E](#)  
[View Attachment F](#)  
[View legislation](#)

**Legislative History**

4/13/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>Pursuant to Rule 24, a statement was made on record as to the item bypassing committee.</i>

*Consent*

**6.5** Subject: Cannabis Regulatory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Appointment Of Hellen Harvey And Tanya Boyce As Members Of The Cannabis Regulatory Commission  
[23-0300](#)

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

**6.6** Subject: GoPort - 7th Street Grade Separation East Project  
From: Transportation Department  
Recommendation: Adopt An Ordinance: (1) Authorizing The City Administrator To Negotiate And Execute A First Amendment To Indenture Dated December 23, 1930, Between Union Pacific Railroad And The City Of Oakland (City), To Relinquish A Portion Of The 1930 Roadway Easement, And Accept The Easements Therein, Upon Completion Of The 7th Street Grade Separation East Project (Project); And (2) Authorizing The City Administrator To Negotiate And Execute An Assignment Agreement Between The Alameda County Transportation Commission And The City For The Assignment Of A Roadway Easement Deed, And Accept The Easements Therein, Upon Completion Of The Project; And (3) Adopting National Environmental Policy Act And California Environmental Quality Act Findings  
[23-0203](#)

- Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Attachment D1](#)  
[View Attachment D2](#)  
[View Legislation](#)  
[View Supplemental Attachment B - 4/6/2023](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON APRIL 18, 2023; 8 AYES.*

**Legislative History**

3/23/23	*Rules & Legislation Committee	Scheduled to the * Public Works And Transportation Committee
4/10/23	* 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 <i>The Committee approved staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent</i>  <i>There were 2 speakers for this item</i>
4/13/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>Consent</i>
4/18/23	* 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

**6.7** Subject: Extended Rent Reduction For Oakland School For The Arts At The Fox Theater  
From: Economic And Workforce Development Department  
Recommendation: Adopt An Ordinance (1) Authorizing A Lease Amendment Between The City Of Oakland And The Oakland School For The Arts (OSA) For Approximately 62,910 Square Feet Located On The 2nd And 3rd Floors Of The Fox Theater At 1805 Telegraph Avenue To Extend The Reduced Rental Rate Of Forty-Seven Thousand Twenty-Five Dollars (\$47,025) Per Month Through June 30, 2026; (2) Making Findings That The Lease Amendment For Below Fair Market Value Is In The Best Interest Of The City; And (3) Making Appropriate California Environmental Quality Act Findings [23-0234](#)

**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 APRIL 18, 2023; 8 AYES.*

**Legislative History**

3/30/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
4/11/23	*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

*The Committee approved this item to be forwarded with staff recommendations to the April 18, 2023 City Council Agenda On Consent*

*14 Speakers Spoke On This Item*

4/13/23	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Consent*

4/18/23	* 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
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**6.8** Subject: Fox Theater Restaurant Lease  
From: Economic And Workforce Development Department  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To (A) Negotiate And Execute A Lease Agreement With Uptown Forward LLC, A California Limited Liability Corporation, For The Ground Floor Restaurant Space Located At 1805 Telegraph Avenue (Fox Theater) For A 3- Year Term With Three 5-Year Options And Rent Of Ten Thousand Five Hundred Dollars (\$10,500) Per Month With A Three Percent (3%) Annual Increase For Use As A Cocktail Lounge With Food Service; And (B) Adopting California Environmental Quality Act Findings  
[23-0236](#)

**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 APRIL 18, 2023; 8 AYES.*

**Legislative History**

3/30/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
4/11/23	*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 Committee approved this item to be forwarded with staff recommendations to the April 18, 2023 City Council Agenda On Consent</i>
		<i>1 Speaker Spoke On This Item</i>
4/13/23	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>Consent</i>
4/18/23	* 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

**6.9** Subject: License Of 1911 Telegraph To Oakland School For The Arts  
From: Economic And Workforce Development Department  
Recommendation: Adopt An Ordinance (1) Authorizing A License Agreement Between  
The City Of Oakland And The Oakland School For The Arts (OSA) For The  
Approximately 45,121 Square Foot Vacant City-Owned Property Located At 1911  
Telegraph Avenue For Improvement And Use As An Outdoor Recreation Area For A  
3-Year Term With Three 1-Year Options To Renew At A Rate Of Five Hundred Dollars  
(\$500) Per Month; (2) Making Findings That The License For Below Fair Market Value  
Is In The Best Interest Of The City; And (3) Making Appropriate California  
Environmental Quality Act Findings

[23-0237](#)

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

[View Legislation](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON APRIL 18, 2023; 8 AYES.*

**Legislative History**

3/30/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
4/11/23	*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

*The Committee approved this item to be forwarded with staff recommendations  
to the April 18, 2023 City Council Agenda On Consent*

*14 Speakers Spoke On This Item*

4/13/23	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Consent*

4/18/23	* 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
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**6.10** Subject: Covid-19 Eviction Moratorium Phase-Out And Amendments To The Just Cause Ordinance  
From: Council President Fortunato Bas And President Pro Tempore Kalb  
Recommendation: Adopt An Ordinance Establishing A Timeline For Termination Of The Moratorium On Residential Evictions, Rent Increases, And Late Fees Enacted In Response To The Covid-19 Pandemic (Ordinance Nos. 13589 C.M.S., 13594 C.M.S., 13606 C.M.S.); And Amending The Just Cause For Eviction Ordinance To: (1) Permanently Codify Certain Protections Established By The Moratorium; (2) Prohibit Evictions Based On Non-Payment Of Rent Where The Amount Demanded Is Less Than One Month Of Hud Fair Market Rent; (3) Require Landlords To Demonstrate Substantial Damage Before Evicting Tenants For Breach Of Lease; (4) Conform Occupancy Limitations To State Law; (5) Limit Evictions Of Resident Managers With Pre-Existing Tenancies; And (6) Make Other Non-Substantive Clarifying Amendments [23-0216](#)

**Attachments:**

[View Report](#)

[View Legislation](#)

[View Supplemental Presentation - 4/6/2023](#)

[View Supplemental Amendments - 4/12/2023 Bas & Kalb](#)

[View Supplemental Amendments - 4/13/2023 Gallo](#)

[View Supplemental Report - 4/13/2023](#)

[View Supplemental Presentation - 4/13/2023](#)

[View Supplemental Legislation - 4/13/2023 Bas & Kalb](#)

[View Supplemental Legislation - 4/21/2023](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON APRIL 18, 2023; 7 AYES, 1 NO, GALLO.*

**Legislative History**

3/23/23

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

4/11/23

\*Special Community &  
Economic Development  
Committee

Approved as Amended the  
Recommendation of Staff, and Forward to  
the \* Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the  
City Council

*A motion was made by Councilmember Kalb, seconded by Councilmember Fife to approve the ordinance as amended and to be forwarded with committee recommendations to the April 18, 2023 City Council Agenda On Non Consent. The motion passed with 4 Ayes. The ordinance was approved to be forwarded as amended with the following amendments:*

*Of the Legislation, On page 1 of the Title, striking the (5) Limit Evictions Of Resident Managers With Pre Existing Tenancies; And (6) And (5)*

*On Page 4, adding four Whereas Clauses to read:*

*WHEREAS, continued advocacy of County, State and Federal government partners is necessary to secure additional resources to address the economic and housing impacts of COVID-19 on tenants and property owners; and*

*WHEREAS, the City Council finds that the Just Cause for Eviction Ordinance is consistent with Civil Code Section 1946.2 as (enacted by the Tenant Protection Act of 2019), and, in comparison to Civil Code Section 1946.2, further limits the reasons for termination of residential tenancy, provides additional tenant protections, and, in conjunction with other City ordinances, provides for higher relocation assistance amounts; and*

*WHEREAS, the City Council finds that the Just Cause for Eviction Ordinance as amended herein is more protective than the provisions of Civil Code Section 1946.2; and*

*WHEREAS, this action is exempt from the California Environmental Quality Act ("CEQA") pursuant to sections of the CEQA Guidelines, taken together and each as a separate and independent basis, including but not limited to: Section 15378 (regulatory actions), Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment), Section 15061(b)(3) (no significant environmental impact), and Section 15183 (consistent with the general plan or zoning); and*

*On Page 7, Section 8.22.360- Good cause required for eviction, Paragraph 2, adding, To establish a substantial violation of a material term of the tenancy, and or other tenants,*

*On Page 8, adding paragraph (d.) to read, For purposes of this section, failure to comply with income recertification requirements for deed-restricted affordable housing units shall be presumed to substantially violate a material term of the tenancy.*

*On Page 14, striking paragraph 9, and changing the 10th paragraph to read 9.*

*On Page 15, Section 9., adding the last sentence to read, City Council also directs the City Administrator to seek additional financial resources to address the economic and housing impacts of COVID-19 on tenants and property owners.*

*On Page 16, adding Section 12. Directions to Rent Board. The City Council directs the City Administrator to work with the Rent Board to revise the Just Cause for Eviction Ordinance Regulations to implement newly added Just Cause provisions including, but not limited to, establishing further guidance on what constitutes "substantial actual damage" pursuant to O.M.C. 8.22.360A2.*

*Of the Notice And Digest, striking the (5) Limit Evictions Of Resident Managers With Pre Existing Tenancies; And (6) And (5)*

*80 Speakers Spoke On This Item*

4/13/23	*Rules & Legislation Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Non-Consent*

4/18/23	* 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
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*Council President Bas made a motion, President Pro Tempore Kalb seconded to approve the item as amended. The motion passed with a vote of 7 Ayes; 1 NO, Gallo. The ordinance was approved as amended on introduction and scheduled for Final Passage On The May 2, 2023 City Council Agenda with the following amendment:*

*Of the Supplemental Legislation 4/13/2023 Bas & Kalb,*

*striking paragraph, d. For purposes of this section, failure to comply with income recertification requirements for deed-restricted affordable housing units shall be presumed to substantially violate a material term of the tenancy.*

*96 Speakers Spoke On This Item*

- 6.11** 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  
[23-0311](#)

**Attachments:**      [View Memo](#)  
[View Report](#)  
[View Fact Sheet](#)  
[View Analysis 1](#)  
[View Analysis 2](#)  
[View Legislation](#)

**Legislative History**

4/20/23      \*Rules & Legislation      Scheduled to the \* Concurrent Meeting of  
Committee      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.*  
  
*Consent*

- 6.12** Subject: Resolution In Support Of AB 930  
From: President Pro Tempore Kalb  
Recommendation: Adopt A Resolution In Support Of AB 930 (Friedman), 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  
[23-0314](#)

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

**Legislative History**

4/20/23      \*Rules & Legislation      Scheduled to the \* Concurrent Meeting of  
Committee      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.*  
  
*Consent*  
  
*Title Change read into record*

- 6.13** 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  
[23-0315](#)

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

[View Legislation](#)

**Legislative History**

4/20/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Consent*

- 6.14** Subject: Celebrating East Bay Municipal Utility District's (EBMUD) 100th Anniversary  
From: Council President Fortunato Bas And President Pro Tempore Kalb  
Recommendation: Adopt A Resolution In Celebration Of East Bay Municipal Utility District's (EBMUD) 100 Years Of Serving The East Bay  
[23-0316](#)

**Sponsors:** Kalb

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

**Legislative History**

4/20/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Consent*

*President Pro Tempore Kalb requested to be a Co-Sponsor*

- 6.15** Subject: Celebration Of May As Affordable Housing Month  
From: Council President Fortunato Bas  
Recommendation: Adopt A Resolution In Celebration Of May 2023 As Affordable Housing Month And Celebrating The Service And Leadership Of Our Affordable Housing Providers Toward A More Vibrant, Equitable And Just City  
[23-0318](#)

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

**Legislative History**

4/20/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Consent*

**6.16** Subject: Emmanuel Tril V. The City Of Oakland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Emmanuel Tril V. The City Of Oakland; Paramount Theatre Of The Arts, Inc.; And Does 1 To 50, United States District Court Case No. 3:22-CV-01087-SK, City Attorney File No. 34994 For The Sum Of Thirty-Two Thousand Two Hundred Twenty-Nine Dollars And Fifty Cents (\$32,229.50) (Department Of Economic & Workforce Development - Disability Discrimination)  
[23-0322](#)

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

*Pursuant to Rule 28(B) of Resolution 89588 C.M.S., this item was added to this agenda.*

**6.17** Subject: Karen Saucedo V. City Of Oakland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Karen Saucedo V. City Of Oakland, Paulista, LLC, Jesse Brod Madway, John Knowles, And Does 1 To 100, Alameda County Superior Court Case No. RG20074972, City Attorney File No. 33825, In The Amount Of Fifty Thousand Dollars And Zero Cents (\$50,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)  
[23-0323](#)

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

*Pursuant to Rule 28(B) of Resolution 89588 C.M.S., this item was added to this agenda.*

**6.18** Subject: Claim Of Seema Rupani  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Seema Rupani, City Attorney File No. C35008, In The Amount Of Fifty-Seven Thousand Nine Hundred Fifty-Seven Dollars And Zero Cents (\$57,957.00) (Department Of Public Works - Failed Storm Drain)  
[23-0324](#)

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

*Pursuant to Rule 28(B) of Resolution 89588 C.M.S., this item was added to this agenda.*

7 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &  
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS  
[23-0325](#)

**Attachments:**      [Report Out of Final Action - Tril v. City of Oakland](#)  
                                 [Report Out of Final Action - Saucedo v. City of Oakland](#)  
                                 [Report Out of Final Action - Claim of Seema Rupani](#)

**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: Brooklyn Basin Marina Expansion Project  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The  
Following Pieces Of Legislation:

1) A Resolution Certifying The Brooklyn Basin Marina Expansion Project Supplemental  
Environmental Impact Report And Making Certain Findings Concerning Environmental  
Impacts, Mitigation Measures, And Alternatives, And Adopting A Mitigation Monitoring  
And Reporting Program, All In Accordance With The California Environmental Quality  
Act;

[23-0206](#)

**Attachments:**

[View Report](#)

[View Attachment 2](#)

[View Attachment 3](#)

[View Attachment 4](#)

[View Attachment 5](#)

[View Attachment 6a](#)

[View Attachment 6b](#)

[View Attachment 7](#)

[View Attachment Sub 7 A1](#)

[View Attachment Sub 7 A2](#)

[View Attachment Sub 7 A3](#)

[View Attachment Sub 7 A4a](#)

[View Attachment Sub 7 A4b](#)

[View Attachment Sub 7 A5](#)

[View Attachment Sub 7 D1](#)

[View Attachment Sub 7 D2a](#)

[View Attachment Sub 7 D2b](#)

[View Attachment Sub 7 D3](#)

[View Attachment Sub 7 D4](#)

[View Attachment Sub 7 D5a](#)

[View Attachment Sub 7 D5b](#)

[View Attachment Sub 7 D5c](#)

[View Legislation](#)

**Legislative History**

3/23/23

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

*And as a Public Hearing on the May 2, 2023 City Council Agenda*

2) A Resolution Approving Text Amendments To The General Plan Estuary Policy Plan To Increase The Maximum Average Density In The Estuary Policy Plan Planned Waterfront Development-4 (PWD-4) Land Use Designation In Connection With The Brooklyn Basin (Formerly Oak-To-Ninth Avenue Mixed Use Development) Project; And Adopting Appropriate California Environmental Quality Act Findings;  
[23-0208](#)

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

[View Legislation](#)

**Legislative History**

3/23/23      \*Rules & Legislation      Rescheduled to the \*Community &  
Committee      Economic Development Committee  
*And as a Public Hearing on the May 2, 2023 City Council Agenda*

3) An Ordinance Approving Zone Text Amendment To Increase The Maximum Average Density And Modify The Parking Requirements In The Oak To Ninth District (D-OTN) Zone; And Making Appropriate California Environmental Quality Act Findings;  
[23-0209](#)

**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 MAY 16, 2023.*

**Legislative History**

3/23/23      \*Rules & Legislation      Scheduled to the \*Community & Economic  
Committee      Development Committee  
*And as a Public Hearing on the May 2, 2023 City Council Agenda*

4) An Ordinance Authorizing The City Administrator To Execute A Third Amendment To The Development Agreement For The Brooklyn Basin (Formerly The Oak-To-Ninth Avenue Mixed Use Development) Project Between The City Of Oakland And Zarsion-OHP I, LLC; And Making Appropriate California Environmental Quality Act Findings; And  
[23-0210](#)

**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 MAY 16, 2023.*

**Legislative History**

3/23/23      \*Rules & Legislation      Scheduled to the \*Community & Economic  
Committee      Development Committee  
*And as a Public Hearing on the May 2, 2023 City Council Agenda*

5) A Resolution Revising The Preliminary Development Plan For The Brooklyn Basin (Formerly The Oak-To-Ninth Mixed Use Development) Project; And Making Appropriate California Environmental Quality Act Findings

[23-0211](#)

**Attachments:**

[View Report](#)

[View Legislation](#)

**Legislative History**

3/23/23

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

*And as a Public Hearing on the May 2, 2023 City Council Agenda*

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

**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**

**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.**

