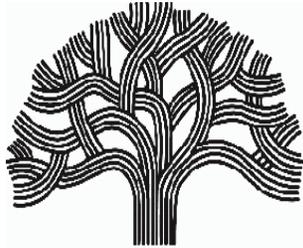


City of Oakland

*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, February 1, 2022

1:30 PM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

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

Pursuant to the Governor's Executive Order N-29-20, all members of the City Council as well as the City Administrator, City Attorney and City Clerk will join the meeting via phone/video conference and no teleconference locations are required

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/89992083266> 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: 899 9208 3266

If asked for a participant ID or code, press #.

COMMENT:

ALL PUBLIC COMMENT ON ACTION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE MEETING UNDER ITEM 1. COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING

There are three ways to submit public comments.

- eComment. To send your comment directly to Council members and staff BEFORE the meeting starts please click on <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes five (5) minutes before posted meeting time.
- To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing "*9" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute your self by pressing *6.

If you have any questions, please email the Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Dan Kalb, District 1; Vice Mayor Rebecca Kaplan, At Large; Councilmember Treva Reid, District 7; Councilmember Loren Taylor, District 6; President Pro Tempore Sheng Thao, District 4; Council President Nikki Fortunato Bas, District 2

ACTIONS ON SPECIAL ORDERS OF THE DAY

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

MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS

(Requests To: Reschedule Items From Consent To Non-Consent To The Next Council Agenda, Speak On Consent Calendar, Register Votes, Change Order Of Items, Reconsiderations, Pull Items Held In Committee):

1 PUBLIC COMMENT:

COMMENTS ON ALL ACTION ITEMS EXCEPT PUBLIC HEARINGS WILL NOT BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN

2 CONSENT CALENDAR (CC) ITEMS:

- 2.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
[21-0988](#)
- 2.2 Subject: Declaration Of Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
[21-0989](#)
- 2.3 Subject: Declaration Of A Local Emergency On Homelessness
From: Vice Mayor 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
[21-0990](#)

2.4 Subject: Teleconference Meetings Of The City Council
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Determination That Conducting In-Person Meetings Of The City Council And Its Committees Would Present Imminent Risks To Attendees' Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(E), A Provision Of AB-361
[21-0991](#)

2.5 Subject: In Celebration Of Black History And Heritage Month
From: Councilmember Fife
Recommendation: Adopt A Resolution In Celebration Of Black History Month In February 2022 By Honoring Black Change-Makers In The City Of Oakland Working Towards A Transformative Future That Seeks To Dismantle Oppressive Systems And Advance True Liberation, Safety, And Opportunities In Our Community
[21-0948](#)

Legislative History

12/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2.6 Subject: Agreement Between State Of California And Oakland MACRO Program
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The State Of California Natural Resource Agency To Accept A Grant Of Ten Million Dollar (\$10,000,000.00) In State Budget Act Of 2021 Funding For The City Of Oakland's (City) Mobile Assistance Community Responders Of Oakland ("MACRO") Program To Allow The City To Provide A Strong Program Of Civilian Crisis Responders
[22-0012](#)

Legislative History

1/13/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2.7 Subject: Cooperative Agreement With Alameda County Transportation
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Cooperative Agreement With Alameda County Transportation Commission (Alameda CTC) To Implement A Rail Road Crossing Safety Improvement At Union Pacific Rail Road (UPRR) Crossing On High Street Under The Federal Railway-Highway Crossings Section 130 Program
[22-0013](#)

Legislative History

1/13/22

*Rules & Legislation
Committee

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

2.8 Subject: OPD 2021 DNA Backlog Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution:

1) In Advance of Formal Award Authorizing The City Administrator To: 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Three Hundred Sixty-Seven Thousand Eight Hundred Ninety Eight Dollars (\$367,898) From The U.S. Department Of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) For Implementation Of The FY (Fiscal Year) 2021 DNA Capacity Enhancement For Backlog Reduction Program For The Oakland Police Department (OPD); And

2) Waive The City's Advertising and Competitive Bidding Requirements City Advertising For The Purchases Of DNA Typing Supplies and Equipment From (1) Qiagen For Fifty-Five Thousand Six Hundred Dollars (\$55,600), (2) Promega For One Hundred Seventy Thousand One Hundred Dollars (\$170,100), (3) Thermo Fisher/Life Technologies For Forty-Two Thousand Two Hundred Thirty Dollars (\$42,230), (4) NicheVision For Eighty Thousand Dollars (\$80,000), And (5) Fisher Scientific For Twelve Thousand Eight Hundred Ninety-One Dollars (\$12,891)

[22-0014](#)

Legislative History

1/13/22

*Rules & Legislation
Committee

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

2.9 Subject: California Department of Justice Sexual Assault Evidence Testing Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept and Appropriate Sixty Eight Thousand Eight Hundred Ninety Four Dollars (\$68,894) In Untested Sexual Assault Evidence Testing Grant Program Funds, From The California Department Of Justice (CA DOJ) Bureau Of Forensic Services, To Process Untested Sexual Assault Evidence Kits In The Oakland Police Department's (OPD) Inventory; And 2) Enter Into A Memorandum Of Understanding (MOU) With CA DOJ Bureau Of Forensic Services To Define Grant Reimbursement Rules

[22-0016](#)

Legislative History

1/13/22

*Rules & Legislation
Committee

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

- 2.10** Subject: Memorandum Of Agreement For 564 Crofton Avenue
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Agreement (MOA) With The City Of Piedmont Establishing That The City Of Oakland Will Process Planning and Building Entitlements For A Category I Accessory Dwelling Unit At 564 Crofton Avenue, A Property Located Within Both Jurisdictions; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[22-0018](#)

Legislative History

1/13/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.11** Subject: Resolution Commemorating Oscar Grant III
From: Councilmember Reid
Recommendation: Adopt A Resolution Commemorating Oscar Julius Grant III, And Designating February 27, 2022 As Oscar Grant Day In The City Of Oakland, And Recognizing His Mother Reverend Wanda R. Johnson For Her Tireless Work In The Community
[22-0021](#)

Attachments: [View Legislation](#)

Legislative History

1/13/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.12** Subject: Recognizing National Mentoring Month
From: Councilmember Taylor
Recommendation: Adopt A Resolution Recognizing January 2022 As National Mentoring Month And Uplifting The Critical Role Of Mentors And Encouraging Positive Mentorship Programs In The City Of Oakland To Elevate Oakland Youth To Achieve Their Full Potential
[22-0027](#)

Legislative History

1/13/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2.13 Subject: Ghost Gun Ordinance
From: Councilmembers Kalb, Gallo And Vice Mayor Kaplan
Recommendation: Adopt An Ordinance Amending Chapter 9.36 "Weapons" To Require Privately Made Firearms, Commonly Referred To As "Ghost Guns," To Comply With State Law, Prohibit Nonexempt Persons From Possessing, Selling, Offering For Sale, Transferring, Purchasing, Transporting, Receiving Or Manufacturing An Unfinished Firearm Frame Or Receiver That Has Not Been Imprinted With A Serial Number And Prohibiting Nonexempt Persons From Possessing, Manufacturing Or Assembling A Privately Made Firearm That Has Not Been Imprinted With A Serial Number
[21-0922](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Notice And Digest](#)
[View Supplemental Report - January 12, 2022](#)
[View Supplemental Legislation - January 12, 2022](#)

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

INTRODUCTION (First Reading) WAS PASSED ON JANUARY 18, 2022; (VOTE).

Legislative History

12/9/21	*Rules & Legislation Committee	Scheduled to the *Special Public Safety Committee
12/14/21	*Special Public Safety Committee	Continued to the *Public Safety Committee
12/16/21	*Rules & Legislation Committee	Continued to the *Public Safety Committee

1/11/22	*Public Safety Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Committee approved recommendations as amended to include the following revisions to be scheduled to January 18, 2022 City Council Meeting:</i> <i>To SECTION 9.36.620. Definitions</i> <i>“Unfinished Frame or Receiver” means a piece of any material that does not constitute the FINISHED frame or receiver of a firearm, rifle, or shotgun but that has been shaped or formed in any way to become the frame or receiver of a firearm, rifle, or shotgun, and (1) which may readily be made into a functional frame or receiver through milling, drilling, or other means, OR (2) IS MARKED OR SOLD TO THE PUBLIC TO BECOME OR BE USED AS THE FRAME OR RECEIVER OF A FUNCTIONAL FIREARM, ONCE COMPLETED, ASSEMBLED OR CONVERTED.</i> <i>To SECTION 9.36.660. Penalties and Disposal</i> <i>Anyone may dispose of Unfinished Frames or Receivers or fully assembled Privately Manufactured Firearms that lack serial numbers by contacting the Oakland Police Department WITHOUT PENALTY within 90 days after the passage of this ordinance.</i>
1/13/22	*Rules & Legislation Committee	No Action Taken <i>There was no action taken because this item has been previously scheduled to the July 18th Special City Council via Rule 28.</i>
1/18/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

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

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JANUARY 18, 2022
[21-0992](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

6 Subject: Informational Report On The Status On Authorized Grants
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Report From The City Administrator On The
Status Of Council-Authorized Grants And The Process For Issuance Of 'Grants, Including:
For Each Grant Approved By Council In 2021, Whether All Or Part Or None Of Funds
Have Been Issued, Status Of Any Remaining Steps To Be Taken And Funds To Be Issued
[21-0695](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Supplemental Attachment A - 12/17/2021](#)
[View Supplemental Attachment A - January 13, 2022](#)

Legislative History

9/23/21 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council
*The Rules And Legislation Committee Approved the following Title Change
Read into record;*

*Receive An Informational Report From The City Administrator On The Status Of
Council-Authorized Grants And The Process For Issuance Of 'Grants,
Including: For Each Grant Approved By Council In 2021, Whether All Or Part
Or None Of Funds Have Been Issued, Status Of Any Remaining Steps To Be
Taken And Funds To Be Issued; and*

to be scheduled to Non-Consent

10/19/21 * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council Continued to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council
*The Council Committee continued staffs recommendations to the December 21,
2021 City Council Agenda with direction that staff report back with status
updates of the grantees, grantee grant use and whether organizations are for
profit or non-profit*

12/16/21 *Rules & Legislation Committee * Withdrawn and Rescheduled to the Special
Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City
Council

12/21/21 Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City Council * Withdrawn and Rescheduled to the *
Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the
City Council

1/18/22 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Vice Mayor Kaplan made a motion, seconded by Pro Tem Thao to continue this item to the February 1, 2022 City Council Agenda.

Motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

- 7 Subject: Budget Amendments - Reallocate OPD PIO And Add Police Patrols
From: Vice Mayor Kaplan And Councilmember Fife
Recommendation: Adopt A Resolution Amending Resolution 88717 C.M.S. To Amend The Fiscal Year 2021-2023 Adopted Biennial Budget To Reallocate Funds From Public Relations/PIO Purposes To Go To East Oakland Police Patrol, As Shown In Exhibit 1 [TITLE CHANGE]
[21-0952](#)

Attachments:

[View Report](#)
[View Legislation](#)
[View Report - Exhibit 1](#)
[View Supplemental Report - 1/6/2022](#)
[View Supplemental Legislation - 1/6/2022](#)
[View Supplemental Exhibit 1 - 1/6/2022](#)
[View Supplemental Report - January 12, 2022](#)
[View Supplemental Legislation - January 12, 2022](#)
[View Supplemental Exhibit 1 - January 12, 2022](#)

Legislative History

12/16/21 *Rules & Legislation Committee Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
Councilmember Fife requested to be added as a Co-Sponsor and this item be placed on Non-Consent

12/21/21 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

1/18/22 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Vice Mayor Kaplan made a motion, seconded by Pro Tem Thao to continue this item to the February 1, 2022 City Council Agenda.

Motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

8 Subject: Amending The City's Hiring Plan For Police Officers
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution Amending The City's Hiring Plan For Police Officers For The Purpose Of Ensuring Compliance With Measure Z, A 2014 Parcel Tax That Funds Public Safety Services, To; (1) Authorize A \$50,000 Hiring Bonus For Lateral Hires Who Successfully Complete OPD's Lateral Academy And Accept An Officer Position With The City Of Oakland As A Sworn Officer; (2) Require That Lateral And Local Incentives Return The Entire Financial Incentive To The City If They Leave The City Before Completing 18 Months Of Service; (3) Require That Lateral Hires Who Leave Before Completing 5 Years Of Service With The Oakland Police Department ("OPD") Repay A Prorated Amount Based On Their Tenure With OPD; (4) Authorize A \$20,000 Signing Bonus For Local Residents Who Successfully Complete OPD's Academy And Accept A Position With The City Of Oakland As A Sworn Officer; (5) Directing That Interview Panels For Police Recruits Shall Include At Least One Person Representing Expertise In NSA/Race And Equity And One Youth 18 Years-24 Years Of Age; And (6) To Exclude Any Police Officer With A History Of Misconduct Or Police Brutality, And In Cases Where Misconduct Information Is Not Available Or There Are Disclosure Challenges, If The Review Board Recommends The Lateral Hire; Subject To Completing Legally Required Collective Bargaining And The City Attorney's Review Of The Legality Of All Of The Foregoing
[21-0931](#)

Attachments: [NO WRITTEN MATERIAL SUBMITTED](#)

Legislative History

12/7/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>President Pro Tempore Thao made a Scheduling Motion, seconded by Vice Mayor Kaplan, to Schedule this item to the December 21, 2021 City Council Agenda on Non-Consent</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
12/16/21	*Rules & Legislation Committee	Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

9 Subject: FY 2020 Assistance To Firefighters Grant (AFG)
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To:

1) Enter Into An Agreement With The U.S. Department Of Homeland Security's Federal Emergency Management Agency (FEMA) To Accept The Fiscal Year 2020 Assistance To Firefighters Grant (AFG) Funds In The Amount Of One Hundred Seventy-Nine Thousand Five Hundred And Eighty-Four Dollars And Seventy-Three Cents (\$179,584.73) For The Project Period Starting June 4, 2021 And Ending June 3, 2023;

2) Appropriate And Administer Said Funds For The Fire Department To Receive Specialized Training In Hazardous Materials Response, Technical Rescue / Heavy Rescue, And Water Rescue;

3) Expend Assistance To Firefighter Funds In Accordance With The City's Purchasing Requirements And Programs/Policies;

4) Allocating Matching Funds In The Amount Of Seventeen Thousand Nine Hundred Fifty-Eight Dollars And Forty-Seven Cents (\$17,958.47);

5) Authorizing A General Purpose Fund Contribution At A Rate Of 13.34% To Cover Disallowed Central Service Overhead (CSO) Charges Estimated At Fifteen Thousand Eight Hundred And Eighty One Dollars (\$15,881)

[22-0015](#)

Legislative History

1/13/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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10 Subject: Studying An Enhanced Infrastructure Financing District For Affordable
From: Council President Pro Tempore, Councilmember Fife And President Fortunato
Bas

Recommendation: Approve A Report With Recommendation Directing The City
Administrator To Study The Implementation Of A Citywide Enhanced Infrastructure
Financing District Funding Affordable Housing And Infrastructure Improvements And To
Return To The Council With Recommendations By The First Council Meeting In February
2022

[21-0959](#)

Legislative History

12/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Councilmember Fife and President Fortunato Bas requested to be added as a Co-Sponsor and to be heard on Non-Consent</i>
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OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote Of The Council)

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 8:30 A.M. TO 5:00 P.M.