

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

Tuesday, July 2, 2024

3:30 PM

City Council Chamber, 3rd Floor

*** Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City
Council**

PUBLIC PARTICIPATION:

The Public May Observe And/Or Participate In This Meeting Many Ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on <https://oakland.legistar.com/calendar.aspx> and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/84235703205> 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: 842 3570 3205

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. PLEASE NOTE, ELECTRONIC SPEAKER CARDS MUST BE SUBMITTED 24 HOURS BEFORE THE SCHEDULED MEETING START TIME.

***To Be Recognized To Speak Via ZOOM, Speaker Cards Must Be Submitted and Received Before The Submission Cutoff Time.**

- 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.

**Councilmember Janani Ramachandran Will Participate By Teleconference At:
1 Frank Ogawa Plaza, Suite 226, Oakland CA 94612**

**Councilmember Rebecca Kaplan Will Participate By Teleconference At:
1 Frank H. Ogawa Plaza, 2nd floor, suite 244, Oakland, CA 94612**

**Pursuant To The Brown Act (Government Code Section 54953), The Agenda Must Be Posted
At The Teleconference Location, The Teleconference Location Must Be Accessible To The
Public And Members Of The Public Must Have The Ability To Observe The Meeting And To
Comment On Agenda Items**

1 Call To Order

2 ROLL CALL / CITY COUNCIL

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

**3 ACTIONS ON SPECIAL ORDERS OF THE DAY
("Ceremonial 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 June 12, 2024 Special City Council Agenda And
The June 18, 2024 Regular City Council Agenda
[24-0580](#)**

- 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
[24-0582](#)
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
[24-0583](#)
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
[24-0584](#)
Sponsors: Kaplan
Attachments: [View Legislation](#)
- 5.5** Subject: Troy Allen Russell, Et Al. V. Kathleen Ann Zitani, 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 Troy Allen Russell, Et Al. V. Kathleen Ann Zitani, Et Al., Alameda County Superior Court Case No. Rg18916045, City Attorney File No. 32626, In The Amount Of Six Million Two Hundred Fifty Thousand Dollars And Zero Cents (\$6,250,000.00). (Department Of Transportation - Dangerous Condition Of Public Property)
[24-0567](#)
Sponsors: Office Of The City Attorney
Attachments: [View Report](#)
[View Legislation](#)
Legislative History

6/13/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Pursuant To Rule 24, A Statement Was Made On Record As To The Item Bypassing Committee.

On Consent

5.6 Subject: Amendments To Oakland Municipal Code Sections 3.08.040 And 3.08.080
From: Office Of City Clerk
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections: (1) 3.08.040 (Nomination Petitions) To Authorize The City Clerk To Extend Normal Office Hours On The Final Day Of The Nomination Period For An Election, To Explicitly Adopt The State Law Extension Of Time To File Nomination Petitions, And To Update The Language To Require Candidates To Return Nomination Materials In Person Consistent With Existing Practice; And (2) 3.08.080 (Qualifications Statement) To Add Requirement That Sponsors Are Registered Voters Consistent With Requirement For Nomination Petition Signatures

[24-0483](#)

Sponsors: Office Of The City Clerk

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

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 18, 2024; TBD

Legislative History

5/23/24 *Rules & Legislation Committee Scheduled to the *Rules & Legislation Committee
6/6/24 *Rules & Legislation Committee Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

1 Speakers Spoke On This Item

On Consent

- 5.7 Subject: License Agreement And Oakland Parks And Recreation Foundation Grants
From: Parks, Recreation And Youth Development Department
Recommendation: Adopt An Ordinance (1) Authorizing A License Agreement With
Oakland Parks And Recreation Foundation For Use Of Office Space At The Lakeside
Park Garden Center Located At 666 Bellevue Avenue At The Below Market Rate Of \$0.00
Through June 30, 2026 With A 3-Year Option To Renew; (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 (CEQA) Findings
[24-0311](#)

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

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 18, 2024; TBD

Legislative History

4/25/24	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
5/14/24	*Life Enrichment Committee	No Action Taken
5/16/24	*Special Rules and Legislation Committee	Scheduled to the *Life Enrichment Committee
6/11/24	*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 The Recommendations Of Staff And To Forward All
Pieces Of Legislation To The June 18, 2024 City Council Agenda On Consent*

2 Speakers Spoke On This Item

6/13/24	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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On Consent

5.8 Subject: Implementation Of Youth Voting
From: Office Of The City Clerk, Council President Fortunato Bas, Councilmember Kaplan, And Councilmember Reid
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Adding Section 3.08.035 To The Oakland Municipal Code To Authorize Persons Aged 16 And 17, Who Are Otherwise Eligible To Vote Under State Law, To Vote For The Office Of School Board Director, And;

[24-0572](#)

Sponsors: Office Of The City Clerk, Fortunato Bas, Reid and Kaplan

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JULY 16, 2024

Legislative History

6/13/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Council President Fortunato Bas, Councilmember Kaplan, And Councilmember Reid Were Added As A Co-Sponsor

On Consent

2) A Resolution Authorizing The City Administrator To (1) Execute A Memorandum Of Understanding (MOU) Between The County Of Alameda, City Of Berkeley, And Berkeley Unified School District To Conduct Youth Voting Elections, And (2) Amend The MOU And Take All Actions Necessary To Implement Youth Voting; On The June 27, 2024 Rules And Legislation Committee Agenda

[24-0573](#)

Sponsors: Office Of The City Clerk, Fortunato Bas, Reid and Kaplan

Legislative History

6/13/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Council President Fortunato Bas, Councilmember Kaplan, And Councilmember Reid Were Added As A Co-Sponsor

On Consent

6 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

6.1 Subject: Appeal Of Environmental Determination For PLN22189, Childcare Center At 5315 College Avenue.
From: Planning And Building Department
Recommendation: Conduct A Public Hearing For Appeal No. PLN22189-A01-A01, Challenging The Planning Commission's California Environmental Quality Act Exemption For An Addition And Alteration To An Existing Commercial Structure For Childcare Activities, And Upon Conclusion, Act Upon The Appeal And Direct The City Administrator To Prepare A Resolution For City Council Adoption Memorializing The Council's Supportive Findings And Final Action On The Appeal
[24-0333](#)

Sponsors: Planning & Building Department

Legislative History

4/25/24 *Rules & Legislation
Committee

Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

As A Public Hearing

6.2 Subject: SB 684 And Miscellaneous Planning Code (Title 17) And Subdivision Code (Title 16) Amendments
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion, Adopt An Ordinance: (1) Amending The Oakland Planning Code (Title 17) Of The Oakland Municipal Code (OMC), As Recommended By The City Planning Commission, To: (A) Amend The Development Standard Requirements For Residential And Commercial Zones To Allow For No Side Yard Setback Between Lots Under The Same Ownership And For Applicable Exceptions To Lot Development Standards Required By State Law, Senate Bill (SB) 684; (B) Amend OMC Chapter 17.106 To Allow For Applicable Exceptions To The Standard Lot Development Standard Requirements For Subdivisions That Meet The Requirements Of State Law SB 684; And (C) Amend Miscellaneous Code Changes Including The Definition Of Essential Service Civic Activities In OMC Section 17.10.140 To Allow For More Temporary Activities Than The Current Seasonal Retail Sales On City Owned Land And Amend OMC Chapter 17.11 To Allow Fences And General Lighting In Certain Types Of Parks By Right; And (2) Amending The Oakland Subdivision Code (Title 16) Of The OMC To Allow For Ministerial Approval Of Subdivision Maps That Meet The Requirements Of State Law, SB 684; And (3) Making Appropriate California Environmental Quality Act Findings

[24-0471](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)
[View Powerpoint Presentation](#)
[View Legislation And Exhibits A And B](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JULY 16, 2024

Legislative History

5/23/24	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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And On The July 2, 2024 City Council Agenda As A Public Hearing

2) Adopt An Ordinance, As Recommended By The City Planning Commission, To: (A) Make Oakland Planning Code And Oakland Municipal Code Text And Zoning Map Amendments Implementing The Policies And Objectives Of The Downtown Oakland Specific Plan And (B) Amend The City Of Oakland Master Fee Schedule (Adopted By Ordinance Nol. 13747 C.M.S., As Amended) To Adopt The Central District Entertainment Venue Fees In Furtherance Of The DOSP Goals Of Fostering Entertainment Venue Uses In The Central District Of Downtown

[24-0502](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Attachment E](#)
[View Attachment E - Appendix A](#)
[View Legislation](#)
[View Exhibit A](#)
[View Exhibit B](#)
[View Exhibit C](#)
[View Exhibit D](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JULY 16, 2024

Legislative History

5/30/24 *Special Rules and Scheduled to the *Community & Economic
Legislation Committee Development Committee
A Title Change Was Read Into Record

And As A Public Hearing On July 2, 2024

7 ACTION ON THE NON-CONSENT CALENDAR PORTION OF THE AGENDA WILL COMMENCE AT 5:00 P.M., OR AS SOON THEREAFTER AS REASONABLY PRACTICABLE:

8 Subject: Brooklyn Basin CFD Ordinance
From: Finance Department
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds And The Issuance And Sale Of Special Tax Bonds In A Principal Amount Not To Exceed \$6,000,000 For And On Behalf Of City Of Oakland Community Facilities District No. 2023-1 (Brooklyn Basin Facilities And Services); Approving Certain Related Matters; And Adopting Appropriate Findings Under The California Environmental Quality Act; On The July 2, 2024 City Council Agenda On Non-Consent
[24-0535](#)

Sponsors: Finance Department

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JULY 16, 2024

Legislative History

6/6/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Pursuant To Rule 24, A Statement Was Made On Record As To The Item Bypassing Committee.

On Non-Consent

OPEN FORUM

ADJOURNMENT OF COUNCIL SESSION

Americans With Disabilities Act

If you need special assistance, including translation services to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Relay Service: 711

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

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