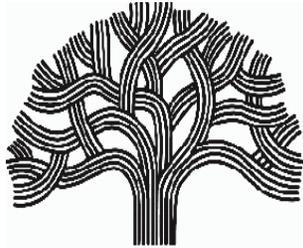


# City of Oakland

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



CITY OF OAKLAND

## **Meeting Agenda - SUPPLEMENTAL**

**Thursday, April 13, 2023**

**10:30 AM**

**City Council Chamber, 3rd Floor**

### **\*Rules & Legislation Committee**

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

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

**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/85644242981> at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Meeting ID: 856 4424 2981

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. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING 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](mailto:Cityclerk@Oaklandca.Gov). Written Comments Must Be Submitted At Least 24 Hours Prior To The Meeting Time To Be Delivered To Committee 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](mailto: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.**

**• 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.

## COMMITTEE MEMBERSHIP:

*Councilmember Carroll Fife, District 3; President Pro Tempore Dan Kalb, District 1;  
Councilmember Janani Ramachandran, District 4; Chairperson: Council President Nikki  
Fortunato Bas, District 2*

### 1 Roll Call / Call To Order

- 2 Approval Of The Draft Minutes From The Committee Meeting Of March 23, And March 30, 2023

[23-0229](#)

Attachments: [Draft March 23, 2023 Rules Minutes](#)

[Draft March 30, 2023 Rules Minutes](#)

### 3 New Scheduling Items

- 3.1** Subject: Extended Funding For Coliseum Connections Tenant Shelter  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Amending Resolution 89591 C.M.S., Which Authorized The City Administrator To Receive Federal Emergency Management Agency (FEMA) Reimbursement And Secure Emergency Non-Congregate Shelter For Displaced Residents Of The Coliseum Connections Project, To (1) Increase The Expenditure Authority From Two Million Dollars (\$2,000,000) To Three Million Three Hundred Thousand Dollars (\$3,300,000), (2) Extend The Authority To Contract For Lodging Through June 30, 2023, Or The Completion Of Repairs, Whichever Occurs First, And (3) Increase The Appropriation For The Required FEMA Local Match From One Hundred Twenty Five Thousand (\$125,000) To Two Hundred Seven Thousand Dollars (\$207,000); On The April 18, 2023 City Council Agenda On Consent  
[23-0296](#)
- 3.2** Subject: Assignment Of The 2022 Affordable Housing Infrastructure Bond Measure To The Affordable Housing And Infrastructure Public Oversight Committee  
From: Finance Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13619 C.M.S, Which Established The Affordable Housing And Infrastructure Public Oversight Committee, To Assign To The Committee The Responsibility For Oversight Of The 2022 Affordable Housing And Infrastructure Bond (Measure U) And Make Non-Substantive Technical Edits; On The April 25, 2023 Finance And Management Committee Agenda  
[23-0292](#)
- 3.3** Subject: Fiscal Agent Change For Youth Joint Powers Authority  
From: Human Services Department  
Recommendation: Adopt A Resolution Amending Resolution No. 89180 C.M.S. Regarding The Youth Ventures Joint Powers Authority (YVJPA) Grant In The Amount Of \$150,000 Per Year For Fiscal Years 2021-2022 And 2022-2023, For The City Of Oakland's Annual Contributions To The YVJPA, To Change Its Fiscal Agent From Marcus A. Foster Educational Institute To Philanthropic Ventures Foundation; On The April 25, 2023 Life Enrichment Committee Agenda  
[23-0291](#)
- 3.4** Subject: Grant Agreements To OUSD And Community Kitchens, Inc  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution: (1) Awarding A Grant Agreement To The Oakland Unified School District Not To Exceed One Million Dollars (\$1,000,000) In Accordance With City Council Budget Appropriations And Allocations As Adopted By Resolution No. 88717 C.M.S.; And (2) Awarding A Grant Agreement To The Community Kitchens, Inc. For An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) In Accordance With City Council Budget Appropriations And Allocations As Adopted By Resolution No. 897367 C.M.S.; On The April 25, 2023 Life Enrichment Committee Agenda  
[23-0293](#)

**3.5** 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 East Bay Municipal Utility District (EBMUD) And The City Of Oakland From July 1, 2023 To June 30, 2033.; On The May 2, 2023 City Council Agenda On Consent  
[23-0299](#)

**3.6** Subject: Fiscal Year (FY) 2023-24 Landscaping And Lighting District (LLAD) - Intention  
From: Finance Department  
Recommendation: Adopt A Resolution: (1) Approving The City Of Oakland Landscaping And Lighting Assessment District (LLAD) Fiscal Year (FY) 2023-24 Preliminary Engineer's Report; And (2) Declaring The Intention To Levy And Collect The Annual LLAD Assessment For FY 2023-24; And (3) Setting May 6, 2023 At 4:00 P.M. As The Date And Time For A Public Hearing; On The May 9, 2023 Finance And Management Committee Agenda  
[23-0257](#)

Legislative History

3/30/23	*Rules & Legislation Committee	Withdrawn with No New Date
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**3.7** Subject: Fixed-Wing Aircraft  
From: Councilmember Kaplan And Councilmember Fife  
Recommendation: Receive An Informational Report On The Cost Of Purchasing A Fixed-Wing Aircraft Including But Not Limited To: (1) The Estimated Cost For A Down Payment To Purchase A Fixed-Wing Aircraft; (2) Available Financing Options To Purchase A Fixed-Wing Aircraft; (3) The Estimated Cost To Retrofit A Fixed-Wing Aircraft To Meet The City's Needs; (4) Changes To Retrofit The Aircraft To Meet The City's Needs; (5) The Estimated On-Going Maintenance Costs Of A Fixed-Wing Aircraft Compared To The Current Cost Of Maintaining The Helicopters; (6) A Cost-Benefit Comparison Of Only Using A Retrofitted Fixed-Wing Aircraft Versus Using Both The Fixed-Wing Aircraft And Helicopters; (7) Identifying City Funding Sources For The Purchase Of A Fixed-Wing Aircraft; And (8) A Proposal To Reduce And Ultimately Stop The Use Of The Helicopters In Lieu Of The Fixed-Wing Aircraft; On The May 9, 2023 Public Safety Committee Agenda  
[23-0295](#)

- 3.8 Subject: OPD Federal Task Force Annual Reports  
From: Oakland Police Department  
Recommendation: Receive An Informational Report Of Oakland Police Department’s Federal Law Enforcement Agency Task Force Annual Reports; On The May 23, 2023 Public Safety Committee Agenda  
[23-0116](#)
  
- 3.9 Subject: Annual Oakland Area GHAD Budget  
From: Oakland Area GHAD  
Recommendation: Adopt Resolution 2023/XX Adopting The Annual Oakland Area GHAD Budget For Fiscal Year 2023/2024; On The June 20, 2023 City Council Agenda  
[23-0297](#)
  
- 3.10 Subject: Annual Leona Quarry GHAD Budget  
From: Oakland Area GHAD  
Recommendation: Adopt Resolution 2023/XX Adopting the Annual Leona Quarry GHAD Budget for Fiscal Year 2023/2024; On The June 20, 2023 City Council Agenda  
[23-0298](#)

**RECOMMENDATIONS FROM THE APRIL 10, 2023 SPECIAL PUBLIC WORKS AND TRANSPORTATION COMMITTEE**

- 3.11 Subject: 2023 Winter Storm Response - Potholes, Road Closures And Landslides  
From: Transportation Department And Public Works Department  
Recommendation: Receive An Information Report From The Department Of Transportation On Ongoing And Proposed Winter Storm Responses Relative To Potholes, Road Closures, And Landslide Responses  
[23-0090](#)

**Attachments:** [View Report -Transportation Department](#)  
[View Supplemental Report - OPW 4/7/2023](#)  
[View Supplemental Attachment A 4/7/2023](#)

**Legislative History**

2/9/23	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
3/9/23	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Public Works And Transportation Committee
3/30/23	*Rules & Legislation Committee <i>Adding Public Works Department as Co-Author</i>	Scheduled to the * Special Public Works And Transportation Committee
4/10/23	* Special Public Works And Transportation Committee <i>There was 1 speaker for this item</i>	Received and Filed

**3.12** Subject: Acceptance Of Portable Air Filters From The Bay Area Air Quality Management District (BAAQMD)  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept Portable Air Filters Valued At Two Hundred Sixty-Five Thousand Five Hundred Thirty Nine Dollars (\$265,539) From The Bay Area Air Quality Management District (BAAQMD) To Provide Respite From Wildfire Smoke  
[23-0163](#)

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

**Legislative History**

3/9/23	*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

*The Committee approved staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent*

*There was 1 speaker for this item*

**3.13** Subject: GoPort - 7th Street Grade Separation East Project  
 From: Transportation Department  
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution: (1) Authorizing The City Administrator To Negotiate And Execute A Cooperative Agreement, Between The City Of Oakland (City), Alameda County Transportation Commission (ACTC), And The Port Of Oakland (Port), For The 7th Street Grade Separation East Project (Project); And (2) Authorizing The City Administrator To Negotiate And Execute An Amended Construction Memorandum Of Understanding Between The City, ACTC, And The Port For The Project; And (3) Authorizing The City Administrator To Negotiate And Execute An Amended Reimbursement Agreement Between The City And ACTC; And (4) Adopting National Environmental Policy Act And California Environmental Quality Act Findings; And

[23-0202](#)

**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](#)

**Legislative History**

3/23/23	*Rules & Legislation Committee <i>A title change was read into record</i>	Scheduled to the * Public Works And Transportation Committee
4/10/23	* Special Public Works And Transportation Committee  <i>The Committee approved staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 2 speakers for this item*

2) 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](#)

**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

*The Committee approved staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent*

*There were 2 speakers for this item*

**3.14** Subject: Award Construction Contract For Courtland Creek Restoration Project  
 From: Oakland Public Works Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Award A Construction Contract That Follows All City Advertising And Competitive Bidding Requirements To The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For Project No. 1005340 Courtland Creek Restoration Project, And With The Contractor’s Bid That Includes Base Bid And Partial Or All Optional Items, For An Amount Not To Exceed Four Million Three-Hundred Thousand Four Hundred Seventy-Five Dollars (\$4,300,475.00; (2) Enter Into A Cooperative Agreement With The Alameda County Flood Control And Water Conservation District (District) To Implement A Portion Of The Project On District Property; And (3) Adopt Appropriate California Environmental Quality Act Findings  
 [TITLE CHANGE]  
[23-0207](#)

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

**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

*The Committee approved staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent*

*There was 1 speaker for this item*

**3.15** Subject: Active Transportation Program Cycle 6 -Bancroft Avenue Greenway  
 From: Transportation Department  
 Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Execute And File An Application For Funding For The Bancroft Avenue Greenway (Project) For Regional Discretionary Funding Under The Federal Transportation Act Or Continued Funding; And (2) Authorizing The City Administrator To Accept And Appropriate An Active Transportation Program (ATP) Grant Totaling Twenty-Nine Million Three Hundred Eleven Thousand Dollars (\$29,311,000) For The Bancroft Avenue Greenway; And (3) Committing A Match Of Up To Five Million Three Hundred Sixty-Four Thousand Dollars (\$5,364,000) In Local Funds; And (4) Stating The City’s Intent To Complete The Bancroft Avenue Greenway Project; And (5) Adopting Appropriate California Environmental Quality Act (CEQA) Findings

[23-0213](#)

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

[View Legislation](#)

**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

*The Committee approved staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent*

*There was 1 speaker for this item*

**RECOMMENDATIONS FROM THE APRIL 11, 2023 FINANCE AND MANAGEMENT COMMITTEE**

**3.16** Subject: OPD Overtime Report: 4th Quarter FY 2021-22  
 From: Oakland Police Department  
 Recommendation: Receive An Informational Report Regarding Oakland Police Department (OPD) Overtime

[23-0149](#)

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

**Legislative History**

3/2/23	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
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4/11/23      \*Finance & Management      Continued to the \*Finance & Management  
 Committee      Committee

*Councilmember Ramachandran motioned, Councilmember Bas seconded to continue this item. The motion passed with a vote of 3 Ayes; 1 Excused: Kaplan. The item was approved to be continued to the April 25, 2023 Finance And Management Committee Meeting and to return with a supplemental report to include the following:*

*1) Correlation between staffing levels and overtimes over the last five years,  
 2) Clarity of what overtime is required for sideshows, violent crime and downtown violence versus special units already dedicated to towards this  
 3) Clarity of what Special Enforcement listed in Table 1 consists of; And provide a response to the following questions:*

*- Are vacancies at similar levels in OPD this year?  
 - Are vacancy savings expected to offset overtime again?*

*1 Speaker Spoke On This Item*

**3.17**    Subject:    Annual Comprehensive Financial Report and Management Letter  
 From:        Finance Department  
 Recommendation: Receive The Annual Comprehensive Financial Report (ACFR) And  
 The Auditor’s Required Communication To City Council (Management Letter) For The  
 Year Ended June 30, 2022  
[23-0164](#)

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

**Legislative History**

3/9/23      \*Rules & Legislation      Scheduled to the \*Finance & Management  
 Committee      Committee

4/11/23      \*Finance & Management      Received and Filed  
 Committee

*The Committee approved to receive and file this report in Committee with direction to the City Administration to bring a report on the City Auditor's Recommendation to convene a Retirement Advisory group*

*2 Speakers Spoke On This Item*

**3.18**    Subject:    Fiscal Year 2024-28 Five-Year Financial Forecast  
 From:        Finance Department  
 Recommendation: Receive An Informational Report On The City Of Oakland Five-Year  
 Financial Forecast Prepared In Accordance With The City Of Oakland’s Consolidated  
 Fiscal Policy, Ordinance No. 13279 C.M.S  
[23-0204](#)

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

**Legislative History**

3/23/23	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
4/11/23	*Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*The Committee approved to receive and forward this item to the April 18, 2023 City Council Agenda On Consent*

*2 Speakers Spoke On This Item*

**3.19** Subject: Oakland Redevelopment Successor Agency Audit Report FY 2021-22  
 From: Finance Department  
 Recommendation: Receive The Oakland Redevelopment Successor Agency (ORSA) Audit Report For The Year Ended June 30, 2022  
[23-0205](#)

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

**Legislative History**

3/23/23	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
4/11/23	*Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*The Committee approved to receive and forward this item to the April 18, 2023 City Council Agenda On Consent*

*2 Speakers Spoke On This Item*

**RECOMMENDATIONS FROM THE APRIL 11, 2023 SPECIAL LIFE ENRICHMENT COMMITTEE**

**3.20** Subject: Head Start Grant Continuation Application FY 23-24  
 From: Human Services Department  
 Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Apply For, Accept And Appropriate Head Start Basic Training And Technical Assistance, Early Head Start Basic And Training And Technical Assistance Grants For Fiscal Year (FY) 2023-2024 From The US Department Of Health And Human Services, Administration For Children And Families, Office Of Head Start (DHHS/ACF), In An Estimated Amount Of Twelve Million Five Hundred Sixty-Nine Thousand Two Hundred Sixty Dollars (\$12,569,260), And Committing The Necessary 25% Local Match; And (2) Authorizing The City Administrator To Apply For, Accept And Appropriate A 5.6 Percent Cost Of Living (COLA) Adjustment And Quality Improvement Grant From DHHS/ACF To Offset Higher Operating Costs And Make Program Quality Improvements For The Head Start And Early Head Start Program For FY 2023-2024; And (3) Authorizing An Estimated Offset Of Two Million Seven Hundred Nine Thousand Seven Hundred Ninety-Five Dollars (\$2,709,795) For FY 2023-2024 Central Services Overhead Charges; And (4) Awarding Grant Agreements To Fund Comprehensive Early Care, Education And Family Services To Community Service Providers Identified In Table 3 For FY 2023-2024 For A Total Amount Not To Exceed Two Million Seven Hundred-Thirty-Seven Thousand Three Hundred Sixteen Dollars (\$2,737,316); And (5) Authorizing The City Administrator To Accept And Appropriate Additional Federal Head Start/Early Head Start Funds If They Become Available Within FY 2023-2024 And Amend The Grant Agreements Within The Limits Of The Federal Award

[23-0246](#)

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

**Legislative History**

3/30/23	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
4/11/23	*Special Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*The Committee approved staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent*

*There was 1 speaker for this item*

**RECOMMENDATIONS FROM THE APRIL 11, 2023 SPECIAL PUBLIC SAFETY COMMITTEE**

**3.21** Subject: 2023 City Of Oakland Emergency Operations Plan  
 Form: Oakland Fire Department  
 Recommendation: Adopt A Resolution Adopting The Revised 2023 Emergency Operations Plan Update For The City Of Oakland  
[23-0168](#)

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

**Legislative History**

3/9/23	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
4/11/23	*Special Public Safety 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 staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent*

*There were 3 speakers for this it*

**3.22** Subject: Grant Agreement Between State Of CA And MACRO Program  
 From: Oakland Fire Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Enter Into An Agreement With The U.S. Department Of Health And Human Services (HHS) Substance Abuse And Mental Health Services Administration To Receive Grant Funds (SAMHSA Grant) In The Amount Of Seven Hundred And Thirty-Four Thousand (\$734,000.00) Dollars; (2) Accept, Appropriate, And Administer Said SAMHSA Grant To Fund The Mobile Assistance Community Responders Of Oakland (“MACRO”) Program Costs Including Equipment, Uniforms, And Software  
[23-0217](#)

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

**Legislative History**

3/23/23	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
4/11/23	*Special Public Safety 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 staff recommendation, to be forwarded to the April 18, 2023 City Council Agenda on Consent*

*There were 2 speakers for this it*

**3.23** Subject: OPD State COPS Grant XXV  
 Form: Oakland Police Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator, To Accept And Appropriate The Fiscal Year (FY) 2023 State Of California "Citizens Options For Public Safety " (State Cops Grant XXV) Allocation In The Amount Not To Exceed Six Hundred Sixty-Five Thousand Five Hundred Seventy Nine Dollars (\$665,579) To Fund Body Armor For The Swat Team, Helicopter Maintenance, Records Division Workstations, Micro TraumaPak Kits, Medical Training Supplies And Equipment  
[23-0214](#)

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

**Legislative History**

3/23/23	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
3/30/23	*Rules & Legislation Committee <i>Title Change read into record</i>	Scheduled to the *Special Public Safety Committee
4/11/23	*Special Public Safety Committee <i>The Committee approved staff recommendation, to be continued to the May 9, 2023 Public Safety Committee Meeting with the following supplemental report:</i>	Continued to the *Public Safety Committee

1. Analysis on other ways to use the allocated COPS Grant funds other than Body Armor
2. Detailed language that explains the COPS Grant, breaking down how the funds are used
3. In the past COPS Grant how was the Funding for Human Trafficking operations used

*There were 4 speakers for this item*

**RECOMMENDATIONS FROM THE APRIL 11, 2023 SPECIAL COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

**3.24** Subject: California Automated Permit Processing (CalAPP) Program Grant  
 From: Planning And Building Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To A Total Of One Hundred Thousand Dollars \$100,000 In California Automated Permit Processing Program (CalAPP) Grant Funds From The State Of California Energy Commission And Adopting Appropriate California Environmental Quality Act Findings  
[23-0201](#)

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

**Legislative History**

3/23/23	*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*

**3.25** 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](#)

**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*

**3.26** 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](#)

**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*

*1 Speaker Spoke On This Item*

**3.27** 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](#)

**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*

**3.28** Subject: Governor’s Office Of Business And Economic Development And Local Jurisdiction Assistance Grants For Cannabis Program  
 From: Economic & Workforce Development Department  
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To: (1) Apply For And Accept One Million Nine Hundred And Ninety-Six Thousand Four Hundred And Eighty-Seven Dollars And Fifty Cents (\$1,996,487.50) In State Of California, Governor’s Office Of Business And Economic Development (Go-Biz) Equity Act Grant Funds; (2) Appropriate The Go-Biz Grant Funds By: (A) Providing Grants And/Or No-Interest Loans In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant Or Loan For Cannabis Equity Applicants And Licensees, To Be Determined And Without Return To Council, For Businesses’ Start-Up And Ongoing Costs In A Cumulative Amount Not To Exceed One-Million Seven Hundred And Ninety-Six Thousand Eight Hundred And Thirty-Eight Dollars And Seventy-Five Cents (\$1,796,838.75); And (B) Funding Administration Of The Cannabis Equity Program In An Amount Not To Exceed One Hundred And Ninety-Nine Thousand, Six Hundred And Forty-Eight Dollars And Seventy-Five Cents (\$199,648.75); And (3) Increase The Amount Of The Existing Three-Year Professional Services Agreement With 4Front Partners To Administer Cannabis Equity Grant And Loan Programs By Seventy-Eight Thousand Nine Hundred And Seventy-Nine Dollars And Seventy-Five Cents (\$78,979.75); And (4) Waive The Request For Proposals/Qualifications Process For The Amended Professional Services Agreement With 4Front Partners; And

[23-0169](#)

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

**Legislative History**

3/9/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
3/30/23	*Rules & Legislation Committee	Scheduled to the *Special 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*

*2 Speakers Spoke On This Item*

2) A Resolution Amending Resolution No. 89064 C.M.S., Which Among Other Things Authorized The City Administrator To 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, By Authorizing The City Administrator To: (1) Reallocate Any Available Local Jurisdiction Assistance Grant Program Funds In The Form Of Grants For The Purpose Of Bringing The Business Facilities Of Provisionally Licensed Cannabis Applicants Into Compliance With Building, Fire, And Health Code Requirements; And (2) Award Said Grants In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant To Provisionally Licensed Cannabis Applicants To Be Determined And Without Return To Council In A Cumulative Amount Not To Exceed Four Million Five-Hundred Thousand Dollars (\$4,500,000)

[23-0170](#)

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

**Legislative History**

3/9/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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*

*2 Speakers Spoke On This Item*

**3.29** 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](#)

**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 staff 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.*

*80 Speakers Spoke On This Item*

**4** Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
[23-0230](#)

- Attachments:**
- [April 18, 2023 Concurrent Meeting Of The ORSA And the City Council Agenda](#)
  - [April 20, 2023 Rules And Legislation Committee Agenda](#)
  - [Finance And Management Committee Pending List](#)
  - [Public Works And Transportation Pending List](#)
  - [Community And Economic Development Pending List](#)
  - [Life Enrichment Committee Pending List](#)
  - [Education Partnership Committee Pending List](#)
  - [Public Safety Committee Pending List](#)
  - [Rules & Legislation Committee Pending List](#)
  - [Draft April 25, 2023 Finance And Management Agenda](#)
  - [Draft April 25, 2023 Public Works And Transportation Committee Agenda](#)
  - [Draft April 25, 2023 Community And Economic Development Agenda](#)
  - [Draft April 25, 2023 Life Enrichment Committee Agenda](#)
  - [Draft April 25, 2023 Public Safety Agenda](#)
  - [Draft April 27, 2023 Rules And Legislation Committee Agenda](#)

**5 Determinations Of Closed Session**

**Open Forum**

**Adjournment**

## **Americans With Disabilities Act**

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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 8:30AM 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.**