



# City of Oakland

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

## Meeting Minutes - FINAL \*Rules & Legislation Committee

---

Thursday, February 10, 2022

10:30 AM

Virtual Tele- Conference Via Zoom

---

**Please See The Agenda To Participate In The Meeting**

***The Oakland City Council Rules And Legislation Committee convened at 10:32 AM, with Council President Pro Tem Thao presiding as Chairperson.***

### **Roll Call / Call To Order**

**Present** 4 - Nikki Fortunato Bas, Carroll Fife, Dan Kalb, and Sheng Thao

### **1 PUBLIC COMMENT:**

**COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM**

*9 speakers spoke during public comment.*

### **2 NO DRAFT MINUTES**

### **3 New Scheduling Items**

***Due To The Presence Of Councilmember Taylor, A Quorum Of The City Council Was Noted, And A Motion Was Made By Councilmember Fife And Seconded By President Bas To Adjourn The Meeting Of The Rules And Legislation Committee, And To Convene As A Special Meeting Of The Full Council At 11:17 AM***

**A motion was made by Carroll Fife, seconded by Dan Kalb, that this matter be Approve with the following amendments. The motion carried by the following vote:**

**Aye:** 4 - Fortunato Bas, Fife, Kalb, and Thao

**NO VOTE:** 0

**3.1** Subject: Community Benefits And Freight Compatibility For Howard Terminal Project  
From: President Fortunato Bas, Vice Mayor Kaplan, Councilmember Kalb  
Recommendation: Adopt A Resolution Requiring City Council Action On Community Benefits And Freight Compatibility, Concurrently With Or Prior To, Consideration And Approval Of A Development Agreement With The Athletics Investment Group LLC D/B/A The Oakland Athletics For The Proposed Waterfront Ballpark District Project To Be Developed On That Portion Of The Port Area That Is Commonly Known As The Charles P. Howard Terminal And Is Located Along The Inner Harbor Of The Oakland-Alameda Estuary

[22-0097](#)

**Attachments:** [View Memo](#)  
[View Legislation](#)  
[89044 CMS](#)

**This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 2/14/2022**

**3.2** Subject: Update To Truck Routes And Truck Prohibited Streets Ordinance  
From: Planning And Building Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Sections 10.28.145 And 10.28.160 Of The Oakland Municipal Code To Limit Truck Parking In West Oakland; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And

[22-0087](#)

**Attachments:** [View Report](#)  
[View Attachment F](#)  
[View Attachments A - E](#)  
[View Legislation](#)  
[View Supplemental Report And Attachments - 3/3/2022](#)

**This Ordinance be Scheduled.to go before the \*Special Public Works Committee to be heard 2/22/2022**

2) An Ordinance Amending Sections 10.52.060 And 10.52.120 Of The Oakland Municipal Code To Update Truck Prohibited Streets And Designate New Truck Routes, Respectively; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

[22-0088](#)

**Attachments:** [View Legislation](#)  
[View Supplemental Report And Attachments - 3/3/2022](#)

**This Ordinance be Scheduled.to go before the \*Special Public Works Committee to be heard 2/22/2022**

**3.3** Subject: City Planning Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ron Jones To The City Planning Commission  
[22-0096](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89055 CMS](#)

**This City Resolution be Scheduled.to go before the \*Rules & Legislation Committee to be heard 2/24/2022**

**3.4** Subject: 465 63rd Street Appeal By Property Owner  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Three Options:

1) Adopt A Resolution Denying The Appeal Of Appellant Kobie Lyons And Upholding The Decision Of The Independent Hearing Officer Regarding Housing Condition At 465 63rd Street (Complaint No. 1901763); Or  
[21-0826](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Attachment D](#)  
[View Attachment E](#)  
[View Attachment F](#)  
[View Attachment G](#)  
[View Attachment H](#)  
[View Attachment I](#)  
[View Attachment J](#)  
[View Legislation](#)

***A Title Change was read into record, And Scheduled to the March 1, 2022 City Council meeting as a Public Hearing.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

Provided The City Council Can Make The Appropriate Findings:

2) A Motion Directing Staff To Prepare A Resolution For Future City Council Consideration To Deny The Appeal With Additional Conditions; Or [21-0827](#)

*A Title Change was read into record, And Scheduled to the March 1, 2022 City Council meeting as a Public Hearing.*

**This Report and Recommendation be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

3) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Uphold The Appeal [21-0828](#)

*A Title Change was read into record, And Scheduled to the March 1, 2022 City Council meeting as a Public Hearing.*

**This Report and Recommendation be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

**3.5** Subject: Oakland Alameda Access Project Historic Resources MOA  
From: Transportation Department  
Recommendation: Adopt A Resolution Directing The City Administrator To Sign A Memorandum Of Agreement Between The California Department Of Transportation And The California State Historic Preservation Officer Regarding Oakland Alameda Access Project Compliance With Section 106 Of The National Historic Preservation Act And Associated Stipulations [22-0086](#)

Attachments: [View Report](#)  
[View Legislation](#)  
[89050 CMS](#)

**On Consent**

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

- 3.6** Subject: Professional Services Agreement With Childcare Careers, LLC  
From: Human Services Department  
Recommendation: Adopt A Resolution Waiving The City Of Oakland's Request For Proposal/Qualification Process For As-Needed Head Start Staffing Services And Awarding A Professional Services Agreement To Childcare Careers, LLC For Said Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For Fiscal Years 2021-2023  
[22-0089](#)

***On Consent***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

- 3.7** Subject: State Rental Assistance Round Two Fund Award Amendment  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Amending Resolution No. 88800 C.M.S., Which, Among Other Things, Accepted And Appropriated Round 2 State Rental Assistance ("SRA2") Program Funds Awarded By The California Department Of Housing And Community Development ("CHCD"), To Clarify The City Of Oakland's Intent To Be Bound By The Terms Of The SRA2 Grant Agreement As Requested By The CHCD Legal Affairs Division  
[22-0090](#)

**Attachments:** [View Report And Attachment A](#)  
[View Legislation](#)  
[89052 CMS](#)

***A Title Change was read into record. On Consent.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

**3.8** Subject: 2022 As-Needed Pavement Rehabilitation Services  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Waiving Further Advertising, Competitive Bidding, And Authorizing The City Administrator To Negotiate And Award Construction Contracts To 1) Gallagher & Burk 2) Mcguire & Hester And 3) O.C. Jones & Sons Provided That All Meet The Contractor’s Bid Schedule Of The Lowest Responsible Bid Of Gallagher & Burk, For As-Needed Pavement Rehabilitation Services (Project Number 1006103) In Accordance With The Project Plans And Specifications And The Lowest Responsible Bidder In Accordance With Contractor’s Bid In An Amount Not To Exceed Thirteen Million, Six Hundred Fifty-Seven Thousand, Five Hundred Dollars (\$13,657,500.00) Each, Without Return To Council, And 4) Adopting Appropriate California Environmental Quality Act (CEQA) Findings;

[22-0091](#)

*A Title Change was read into record. On Non Consent*

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

2) A Resolution Awarding A Construction Contract For As-Needed Pavement Rehabilitation Services (Project 1006104) To Gallagher & Burk, The Lowest Responsible Bidder, In Accordance With The Project Plans And Specifications And Contractor’s Bid In An Amount Not To Exceed Thirteen Million, Six Hundred Fifty-Seven Thousand, Five Hundred Dollars (\$13,657,500.00), Without Return To Council, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings, And

[22-0092](#)

*A Title Change was read into record. On Non Consent*

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

3) A Resolution And Awarding A Construction Contract For As-Needed Pavement Rehabilitation Services (Project 1006105) To Gallagher & Burk, The Lowest Responsible Bidder, In Accordance With The Project Plans And Specifications And Contractor’s Bid In An Amount Not To Exceed Five Million, Seventy-Two Thousand, Five Hundred And Thirty Dollars (\$5,072,530.00), Without Return To Council, And Adopting Appropriate California Environmental Quality Act (CEQA ) Findings

[22-0093](#)

*A Title Change was read into record. On Non Consent*

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

- 3.9** Subject: Official Newspaper  
From: Office Of The City Administrator  
Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt A Resolution Designating The East Bay Times As An Official Newspapers For The City Of Oakland

[NEW TITLE]

Adopt A Resolution Designating The East Bay Times, Oakland Post, And El Mundo As Official Newspapers For The City Of Oakland Pursuant To Chapter 1.06 Of The Municipal Code; On The April 19, 2022 City Council Agenda On Consent  
[22-0102](#)

**This City Resolution be No Action Taken.**

- 3.10** Subject: Violent Crime Investigations Management  
From: Councilmember Taylor And Fife  
Recommendation: Adopt A Resolution Directing The City Administrator To Return To Council By April 2022 With 1) A Report On The Current And Historical Clearance Rates Of Violent Crimes And 2) A Plan To Create And Implement An Investigations Management Database And A Corresponding Clearance Rates Dashboard To Track The Progress In Clearing Cases, To Ensure Accountability For Perpetrators Of Violent Acts Against Oaklanders, Bring Closure For Violent Crime Victims And Their Families, And Deter Potential Violent Acts; On The March 8, 2022 Public Safety Committee Agenda  
[22-0046](#)

*A Title Change was read into record, and Councilmember Fife requested to be added as a cosponsor.*

*The Rules Committee scheduled this item to the May 10, 2022 Public Safety Committee.*

**This City Resolution be Scheduled.to go before the \*Public Safety Committee to be heard 5/10/2022**

**3.11** Subject: Cannabis Local Jurisdiction Assistance Grant  
From: Economic Workforce And Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To:

(1) Apply For And Accept Nine-Million Nine-Hundred And Five Thousand And Twenty Dollars (\$9,905,020) In State Of California Local Jurisdiction Assistance Grant Program Funds; And

(2) Appropriate The Local Jurisdiction Assistance Grant By: (A) Funding Staff In The Economic And Workforce Development, Planning And Building, And Fire Departments In The Amount Of Four Million Seven-Hundred And Ninety-Nine Thousand Seven Hundred And Nine Dollars (\$4,799,709); (B) Funding Permit Technology Systems In The Amount Of Four-Hundred And Thirty Thousand Dollars (\$430,000); (C) Award Grants To Support The Transition To Annual State Licenses For Cannabis Equity Applicants In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant To Be Determined And Without Return To City Council In A Cumulative Amount Of One Million Seven Hundred And Twenty-Two Thousand Six-Hundred And Fifty-Five Dollars And Fifty Cents (\$1,722,655.50); (D) Award Grants For Business Security Purposes To Provisionally Licensed Cannabis Applicants In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant To Be Determined And Without Return To City Council In A Cumulative Amount Of One Million Seven Hundred And Twenty-Two Thousand Six-Hundred And Fifty-Five Dollars And Fifty Cents (\$1,722,655.50); And (E) Allocating Funding In The Amount Of One Million Two Hundred And Thirty Thousand Dollars (\$1,230,000) For Consultants To Be Selected Through Competitive Request For Proposal Processes To Administer Grant Programs And Provide Technical And Legal Assistance To Cannabis Equity Applicants; And

[22-0094](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89064 CMS](#)

**On Consent.**

**This City Resolution be Scheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**



2) An Ordinance Changing Permitting Requirements For Cannabis Businesses By: (1) Amending Oakland Municipal Code Sections 5.80.050 And 5.81.060 To Allow A Cannabis Business Permit Applicant Who Previously Met The Income And Oakland Residency Criteria To Qualify As An "Equity Applicant" To Receive Equity Assistance Program Services Up To Eight Years From The Date Such Applicant Was Verified As An Equity Applicant, Regardless Of The Applicant's Current Income Or Residency; And (2) Adopting CEQA Exemption Findings  
[22-0095](#)

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

***On Consent.***

**This Ordinance be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

- 3.12** Subject: Oakland's Youth Summer Jobs Program  
From: Councilmember Fife, Pro Tem Thao, Vice Mayor Kaplan, And President Bas  
Recommendation: Adopt A Resolution Establishing Objectives To Scale Up And Make More Visible The City Of Oakland's Youth Summer Jobs Program By:
1. Seeking State Funding, Leveraging Private Sources, And Prioritizing Additional Allocations During The Mid-Cycle Budget Amendment Process To Support The Participation Of At Least Two Thousand (2000) Young People, And Expand Age Eligibility, To Create More Opportunity And Economic Security For Oakland's Youth And Families;
  2. Better Integrating The Administration, Funding, Contracting, And Coordination Of The Program Among All Departments Involved, And Creating A Specific And Easily Accessible Website That Would Allow More Employers And Donors To Participate; And
  3. Creating A Robust Outreach Plan To Help Popularize The Program And Reach The Most Under-Resourced And Underserved Communities, Including Outreach To Community-Based Organizations Doing Job Training And Job Matching; And
  4. Expanding Opportunities Including Summer Jobs To Clean And Improve Our City, And Funding Blight Removal And Beautification Programs, And Expanding City Of Oakland Positions For Youth To Summer And Year-Round Work

[22-0098](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89065 CMS](#)

***Council President Bas requested to be a cosponsor.***

**This City Resolution be Scheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

**3.13** Subject: Appeal Of 1396 5th Street Project  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing An Upon Conclusion Adopt One Of The Following Three Options:

1) A Resolution Denying the Appeal By East Bay Residents For Responsible Development And Thus Upholding The Planning Commission’s Environmental Determination And Approval Of A Proposal To Construct 222 Dwelling Units On The Existing Vacant Lot Located At 1396 5th Street, Oakland CA (Project Case No. PLN 20-101); Or  
[22-0099](#)

***A Public Hearing***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

Provided the City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Deny The Appeal With Additional Conditions; Or  
[22-0100](#)

***As A Public Hearing.***

**This Report and Recommendation be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

3) A Resolution Continuing The Appeal By East Bay Residents For Responsible Development Of A Proposal To Construct 222 Dwelling Units On The Existing Vacant Lot Located At 1396 5th Street, Oakland CA (Project Case No. PLN20-101), And Directing The Preparation Of Further Environmental Analysis On The Topic Of Hazards And Hazardous Materials Prior To Return Of The Appeal To City Council  
[22-0101](#)

***As A Public Hearing.***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

**RECOMMENDATIONS FROM FINANCE AND MANAGEMENT COMMITTEE**

- 3.14** Subject: Vacancy Rates Of Transportation, Planning And Building, And Public Works Departments  
From: President Pro Tempore Thao And Councilmember Gallo  
Recommendation: Receive An Informational Report From The City Administrator Regarding The Vacancy Rates Of The Departments Of Transportation, Planning And Building, And Public Works And The Vacancy Rates Of Similar Departments Of Local Public Entities  
[21-0585](#)

**Attachments:** [View Report](#)  
[View Attachments A-H](#)

**This Informational Report be Continued.to go before the \*Finance & Management Committee to be heard 4/11/2022**

- 3.15** Subject: Report And Recommendation On Public Safety City Facilities  
From: Vice Mayor Kaplan And Council President Fortunato Bas  
Recommendation: Approve A Report And Recommendation For Actions To Initiate And Fund The Acquisition/Construction Of New Multi-Service City Facilities, With Space For Mobile Assistance Community Responders Of Oakland, Department Of Violence Prevention, And More, Including In Central Oakland (To Include The Relocation Of Fire Station 4 (FS4)) And East Oakland (To Include Police Administration And Fire Station 29), And Disposition Of Existing Sites That Would Be Made Available. Such Report Shall Include Multiple Options For The Fire Station 4 Relocation In Central Oakland Including Costs, Potential Funding Sources, Timelines And Approvals Needed, As Well As Phasing Considerations To Ensure The Expedient Relocation Of FS4 To Protect The Health, Safety And Welfare Of The General Public And Station 4 Firefighters; And Include Analysis Of Which Duties, Functions And Personnel, Including Duties That Are Currently Housed At The Broadway And 7th Street Facility, Could Be Housed In Other Existing City Facilities Including City Hall Plaza And Eastmont, Working With Such Personnel To Identify Best Uses And Space And Equipment Needs, And As Well As Refining Scope Based On Prior Police Administration Building Study For New Central Oakland And East Oakland Multi-Service Facilities  
[TITLE CHANGE]  
[21-0647](#)

**Attachments:** [View Report](#)  
[View Supplemental Report - Kaplan 10/7/2021](#)  
[View Supplemental Report - CAO 10/7/2021](#)  
[View Supplemental Report - 2/3/2022](#)

***The Committee approved the committees recommendation, and forwarded it to the February 15, 2022 City Council meeting on Consent.***

**This Informational Report be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022**

**3.16** Subject: A NODO For Parcel Bounded By 7th St., Broadway, Washington St., & 6th St.  
From: Vice Mayor Kaplan And Councilmember Fife  
Recommendation: Adopt A Resolution Authorizing And Directing The City Administrator To Issue A Notice Of Development Opportunity For A Mixed Use Project, Including Affordable Housing, On The City-Owned Parcel Bounded By 7th Street, Broadway, Washington Street, And 6th Street Now Occupied By The Police Department Administration Building  
[TITLE CHANGE ]  
[21-0957](#)

- Attachments:** [View Report](#)  
[View Legislation](#)  
[View Supplemental Report - 2/3/2022](#)  
[View Supplemental Legislation - 2/3/2022](#)  
[89037 CMS](#)

*The Committee approved the committees recommendation, and forwarded it to the February 15, 2022 City Council meeting on Consent.*

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/15/2022**

**3.17** Subject: FY2021-23 CIP Amendment To Combine Two OPD Projects  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Amending Resolution No. 88717 C.M.S., Which Adopted The City Of Oakland Biennial Budget For Fiscal Years 2021-23, To Modify The Adopted Capital Improvement Plan To Combine Two Projects For The Oakland Police Department And Provide An Updated Project Description As Set Forth In Exhibit 1 To This Resolution  
[22-0059](#)

- Attachments:** [View Report](#)  
[View Legislation](#)  
[89038 CMS](#)

*The Committee approved the committees recommendation, and forwarded it to the February 15, 2022 City Council meeting on Consent.*

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/15/2022**

## **RECOMMENDATIONS FROM PUBLIC SAFETY COMMITTEE**

**3.18** Subject: Report On Independent Investigation On Bey Cases  
From: Vice Mayor Kaplan  
Recommendation: Receive An Informational Report On The Investigation Into The Bey Cases, And Discuss Recommendations For Action To Bring About Reconciliation And Restoration  
[20-0692](#)

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

[View Supplemental Report - 5/7/2021](#)

[View Supplemental Report - 5/14/2021](#)

[View Supplemental Report Oakland's Black Officers Association - 5/14/2021](#)

[View Supplemental Report - 7/2/2021](#)

[View Supplemental Report - Police Commission 11/1/2021](#)

[View Supplemental Report - 2/3/2022](#)

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 3/8/2022**

**3.19** Subject: Action Plan Regarding Recruitment, Hiring And Retention Plans And Strategies  
From: Councilmember Gallo, President Fortunato Bas And Pro Tem Pore Thao  
Recommendation: Receive An Informational Report With Detailed Recommendations For An Action Plan From The City Administrator And The Oakland Police Chief Regarding Recruitment, Hiring And Retention Plans And Strategies To Recruit Police Officers, As Well As Data On Attrition For The Past Ten Years Including Demographics, Tenure And Specific Reasons For Leaving; Costs Of Academies; And Costs Of Pre-Academies. For Officers Who Cite "Lack Of Confidence In OPD Leadership" Provide Specific Reason For Leaving, Including Discipline By OPD/Chief Or CPRA. All To Protect The Citizens Of Oakland Prior To Engaging Additional Consultants And Making Financial Commitments  
[21-0949](#)

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

[View Report Attachment A](#)

[View Report Attachment B](#)

**This Informational Report be Scheduled.to go before the \*Public Safety Committee to be heard 3/8/2022**

**3.20** Subject: Implementation Of The Council Public Safety Budget Policy Directives  
 From: President Fortunato Bas  
 Recommendation: Approve A Report And Recommendation Directing The Administrator To Report Back On The Implementation Of The Council Public Safety Budget Policy Directives, Including Status Of Conducting (1) An Analysis Of Calls For Service And Recommendations To Transfer Certain Calls To Alternative Response By April 2022, (2) An Independent Audit Of The Police Department By December 2022, And (3) Analysis Of Restructuring Investigation Units To Improve Solve Rates By Increasing Civilian Staff And Reducing Sworn Staff  
 [TITLE CHANGE]  
[21-0932](#)

- Attachments:** [View Report](#)  
[View Supplemental Report - 2/24/2022](#)  
[View Supplemental Report - 3/3/2022](#)

**This Report and Recommendation be Scheduled to go before the \*Public Safety Committee to be heard 3/8/2022**

**4** Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
[22-0031](#)

- Attachments:** [February 15, 2022 City Council Agenda](#)  
[February 17, 2022 Special City Council Agenda Agenda](#)  
[February 17, 2022 Rules And Legislation Committee Agenda](#)  
[Finance And Management Committee Pending List](#)  
[Public Works Committee Pending List](#)  
[Community And Economic Development Pending List](#)  
[Life Enrichment Committee Pending List](#)  
[Education Partnership Committee Pending List](#)  
[Public Safety Committee Pending List](#)  
[Rules And Legislation Committee Pending List](#)  
[February 22, 2022 Draft Special Public Works Committee Agenda](#)  
[February 22, 2022 Draft Special Community And Economic Development Committee Agenda](#)  
[February 24, 2022 Draft Rules And Legislation Committee Agenda](#)

**A motion was made by Carroll Fife, seconded by Sheng Thao, that this matter be Accepted as Amended. The motion carried by the following vote:**

**Aye:** 4 - Fortunato Bas, Fife, Kalb, and Thao

**NO VOTE:** 0

## CHANGES MADE TO THE PREVIOUSLY DISTRIBUTED FEBRUARY 15, 2022 CITY COUNCIL AGENDA

*Council President Fortunato Bas changed the start time of the February 15, 2022 City Council Meeting to 1PM, making it a Special City Council Meeting.*

## CHANGES MADE TO THE PREVIOUSLY DISTRIBUTED FEBRUARY 17, 2022 SPECIAL CITY COUNCIL AGENDA

Subject: Accept And Appropriate RAISE Grant

From: Transportation Department

Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Accept And Appropriate United States Department Of Transportation Rebuilding American Infrastructure With Sustainability And Equity (Raise) Grant Program Funds Totaling Fourteen Million Five Hundred And Seven Thousand Seventy-Five Dollars (\$14,507,075) Awarded To The City Of Oakland For The Reconnecting The Town: Safe, Reliable And Equitable Access Project, Subject To Procurement Of Twenty-Nine Million, Three Hundred Seven Thousand, Five Hundred Twenty-Eight Dollars (\$29,3107,528) To Meet Full Matching Requirement Of The Raise Grant Program; And (2) Authorizing The City Administrator To Take All Steps Necessary To Apply For And Receive Additional Funds Necessary To Meet The Matching Requirement Of The Raise Grant Program

[TITLE CHANGE]

[22-0077](#)

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

[View Legislation](#)

[View Supplemental Legislation - 2/10/2022](#)

[89039 CMS](#)

*A Title Change was read into record and the Rules committee approved the motion to withdraw this item from the February 17, 2022 Special City Council Agenda and Reschedule it to the February 15, 2022 City Council Agenda on Consent.*

**This City Resolution be \* Withdrawn and Rescheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/15/2022**



Subject: Staffing For Town For All Program Implementation  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing, Subject To Fund Availability, The Addition Of The Following Permanent Positions To Support The Implementation Of Major Projects:

A. 1.00 Full Time Equivalent Transportation Manager; 1.00 Full Time Equivalent Senior Transportation Planner; 1.00 Full Time Equivalent Transportation Planner III; 1.00 Full Time Equivalent Transportation Planner II; 1.00 Full Time Equivalent Supervising Civil Engineer; Up To 3.00 Full Time Equivalent Civil Engineer; Up To 3.00 Full Time Equivalent Assistant Engineer II; 1.00 Full Time Equivalent Project Manager I; 1.00 Full Time Equivalent Program Analyst III; 1.00 Full Time Equivalent Accountant III In The Department Of Transportation; And

B. 1.00 Full Time Equivalent Business Analyst III And 1.00 Full Time Equivalent Administrative Analyst II Positions Shared Between The Department Of Transportation And Oakland Public Works

[TITLE CHANGE]

[22-0079](#)

- Attachments:** [View Report](#)  
[View Report Appendix A](#)  
[View Report Appendix B](#)  
[View Legislation](#)  
[View Supplemental Report - 2/17/2022](#)  
[View Supplemental Legislation - 2/17/2022](#)  
[View Supplemental Report - 2/24/2022](#)  
[View Supplemental Legislation - 2/24/2022](#)  
[89059 CMS](#)

***A Title Change was read into record and the Rules committee approved the motion to withdraw this item from the February 17, 2022 Special City Council Agenda and Reschedule it to the March 1, 2022 City Council Agenda on Non Consent.***

**This City Resolution be \* Withdrawn and Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

2) A Resolution Waiving Further Advertising, Competitive Bidding, And Authorizing The City Administrator To Negotiate And Enter Into A Sole Source Contract With Diablo Engineering Group, A Local Women-Owned Minority Business Meeting The City's Small/Local Business Enterprise Program, In An Amount Not To Exceed Five Million, Five Hundred Thousand Dollars (\$5,500,000.00), To Provide Technical Project Management Support And Expedite The Delivery Of Critical Milestones For The Implementation Of The Town For All Projects, Subject To Funding Availability  
[NEW TITLE]

[22-0080](#)

- Attachments:** [View Report](#)  
[View Report Appendix A](#)  
[View Report Appendix B](#)  
[View Legislation](#)  
[View Supplemental Report - 2/17/2022](#)  
[View Supplemental Legislation - 2/17/2022](#)

***A Title Change was read into record and the Rules committee approved the motion to withdraw this item from the February 17, 2022 Special City Council Agenda and Reschedule it to the March 1, 2022 City Council Agenda on Non Consent.***

**This City Resolution be \* Withdrawn and Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/1/2022**

## CHANGES MADE TO THE PUBLIC SAFETY PENDING LIST

Subject: Oakland Police Department Negotiated Settlement Agreement Status Update  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From The Oakland Police Department On Progress Toward Compliance With The Negotiated Settlement Agreement (NSA)

[22-0019](#)

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

***This Oral Update was title changed to reflect an "Informational Report" under item #4 at the February 10, 2022 Rules And Legislation Committee.***

**This Report and Recommendation be Scheduled.to go before the \*Public Safety Committee to be heard 2/8/2022**

Subject: Security Cameras In East Oakland Business Corridors Update  
From: Councilmember Taylor And Reid  
Recommendation: Receive An Informational Report From The City Administrator Providing An Update On The Implementation Of The Fiscal Year 2021-23 Biennial Budget Amendment Which Appropriated One Hundred And Fifty Thousand Dollars (\$150,000) For The Economic And Workforce Development Department To Administer Grants For The Installation Of Surveillance Cameras In Business Corridors In East Oakland In the Fiscal Year 2021-22

[22-0045](#)

*The February 10, 2022 Rules And Legislation withdrew this item from the Public Safety pending list and rescheduled it to the March 15, 2022 City Council Agenda on Non Consent.*

*Councilmember Fife was added as a cosponsor.*

*This City Resolution be \* Withdrawn and Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/15/2022*

## **CHANGES MADE TO THE DRAFT FEBRUARY 22, 2022 SPECIAL PUBLIC WORKS COMMITTEE AGENDA**

Subject: Caltrans Annual Report  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report On The Annual Progress Of Caltrans Activities In The City Of Oakland

[22-0075](#)

*This duplicate Report was withdrawn from the Special Public Works Agenda.*

*This Informational Report be Withdrawn with No New Date.*

## **CHANGES MADE TO THE DRAFT FEBRUARY 22, 2022 SPECIAL COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA**

Subject: Resolution To Authorize Section 108 Funds  
From: Housing And Community Development Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing The City Administrator To (1) Apply For, Accept, And Appropriate Funds From The United States Department Of Housing And Urban Development (HUD) Under The Section 108 Loan Guarantee Program For Approximately \$34 Million, Not To Exceed Five Times The City's Current Community Development Block Grant Less Outstanding Section 108 Loans And Commitments; (2) Award Section 108 Funds To Projects Without Returning To Council; And (3) Prepare And Submit To HUD A Substantial Amendment To The City's 2021/22 Annual Action Plan To Include A Summary Of Section 108 Planned Activities  
[22-0057](#)

**Attachments:** [View Report And Attachment A](#)  
[View Legislation](#)  
[View Supplemental Legislation - 2/25/2022](#)  
[89056 CMS](#)

*A Title Change was read into record.*

*This item is also scheduled as a Public Hearing.*

**This City Resolution be Scheduled to go before the \*Special Community & Economic Development Committee to be heard 2/22/2022**

## **5 Determinations Of Closed Session**

**NO CLOSED SESSION REPORT OUT, NO ACTION NEEDED**

**S6** Subject: Library Services Retention And Enhancement Extension  
From: President Fortunato Bas, Councilmember Kalb And President Pro Tem Thao  
Recommendation: Adopt A Resolution 1) On The City Council's Own Motion Submitting To The Voters At The June 7, 2022 Election, A Proposed Ordinance Extending The Library Services Retention And Enhancement Act Of 1994 (The "Act") And Making Certain Amendments To The Act; And 2) Directing The City Clerk To Take All Actions Necessary Under Law To Prepare For And Conduct The June 7, 2022 Municipal Election [21-0958](#)

- Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Legislation](#)  
[View Amended Legislation 2/10/2022](#)  
[89043 CMS](#)

**Council President Bas made a motion seconded by Councilmember Kalb to approve the urgency finding on item S6 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 {choose one of the 3 below for the face of the agenda}*

*(1) 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: Fortunato Bas, Fife, Kalb, and Thao*

**Councilmember Kalb introduced the following amendments;**

**On Page 5, Section 4 Part (A) the rate was amended to read "\$114.51 per parcel";**

**On Page 8, Section 8 Header amended to read "SECTION 8. Minimum Library Appropriation Prerequisite";**

**On Page 8, Section 8(A) amended to read "For each year this tax is in effect, the city council may collect this tax only if the city's general purpose fund appropriation for Library services is at least \$14,500,000.00";**

**On Page 9, Section 8(B) amended to read "Notwithstanding the minimum General Purpose Fund appropriation requirement in subsection (A) above , the City may levy and collect this tax if 1) a severe and unanticipated financial or other event occurs that so adversely impacts the General Purpose Fund the City is unable to budget for the Library's General Purpose Fund appropriation at the required minimum amount of \$14,500,000, and 2) the City's reduction to the Library Department's General Purpose Fund appropriation is no more than the reduction to the City's net General Purpose Fund budget for non-safety departments (which are all operating departments, except police and fire). This exception shall apply only if the City Administrator submits a report to the City Council explaining the severe and unanticipated event, the steps that were taken by the City to avoid the need to reduce the Library's General Purpose Fund appropriation and the steps the City will**

*take in the future to restore the Library's General Purpose Fund. Such actions must be taken for each fiscal year in which the City fails to meet the minimum appropriation requirements set forth in subsection (A).*

*The City's net General Purpose Funds budget for non-safety departments is the total General Purpose Fund appropriation to their operating budgets excluding expenditures that are offset by fees or other non-tax revenues. Following any Library Department General Purpose Fund appropriation reduction from the minimum level of \$14,500,000 and for the parcel tax to be levied in any subsequent year, the Library Department must receive increases in its General Purpose Fund appropriation proportional to the increases in the non-safety departments' net General Purpose Fund budgets up to at least the minimum level of \$14,500,000.";*

*On Page 9, Section 10 amended to read "A. Biennial Audit. The City Auditor shall perform a biennial audit of the collection and expenditure of all revenue generated by this tax to ensure accountability and the proper disbursement of the tax proceeds in accordance with the objectives stated herein.*

*B. Annual Accountability Report. The City shall comply with the annual report requirement set forth in Government Code sections 50075.1 and 50075.3.*

*C. Citizen Oversight. The City Council shall designate or appoint a body composed of Oakland residents to make recommendations and review the expenditures of the funds."; And*

*On Page 13, The Ballot Question Single Family Residential parcel rate amended to read "\$114.51"*

*Council President Pro Tempore Thao was added as a cosponsor.*

*This City Resolution be Approved as Amended the Recommendation of Staff, and Forward to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/15/2022*

**Abstained:** 1 - Fife

**Aye:** 3 - Fortunato Bas, Kalb, and Thao

**NO VOTE:** 0

**Open Forum**

*8 speakers spoke during Open Forum.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 12:42 p.m.*

## **Americans With Disabilities Act**

**If you need special assistance 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**

**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 8:30AM TO 5:00PM**

**\* In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.**