

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 - DRAFT

Wednesday, March 6, 2024

5:00 PM

City Council Chamber, 3rd Floor

Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

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

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

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/81573277488> 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: 815 7327 7488

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 BEFORE THE ITEM IS READ INTO THE RECORD. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:

- eComment. To send your comment directly to Council members go to <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes twenty-four (24) hours before meeting start time.
 - 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 Submit An Electronic Speaker Card, Members Of The Public Must (1) Visit The City Of Oakland Meeting Calendar Website At: <https://oakland.legistar.com/Calendar.aspx> (2) Click the hyperlink labeled 'eComment' in the far right column of the meeting you wish to participate, (You Will Be Redirected To The Specific Meeting Webpage); And (3) Register To 'Sign In To Speak' For Each Agenda Item(s) You Wish To Speak to.
- *To Be Recognized To Speak Via ZOOM, Speaker Cards Must Be Submitted and Received Before The City Clerk Reads the Item Into the Record.
- Once You Have Submitted Your Speaker Card - Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Taken. When your name is called please raise your hand in zoom (By Pressing "**9") and Unmute Your Self By Pressing *6. You Will Be

Permitted To Speak During Your Turn. Instructions On How To “Raise Your Hand” Is Available
At: <https://support.zoom.us/hc/en-us/articles/205566129-raise-hand-in-webinar>.

If you have any questions, please email the Agenda Management Unit at
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: 1) approval of Council minutes, and 2) any action or informational item placed on a Council agenda for a Regular Meeting or Special Meeting (i) as a Consent Item by the Rules and Legislation Committee, (ii) pursuant to Rule 28, or (iii) that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval by the members who are present: Consent Item shall not include: 1) any item having a high level of public interest or controversy as determined by the Standing Committee Chair, or the Rules and Legislation Committee, or pursuant to Rule 28; 2) any item that requires a public hearing or that otherwise is ineligible by law as a Consent Item.
- **Non-Consent Item** shall mean, for the purposes of a City Council agenda for a Regular Meeting or Special Meeting, 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 a Standing Committee Chair, the Rules and Legislation Committee, or pursuant to Rule 28; or 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

1 Call To Order

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Kevin Jenkins, District 6; President Pro Tempore Dan Kalb, District 1; Councilmember Rebecca Kaplan, At Large; Councilmember Janani Ramachandran, District 4; Councilmember Treva Reid, District 7; Council President Nikki Fortunato Bas, District 2

3 ACTIONS ON SPECIAL ORDERS / PRESENTATIONS OF THE DAY

("Ceremonial Items")

Ceremonial Presentations, Including Proclamations, Individual Recognitions,
etc.; and Reports Or Presentations From The Mayor, Other Public Officials, Or
Special Guests:

4 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):

5 CONSENT CALENDAR (CC) ITEMS:

5.1 Approval Of The Draft Minutes From The Meeting Of February 20, 2024

[24-0125](#)

5.2 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

[24-0122](#)

Sponsors: Office Of The City Attorney

Attachments: [View Legislation](#)

5.3 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

[24-0123](#)

Sponsors: Office Of The City Attorney

Attachments: [View Legislation](#)

5.4 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
[24-0124](#)

Sponsors: Kaplan

Attachments: [View Legislation](#)

5.5 Subject: Authorization Of Liberation Park Mixed-Use Development LDDA And DDA
From: Economic & Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The City Administrator To Negotiate And Execute A
Disposition And Development Agreement Between The City Of Oakland And Liberation
Park Market Hall, Or Its Affiliates, For The Sale Of A Portion Of The Property Located At
73rd Avenue And Foothill Boulevard (Parcel 1) And Development Of A Mixed-Use Market
Hall And Cultural Center, For The Appraised \$994,996 Fair Market Value, With A Term Of
Two And One-Half Years With Two One-Year Administrative Extension Options; And
Adopting California Environmental Quality Act Findings

[24-0051](#)

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Legislation](#)

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

INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 20, 2024; 8 AYES

Legislative History

1/25/24	*Rules & Legislation Committee <i>And On The February 20, 2024 City Council Agenda As A Public Hearing</i>	Scheduled to the *Community & Economic Development Committee
2/1/24	*Rules & Legislation Committee <i>And On The February 20, 2024 City Council Agenda As A Public Hearing</i>	Scheduled to the *Community & Economic Development Committee

A Title Change Was Accepted

- 2/13/24 *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
- 6 Speakers Spoke On This Item*
- The Committee Approved The Recommendations Of Staff, and To Forward This Item To The February 20, 2024 City Council Agenda As A Public Hearing*
- 2/15/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
- As A Public Hearing*
- 2/20/24 * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
- At 6:38 p.m. Councilmember Jenkins made a motion, seconded by Councilmember President Pro Tempore Kalb, to Open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Jenkins, Kalb, Kaplan, Reid, Ramachandran, and Fortunato Bas*
- Upon the reading of Item 6.2 by the City Clerk, the Public Hearing was opened*
- 5 individuals spoke on this item.*
- At 7:08 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Reid, to close the Public Hearing, and by the same motion adopt the Ordinance, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Jenkins, Kalb, Kaplan, Reid, Ramachandran, and Fortunato Bas*

2) An Ordinance Authorizing The City Administrator To Negotiate And Execute (A) A Lease Disposition And Development Agreement Between The City And Liberation Park Residences, L.P., Or Its Affiliates, For Development Of 119 Units Of Affordable Housing On A Portion Of The Property Located At 73rd Avenue And Foothill Boulevard ("Parcel 2"), With A Term Of Two And One-Half Years With Two One-Year Administrative Extension Options, (B) A 99-Year Ground Lease, And (C) A 55-Year Capitalized Loan In The Amount Equal To \$1,505,004; And Adopting California Environmental Quality Act Findings; And

[24-0052](#)

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Attachment D](#)

[View Legislation](#)

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

INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 20, 2024; 8 AYES

Legislative History

1/25/24	*Rules & Legislation Committee <i>And On The February 20, 2024 City Council Agenda As A Public Hearing</i>	Scheduled to the *Community & Economic Development Committee
2/1/24	*Rules & Legislation Committee <i>And On The February 20, 2024 City Council Agenda As A Public Hearing</i>	Scheduled to the *Community & Economic Development Committee
	<i>A Title Change Was Accepted</i>	
2/13/24	*Community & Economic Development Committee <i>6 Speakers Spoke On This Item</i>	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 The Recommendations Of Staff, and To Forward This Item To The February 20, 2024 City Council Agenda As A Public Hearing</i>	
2/15/24	*Rules & Legislation Committee <i>As A Public Hearing</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

2/20/24 * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

At 6:38 p.m. Councilmember Jenkins made a motion, seconded by Councilmember President Pro Tempore Kalb, to Open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Jenkins, Kalb, Kaplan, Reid, Ramachandran, and Fortunato Bas

Upon the reading of Item 6.2 by the City Clerk, the Public Hearing was opened

5 individuals spoke on this item.

At 7:08 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Reid, to close the Public Hearing, and by the same motion adopt the Ordinance, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Jenkins, Kalb, Kaplan, Reid, Ramachandran, and Fortunato Bas

3) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Extension To An Existing License Agreement By And Between The City Of Oakland And Black Cultural Zone Community Development Corporation, To Operate A Community Service Outdoor Market On The Property Located At 73rd Avenue And Foothill Boulevard For A Term Ending On The Earlier Of October 18, 2027, Or The Commencement Of Construction On The Property, For A License Fee Of Five Hundred Dollars (\$500) Per Month; Making Findings That The Below Market Rate License Fee Is In The Best Interests Of The City; And Adopting California Environmental Quality Act Findings

[24-0053](#)

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Attachment D](#)

[View Legislation](#)

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

INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 20, 2024; 8 AYES

Legislative History

1/25/24 *Rules & Legislation Committee Scheduled to the *Community & Economic Development Committee
And On The February 20, 2024 City Council Agenda As A Public Hearing

2/1/24 *Rules & Legislation Committee Scheduled to the *Community & Economic Development Committee
And On The February 20, 2024 City Council Agenda As A Public Hearing

A Title Change Was Accepted

2/13/24	*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>6 Speakers Spoke On This Item</i>	
		<i>The Committee Approved The Recommendations Of Staff, and To Forward This Item To The February 20, 2024 City Council Agenda As A Public Hearing</i>
2/15/24	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>As A Public Hearing</i>	
2/20/24	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>At 6:38 p.m. Councilmember Jenkins made a motion, seconded by Councilmember President Pro Tempore Kalb, to Open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Jenkins, Kalb, Kaplan, Reid, Ramachandran, and Fortunato Bas</i>	
	<i>Upon the reading of Item 6.2 by the City Clerk, the Public Hearing was opened</i>	
	<i>5 individuals spoke on this item.</i>	
	<i>At 7:08 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Reid, to close the Public Hearing, and by the same motion adopt the Ordinance, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Jenkins, Kalb, Kaplan, Reid, Ramachandran, and Fortunato Bas</i>	

5.6 Subject: Destiny Seals, Et Al. V. Anglo Commercial Trucking, Inc., Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Destiny Seals; Milan F. Sahni, By And Through Her
Guardian Ad Litem, Tamika Seals; Gurmeet S. Sahni, Special Representative Of The
Heirs And Estate Of Kamalpreet S. Sahni; And Deep Kaur V. Anglo Commercial
Trucking, Inc.; State Of California (Caltrans); And City Of Oakland, California; Alameda
County Superior Court Case No. Rg21091611, City Attorney's File No. 34412, In The
Amount Of Five Hundred Thousand Dollars And Zero Cents (\$500,000.00) (Oakland
Department Of Transportation - Wrongful Death, Dangerous Condition)
[24-0137](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

[View Legislation](#)

[Legislative History](#)

2/22/24 *Rules & Legislation Scheduled to the Special Concurrent
Committee Meeting of the Oakland Redevelopment
Successor Agency/City Council
On Consent

- 5.7** Subject: Wildfire Prevention Coordinating Group Appointments
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Appointing Councilmember Janani Ramachandran
To Represent The City Of Oakland At The Wildfire Coordinating Group As A Member,
And Appointing Councilmember _____ To Represent The City Of Oakland As An
Alternate Member
[24-0144](#)

Sponsors: Fortunato Bas

Legislative History

2/22/24 *Rules & Legislation Scheduled to the Special Concurrent
Committee Meeting of the Oakland Redevelopment
Successor Agency/City Council
A Title Change Was Read Into Record And Accepted

On Consent

- 5.8** Subject: Awarding A Grant Agreement To Dimond Improvement Association -DIA
From: Councilmember Ramachandran
Recommendation: Adopt A Resolution Awarding A Grant Agreement To Dimond
Improvement Association - DIA For An Amount Not To Exceed Twenty-Five Thousand
Dollars (\$25,000) To Support Bid Formation Activity Pursuant To Council Resolution
88783 C.M.S.
[24-0093](#)

Sponsors: Ramachandran

Legislative History

2/8/24 *Rules & Legislation Scheduled to the Special Concurrent
Committee Meeting of the Oakland Redevelopment
Successor Agency/City Council

On Consent

*Pursuant to Rule 24, a statement was made on record as to the item bypassing
committee.*

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

7 ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

OPEN FORUM

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 9:30 P.M., Except That The Council May Extend The Time For The Meeting In One-Hour Increments By An Affirmative Vote Of 5 Councilmembers Up To 11:30 P.M. And By An Affirmative Vote Of 6 Councilmembers Beyond 11:30 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

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THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.