

# City of Oakland

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



CITY OF OAKLAND

## **Meeting Agenda - SUPPLEMENTAL**

**Tuesday, February 21, 2023**

**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 California Government Code Section 54953(e), the City Council has found that an imminent risk to the health of attendees due to the COVID-19 pandemic continues to exist. Therefore, all City Councilmembers will participate in the meeting via phone/video conference without notice of their teleconference locations**

## 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/84485252554> 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: 844 8525 2554

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.

- THE E-COMMENT FUNCTION IS CURRENTLY UNAVAILABLE. PLEASE EMAIL WRITTEN COMMENTS TO [CITYCLERK@OAKLANDCA.GOV](mailto:CITYCLERK@OAKLANDCA.GOV) TO BE DELIVERED TO COUNCIL & COMMITTEE MEMBERS.
- 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 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*

## ACTIONS ON SPECIAL ORDERS OF THE DAY

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

## 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):

**1 PUBLIC COMMENT: COMMENTS ON ALL ITEMS EXCEPT PUBLIC HEARINGS WILL  
BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE  
TAKEN DURING OPEN FORUM**

## 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  
[23-0080](#)  
**Attachments:** [View Legislation](#)
- 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  
[23-0081](#)  
**Attachments:** [View Legislation](#)

**2.3** 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  
[23-0082](#)

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

**2.4** Subject: Teleconference Meetings Of The City Council  
From: Office Of The City Administrator  
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  
[23-0083](#)

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

**2.5** Subject: Resolution Celebrating Gloria Bruce  
From: Councilmember Dan Kalb And Council President Nikki Fortunato Bas  
Recommendation: Adopt A Resolution Acknowledging And Thanking Gloria Bruce For  
Her Extraordinary Work And Leadership On Affordable Housing In Oakland And The East  
Bay As East Bay Housing Organization (EBHO) Executive Director  
[23-0075](#)

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

**Legislative History**

2/2/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
<i>Consent</i>		

**2.6** Subject: Renee Kessler Miller 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 Renee Kessler Miller V. City Of Oakland, And Does  
1 To 100, Inclusive, Alameda County Superior Court Case No. 21CV002203, City  
Attorney File No. 34755, In The Amount Of Thirty Thousand Dollars And Zero Cents  
(\$30,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)  
[23-0077](#)

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

[View Legislation](#)

*Pursuant to Rule 28 D. of Resolution 89432 C.M.S., this item was added to this agenda.*

**2.7** Subject: Ma Carmen Bautista 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 Ma Carmen Bautista V. City Of Oakland, Mark Crawford And Does 1 To 10 Inclusive, Alameda County Superior Court Case No. RG21099088, City Attorney File No. 33908, In The Amount Of One Hundred And Eighty Thousand Dollars And No Cents (\$180,000.00) (Public Works Department - Negligence) [23-0078](#)

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

*Pursuant to Rule 28 D. of Resolution 89432 C.M.S., this item was added to this agenda.*

**2.8** Subject: FY2022-23 Master Fee Schedule  
From: Finance Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13698 C.M.S. (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By The City Of Oakland [22-0914](#)

**Attachments:** [View Report](#)  
[View Legislation and Exhibits](#)  
[View Supplemental Legislation 1/26/2023](#)  
[View Supplemental Report - 2/3/2023](#)  
[View Supplemental Legislation - 2/16/2023](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 7, 2023; 8 AYES.*

**Legislative History**

11/17/22	*Rules & Legislation Committee <i>Staff withdrew this item and return to the committee for scheduling at a later date.</i>	No Action Taken
12/15/22	*Rules & Legislation Committee <i>A Title change for the subject and recommendation was read into record.</i>	Scheduled to the *Finance & Management Committee

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1/23/23	*Finance & Management 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 made a motion to forward this item to the February 7, 2023 City Council agenda as a Public Hearing, with the request for the following information to be included in a supplemental;</i>  <i>-inquiries on the Oakland Fire department increase; -OPD trainee cost; -Human Services agenda production cost deletion &amp; its impacts; -City Administrators municipal IDs; -Discount on facilities rentals for local non profits; -Fire inspection fees recovery costs city wide; and -the City Attorneys 5% deletion cost recovery</i>
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>As A Public Hearing</i>
2/7/23	* 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  <i>Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 3:57 p.m., motioned by Councilmember Reid, and seconded by Councilmember Gallo. The motion passed with a vote of 8 Ayes</i>  <i>2 individuals spoke on this item.</i>  <i>Councilmember Gallo made a motion, seconded by Councilmember Ramachandra at 4:17 p.m., to close the Public Hearing, and adopt as amended the following:</i>  <i>Exhibit A-10, Human Services, A. Multipurpose Senior Centers, Line 5: One Meeting Room - Strike \$45 and add \$47; and</i>  <i>B. Oakland Fund For Children And Youth Planning: 1 Agenda Packet Subscription - Striking \$18.84 Year Fee, \$22.00 Year and 16.77%,</i>  <i>and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Ramachandra, Jenkins, and Fortunato Bas.</i>

- 2.9** Subject: Renew And Continue A Declaration Of A Local Emergency Due To COVID-19  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
Declaration Of A Local Emergency Due To COVID-19  
[23-0087](#)

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

[View Legislation](#)

**Legislative History**

2/9/23 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*Pursuant to Rule 24, a statement was made on record as to this item bypassing committee*

*Consent*

- 2.10** Subject: Emergency Health & Safety Program Modifications / Coliseum Connections  
Emergency Funding  
From: Housing and Community Development Department  
Recommendations: Adopt A Resolution (1) Amending Resolution Nos. 86126 C.M.S.,  
And 86366 C.M.S., Which Authorized An Affordable Housing Multifamily Emergency  
Repair Program, To Allocate An Additional \$750,000 From The Affordable Housing Trust  
Fund Former Redevelopment Funds To The Program, And Waiving Requirements For  
And Provisions Of The City's Local And Small Local Business Enterprise (L/SLBE)  
Program, Local Employment Program, And Oakland Apprenticeship Program When  
Affordable Housing Units Are Uninhabitable And The Urgency Of These Repairs Makes  
Compliance With These Requirements Infeasible; (2) Authorizing An Additional  
Emergency Repair Loan From Coliseum Redevelopment Bond Funds In The Amount Of  
\$300,000 For Emergency Repairs And Associated Costs With Emergency Flooding To  
The Coliseum Connections Project Located At 801 71st Avenue; And (3) Making  
California Environmental Quality Act Exemption Findings  
[23-0091](#)

**Attachments:** [View Report and Attachment A](#)

[View Legislation](#)

**Legislative History**

2/9/23 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*Pursuant to Rule 24, a statement was made on record as to this item bypassing committee*

*Consent*



**2.11** Subject: Correcting The Name Of Unity Council To The Spanish Speaking Unity Council Of Alameda County, Inc  
From: Council President Fortunato Bas  
Recommendation: Adopt A Resolution Amending Resolution No. 89376 C.M.S., Which Among Other Things Granted One Hundred Ten Thousand Five Hundred Dollars (\$110,500) To The Unity Council As Fiscal Sponsor For The Oakland Vietnamese Chamber Of Commerce, In Order To Correct The Name Of Unity Council To The Spanish Speaking Unity Council Of Alameda County, Inc  
[23-0093](#)

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

**Legislative History**

2/9/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Pursuant to Rule 24, a statement was made on record as to this item bypassing committee*

*A Title Change read into record was approved*

*Consent*

**S2.12** Subject: Roadtrip Nation Professional Services Agreement  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Of The City Council Authorizing The City Administrator To (1) Enter Into A Professional Services Agreement With Roadtrip Nation In An Amount Not To Exceed One Hundred Twenty-Five Thousand Dollars (\$125,000) Total To Develop And Launch A Career Exploration And Storytelling Digital Community Hub Designed To Support Oakland's Youth And Young Adults Seeking Job Opportunities Through November 30, 2028; And (2) Waiving The Formal Request For Proposal/Qualifications Process For The Professional Services Agreement  
[23-0029](#)

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

[View Legislation](#)

**Legislative History**

1/19/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
2/14/23	*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 staffs recommendation and forwarded it to the February 21, 2023 City Council Agenda On Consent*

2/16/23      \*Rules & Legislation  
Committee      Approved the Recommendation of Staff, and  
Forward to the \* Concurrent Meeting of the  
Oakland Redevelopment Successor Agency  
and the City Council

*Consent*

**S2.13** Subject:    Apply For CalHome 2023 Grant  
From:            Housing And Community Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Apply  
For, Accept And Appropriate CALHome Grant Funds In An Amount Not To Exceed \$5  
Million From The California Department Of Housing And Community Development 2023  
Homeownership Super Notice Of Funding Availability And (2) Execute A Standard  
Agreement And Any Amendments Thereto In Connection With The California Department  
Of Housing And Community Development 2023 Homeownership Super Notice Of Funding  
Availability  
[23-0045](#)

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

**Legislative History**

1/26/23      \*Rules & Legislation  
Committee      Scheduled to the \*Community & Economic  
Development Committee  
*A title change was read into record*

2/14/23      \*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 staffs recommendation and forwarded it to the  
February 21, 2023 City Council Agenda On Consent*

2/16/23      \*Rules & Legislation  
Committee      Approved the Recommendation of Staff, and  
Forward to the \* Concurrent Meeting of the  
Oakland Redevelopment Successor Agency  
and the City Council

*Consent*

**S2.14** Subject: California Plumbing Code: Appendix M Adoption  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code To Add  
Section 15.04.3.5065 To Adopt Appendix M Of The 2022 California Plumbing Code,  
California Code Of Regulations, Title 24, Part 5, Peak Water Demand Calculator; And  
Adopting Appropriate California Environmental Quality Act Findings  
[23-0076](#)

**Attachments:**      [View Report](#)  
                                 [View Appendix M - CPC](#)  
                                 [View Legislation](#)

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

*FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 7, 2023.*

**Legislative History**

2/2/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
2/14/23	*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 staffs recommendation and forwarded it to the February 21, 2023 City Council Agenda On Consent</i>
2/16/23	*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>

**S2.15** Subject: Amend ABC Security Inc. Contract To Increase Spending Authority  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Increase The Contract With ABC Security Services Inc. In An Amount Of Five Hundred Thousand Dollars Per Month (\$500,000) On A Month-To-Month Basis, For Up To Eight (8) Months In A Total Amount Not To Exceed Four Million, (4,000,000) Until Request For Proposal Number 269336 Is Awarded; And (2) Waive The Competitive Request For Proposal/Qualification Selection Requirement

[23-0107](#)

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

*This item was placed on the agenda by the Rules and Legislation Committee.*

*This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.*

**Legislative History**

2/16/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Consent*

*Rule 24 was stated on the record as to why this item is bypassing committee*

*President Pro Tempore Kalb made a motion seconded by Councilmember Fife to approve the urgency finding on item 3.1 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.*

*Motion passed by 4 Ayes: Fife, Kalb, Ramachandran and Fortunato Bas*

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

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

[23-0109](#)

**Attachments:** [FEBRUARY 16, 2023 CLOSED SESSION REPORTED OUT - California Capita](#)  
[FEBRUARY 16, 2023 CLOSED SESSION REPORTED OUT - The People of th](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JANUARY 31, 2023,  
FEBRUARY 3, 2023, AND FEBRUARY 7, 2023  
[23-0084](#)

**Attachments:** [January 31, 2023 Draft Minutes](#)  
[February 3, 2023 Draft Minutes](#)  
[February 7, 2023 Draft Minutes](#)

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

- S6** Subject: Status of City Hall Reopening  
From: Office Of The City Administrator  
Recommendation: Accept An Oral Report On The Status Of Oakland City Hall Reopening  
[23-0106](#)

*This item was placed on the agenda by the Rules and Legislation Committee.*

*This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.*

**Legislative History**

2/16/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Non-Consent*

*Rule 24 was stated on the record as to why this item is bypassing committee*

*President Pro Tempore Kalb made a motion seconded by Councilmember Fife to approve the urgency finding on item 3.1 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.*

*Motion passed by 4 Ayes: Fife, Kalb, Ramachandran and Fortunato Bas*

- S7** Subject: Informational Report On The Implementation Of The New Progressive Business  
Tax  
From: Council President Fortunato Bas  
Recommendation: Receive An Informational Report From The City Administrator/Finance  
Department On The Implementation Of The New Progressive Business Tax  
[23-0020](#)

**Attachments:** [View Report](#)  
[View Supplemental Report - 2/10/2023](#)  
[View Supplemental Attachment A - 2/10/2023](#)

**Legislative History**

1/23/23	*Finance & Management Committee <i>The Committee made a motion to continue the informational report to the February 13, 2023 Finance And Management Committee.</i>	Continued to the *Finance & Management Committee
1/26/23	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
2/13/23	*Finance & Management Committee <i>The Committee made a motion to receive and forward this informational report to the February 21, 2023 City Council agenda on Non Consent.</i>	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/16/23	*Rules & Legislation Committee  <i>Non-Consent</i>	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

## OPEN FORUM / CITIZEN COMMENTS

### 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.