

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 Minutes - FINAL

Tuesday, October 19, 2021

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/88527652491> 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: 885 2765 2491

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

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. The meeting was convened at 1:31 P.M.

ROLL CALL / CITY COUNCIL

Present 8 - Carroll Fife, Noel Gallo, Dan Kalb, Rebecca Kaplan, Treva Reid, Loren Taylor, Sheng Thao, and Nikki Fortunato Bas

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

There were 36 speakers who spoke during Public Comment

Councilmember Taylor made a motion, seconded by Councilmember Kalb, to move Item S2.22 to Non-Consent with no objections, And

Council Committee approved to amend the title of Item 2.12; striking Lanenna Joiner

This be Accepted.

2 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

A motion was made by Kaplan, seconded by Gallo, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 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
[21-0730](#)

Attachments: [View Legislation](#)

This City Resolution was Adopted.

- 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
[21-0731](#)

Attachments: [View Legislation](#)

This City Resolution was Adopted.

- 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
[21-0732](#)

Attachments: [View Legislation](#)

This City Resolution was Adopted.

- 2.4** Subject: As Part Of National Hispanic Heritage Month, Honoring Hispanic/ Latinx Community Leaders
From: Councilmember Gallo
Recommendation: Adopt A Resolution, As Part Of National Hispanic Heritage Month, Honoring Hispanic/Latinx Community Leaders In All Council Districts For Their Continual Year-Round Work
[21-0691](#)

Attachments: [View Legislation](#)

This City Resolution was Adopted.

- 2.5** Subject: Electric Vehicle Fast Charging at City Center West Garage
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate, Finalize, And Execute An Electric Vehicle Charging Station License Agreement With East Bay Community Energy For Installing Fast Charging Infrastructure At City Center West Garage At No Direct Cost To The City; Waiving The Advertising, Bidding And The Request For Qualifications/Proposal Competitive Selection Requirements; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[21-0711](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[View Supplemental Legislation 10/14/2021](#)

This City Resolution was Adopted.

- 2.6** Subject: Resolution For The Public Improvements At 24th St./Harrison St./Bay P1./27th St.
From: Transportation Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Enter Into A Public Improvements Reimbursement Agreement And The Contribution Of Transportation Impact Funds To Holland 24th & Harrison Investors, LLC, In An Amount Not To Exceed 2.1 Million Dollars (\$2,100,000.00) For The Construction Of Public Improvements At The Intersection Of 24th Street, Harrison Street, Bay Place, And 27th Street In Accord With Project Plans And Specifications; (2) Waiving Advertising And Competitive Bidding; And (3) Adopting Appropriate California Environmental Quality Act ("CEQA") Findings
[21-0712](#)

Sponsors: Transportation Department

Attachments: [View Report](#)
[View Attachment A - Cumulative Mitigation Measures Eligible for TIF](#)
[View Attachment B - Proposed Public Improvement Project](#)
[View Attachment C - Map of Area](#)
[View Attachment D - 27th Complete Streets Project Resolution](#)
[View Attachment E - Lakeside Family Streets Project Resolution](#)
[View Attachment F - Public Improvements Reimbursement Agreement](#)
[View Legislation](#)

This City Resolution was Adopted.

- 2.7** Subject: Major Encroachment Permit On Franklin Street
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Steven H. Banker And Jennifer J. Banker, And Gary Bettencourt And Mari Bettencourt, As Trustees Of The Gary And Mari Bettencourt 2014 Trust, To Allow A New Upward Swinging Double Leaf Basement Access Door And A Portion Of An Existing Basement Below Grade To Encroach Into The Public Right-Of-Way On Franklin Street, Major Encroachment Permit ENMJ20055; And Making California Environmental Act Findings (CEQA)
[21-0714](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Report Exhibit A-E](#)
[View Supplemental Legislation 10/14/2021](#)

This City Resolution was Adopted.

- 2.8** Subject: MTC Park-N-Ride Lots Under I-880 At High St And Fruitvale Ave
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Finalize And Execute An Amendment To The Maintenance Agreement With The State Of California, Department Of Transportation For Interstate-880 At High Street And Fruitvale Avenue And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And
[21-0713](#)

Attachments: [View Report](#)
[View Agreement](#)
[View Legislation](#)
[View Exhibits A & B](#)
[View Supplemental Legislation 10/14/2021](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator To Finalize And Execute An Agreement With The Metropolitan Transportation Commission (MTC) For The City To Provide Parking Enforcement Services In Support Of The MTC Managed Commuter Parking-And-Ride Facilities Under Interstate-880 At High Street And At Fruitvale Avenue And Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[21-0715](#)

Attachments: [View Report](#)
[View Report Attachment](#)
[View Legislation](#)
[View Supplemental Legislation 10/14/2021](#)

This City Resolution was Adopted.

2.9 Subject: Children's Environmental Health Month
From: Vice Mayor Kaplan And Councilmember Kalb
Recommendation: Adopt A Resolution To Declare October 2021 As Children's Environmental Health Month In The City Of Oakland In Recognition Of The Need For Clean Air And Water, And The Steps Necessary To Safeguard The Health, Safety, And Wellbeing Of Children
[21-0725](#)

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

This City Resolution was Adopted.

2.10 Subject: Supporting Haitian Refugees
From: Councilmember Fife
Recommendation: Adopt A Resolution Condemning The Inhumane Treatment And Deportation Of Haitian Asylum-Seekers Near The US-Mexico Border By The Federal Administration And Affirming The City Of Oakland's Commitment To Welcoming And Supporting Resettlement Efforts Of Haitian Refugees In Oakland
[21-0726](#)

Attachments: [View Legislation](#)

This City Resolution was Adopted.

- 2.11** Subject: Choice Of Communications Services Providers By Occupants Ordinance
From: Councilmember Gallo
Recommendation: Adopt An Ordinance To Prohibit Owners Of Multiple Occupancy Buildings From Interfering With The Choice Of Communications Services Providers By Occupants, Establish Requirements For Communications Services Providers To Obtain Access To Multiple Occupancy Buildings, And Establish Remedies For Violation Of The Access Requirement

[21-0467](#)

Attachments: [View Report](#)

[View Supplemental Report - 10/1/2021](#)

[View Supplemental Report - 10/15/2021](#)

This Ordinance was Approved for Final Passage.

- 2.12** Subject: Budget Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Dahvie James, Lanenna Joiner And Mark Sawicki To The Budget Advisory Commission

[21-0749](#)

Attachments: [View Report And Legislation](#)

Council Committee approved staffs recommendations as amended to strike Lanenna Joiner from Resolution

A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter be Adopted as Amended. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 2.13** Subject: Cannabis Regulatory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Lauren Payne As A Member Of The Cannabis Regulatory Commission

[21-0750](#)

Attachments: [View Report And Legislation](#)

This City Resolution was Adopted.

- 2.14** Subject: Library Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Karen Roye And Cristina Tostado And Reappointment Of Alternier Cook, Mary Forte, Carolyn Moskovitz, Catherine Smith, And Ayushi Roy As Members Of The Library Advisory Commission
[21-0751](#)

Attachments: [View Report And Legislation](#)

This City Resolution was Adopted.

- 2.15** Subject: Resolution To Declare October 18-24, 2021 As "Love Life" Week
From: Councilmember Reid
Recommendation: Adopt A Resolution Declaring The Week Of October 18-24, 2021 As Love Life Week In The City Of Oakland
[21-0746](#)

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

This City Resolution was Adopted.

- 2.16** Subject: In Support Of Afghan Refugees
From: President Pro Tempore Thao And Councilmember Kalb
Recommendation: Adopt A Resolution Urging The Biden Administration To Welcome Afghan Refugees, Urging The State Of California To Accept Afghan Refugees, And Declaring The City Of Oakland's Support For Afghan Refugees
[21-0740](#)

Attachments: [View Legislation](#)

This City Resolution was Adopted.

- 2.17** Subject: Support Of Ghost Guns Litigation
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution In Support Of The Litigation, Brought By San Francisco District Attorney Chesa Boudin, Against Ghost Gun Manufacturers To Fight Against The Increasing Violence And Death That These Untraceable Guns Have Caused In The City Of Oakland
[21-0744](#)

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

This City Resolution was Adopted.

- 2.18** Subject: OPD MHN Employee Assistance Program Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Enter Into An Administrative Services Agreement With Managed Health Network (MHN) Services, LLC, To Continue Providing Substance Abuse Counseling Services For Members Of The Oakland Police Department (OPD) And Their Dependents, For The Period Of July 1, 2021 To June 30, 2022, With Four One-Year Automatic Renewal Periods Unless Terminated By Either Party For A Total Contract Period Of July 1, 2021 Through June 30, 2026, In An Amount Not To Exceed One Hundred Fifty Thousand Dollars Annually For A Total Contract Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000)

[21-0745](#)

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

This City Resolution was Adopted.

- 2.19** Subject: Salary Ordinance Amendments & Exemptions For Various Classifications
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Mobile Assistance Community Responders Of Oakland (MACRO) Program Manager From The Operation Of Civil Service; And

[21-0736](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report 10/14/21](#)

This City Resolution was Adopted.

2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Payroll From The Operation Of Civil Service; And

[21-0737](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report 10/14/21](#)

This City Resolution was Adopted.

Subject: Salary Ordinance Amendments & Exemptions For Various Classifications
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Mobile Assistance Community Responders Of Oakland (MACRO) Program Manager; To Add The Full-Time Classification Of Community Intervention Specialist (MACRO); To Add The Full-Time Classification Of Emergency Medical Technician (MACRO); To Add The Full-Time Classification Of Tree Trimmer Crew Leader; To Add The Full-Time Classification Of Head Start/Early Head Start Assistant Instructor; To Add The Full-Time Classification Of Oracle Application Developer III; To Add The Full-Time Classification Of Custom Application Developer III; To Add The Full-Time Classification Of Community Police Review Agency (CPRA) Attorney; To Add The Full-Time Classification Of Benefits Supervisor; To Add The Full Time Classification Of Manager, Payroll; To Amend The Title Of The Full-Time Classification Of Head Start/Early Head Start Substitute Associate Instructor To Head Start/Early Head Start Substitute Instructor; To Amend The Title Of The Permanent Part Time Classification Of Head Start/Early Head Start Substitute Associate Instructor, PPT To Head Start/Early Head Start Substitute Instructor, PPT; To Amend The Title Of The Part-Time Classification Of Head Start/Early Head Start Substitute Associate Instructor, PT To Head Start/Early Head Start Substitute Instructor, PT; To Amend The Title Of The Full-Time Classification Of Parking Meter Collector Supervisor To Parking Meter Collection Supervisor; To Amend The Salary Of The Part-Time Classification Of Lifeguard, PT; To Amend The Salary Of The Part-Time Classification Of Water Safety Instructor, PT; To Amend The Salary Of The Part-Time Classification Of Pool Manager, PT; To Amend The Salary Of The Permanent Part-Time Classification Pool Manager, PPT; To Amend The Salary Of The Full-Time Classification Of Fire Protection Engineer; And To Delete The Full-Time Classification Of Application Developer III
[21-0738](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report 10/14/21](#)
[View Supplemental Legislation 10/14/21](#)

This Ordinance was Approved As Amended On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/2/2021

2.20 Subject: Oakland Housing Authority Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
Gregory Hartwig To The Oakland Housing Authority Board
[21-0752](#)

Attachments: [View Report And Legislation](#)

This City Resolution was Adopted.

2.21 Subject: Oakland Public Works - Damage to City Infrastructure
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of City Of Oakland, A California Municipal
Corporation V. East Bay Municipal Utility District And Does 1 Through 10, Inclusive,
Alameda County Superior Court Case No. RG19043863, City Attorney File No. X04615,
For Payment To The City Of Oakland In The Amount Of \$185,000.00 By East Bay
Municipal Utility District, Arising From Damage To A City Street And Storm Water Culvert
Adjacent To 3021 Richmond Boulevard, Which Occurred On Or About June 20, 2011
[21-0753](#)

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

This City Resolution was Adopted.

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING

4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS
[21-0754](#)

Attachments: [View City Attorney Report Out - EBMUD](#)
[View City Attorney Report Out - Coliseum Properties](#)

***Council Committee accepted the City Attorneys amendment to the October 7, 2021
report out, which reads as follows:***

Striking with and adding an Exclusive Negotiating Agreement for a.; And

to number 5:

striking in December/January

**A motion was made by Noel Gallo, seconded by Sheng Thao, that this matter be
Accepted. The motion carried by the following vote:**

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 5, 2021
AT 1 P.M. AND OCTOBER 5, 2021 AT 1:30 P.M.
[21-0733](#)

Attachments: [View Report - October 5, 2021 @ 1PM](#)

[View Report - October 5, 2021 @ 1:30PM](#)

**A motion was made by Noel Gallo, seconded by Loren Taylor, that this matter be
Accepted. The motion carried by the following vote:**

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

6 Subject: Property Exchange With OUSD At Marston Campbell Park
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Of Oakland (City) To
Conduct The Following Exchange Of Properties With The Oakland Unified School
District, A California Public School District (District):

(1) Acquisition Of Approximately 44,791 Square Feet Of Real Property Located At
Marston Campbell Park Near The Intersection Of 16th Street And Market Street From
The District At No Cost To The City Pursuant To Oakland Municipal Code (OMC) Section
2.41.020 And Section 219(6) Of The City Charter;

(2) Disposition Of Approximately 25,939 Square Feet Of Real Property Located At 1700
Market Street To The District At No Cost Pursuant To OMC Section 2.42.050;

(3) Acquisition Of An Easement From The District Over Approximately 13,884 Square
Feet Of Real Property Located Immediately Adjacent To 1700 Market Street For The
Purpose Of Providing Irrigation Facilities To Marston Campbell Park Pursuant To OMC
Section 2.41.060;

(4) Allocating A Not To Exceed Amount Of Ten Thousand Dollars (\$10,000) For
Associated Closing Costs And Fees; And

(5) Making California Environmental Quality Act And Surplus Land Act Findings
[21-0735](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[View Revised Notice and Digest](#)
[View Exhibit A](#)
[View Exhibit B](#)

**A motion was made by Carroll Fife, seconded by Treva Reid, that this matter be
Approved On Introduction and Scheduled for Final Passage to go before the *
Concurrent Meeting of the Oakland Redevelopment Successor Agency and the
City Council, to be heard 11/2/2021. The motion carried by the following vote:**

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 7 Subject: Exclusive Negotiation Agreement For 73rd Avenue And Foothill Boulevard
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Exclusive Negotiating Agreement (ENA) With The Black Cultural Zone Community Development Corporation (BCZ) In Partnership With Community Arts Stabilization Trust, Curtis Development, And/Or Their Affiliated Entities For Eighteen (18) Months, With One Additional Six (6) Month Administrative Extension, For The Future Disposition Of The City-Owned 73rd Avenue And Foothill Boulevard Property (APN 039-3291-020), Subject To The Completion Of A California Environmental Quality Act (CEQA) Determination [21-0723](#)

Attachments: [View Legislation](#)
[View Report and Attachments A/B](#)

A motion was made by Loren Taylor, seconded by Sheng Thao, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

The Agenda was modified to have item S2.22 taken after Item 7

- S2.22** Subject: "MACRO" Recommendations
From: The Public Safety Committee
Recommendation: Approve A Report And Recommendations Regarding Implementation Of The Mobile Assistance Community Responders Of Oakland (MACRO) Program Including The Following:

- (1) Include A Community Advisory Board For The Purpose Of Serving As An Advisory Partner To The Oakland Fire Department As Council Expressed Its Intent To Create In Resolution Number 88553 C.M.S And To Return To Council If Necessary With Appropriate Legislation;
- (2) Ensure A Competitive Salary And Wage Structure For Jobs, Meaning Jobs For Frontline Responders And Bringing Them On As Soon As Possible;
- (3) A Plan To Expand MACRO To A 24-Hours A Day, 7-Days A Week Program;
- (4) Strategy (And Staffing) To Pursue Additional Funds To Continue/Expand MACRO;
- (5) Revised Spending Plan

[TITLE CHANGE]

[21-0663](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Accepted. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 8 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](#)

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

A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/21/2021. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 9 Subject: FY 2021-23 Use Of One-Time Revenues
From: Finance Department
Recommendation: Adopt A Resolution Amending And Superseding Resolution No. 88718 C.M.S., Which Authorized The Use Of One-Time Revenues To Balance The Fiscal Years 2021-23 Biennial Budget Pursuant To Section 1, Part D Of The City Of Oakland Consolidated Fiscal Policy (Ordinance No. 13487 C.M.S.), To Update The Amount Of One-Time Revenue The City Received Under The American Rescue Plan Act And The Amount Of One-Time Revenue Used To Balance The Fiscal Years 2021-23 Biennial Budget
[21-0742](#)

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

A motion was made by Loren Taylor, seconded by Noel Gallo, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

- 10** Subject: Restoring The Prompt Payment Ordinance
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution Terminating Item 10 Of The City Administrator's
March 23, 2020 Emergency Order That Suspended Interest Penalties For Failure To
Make Timely Payments In Accordance With Oakland Municipal Code Chapter 2.06
[21-0741](#)

Attachments: [View Legislation](#)

**A motion was made by Sheng Thao, seconded by Noel Gallo, that this matter be
Adopted. The motion carried by the following vote:**

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

NO VOTE: 0

The Roll Call was modified to note Councilmember Fife excused at 5:30 p.m.

The Roll Call was modified to note President Fortunato Bas excused at 6:20 p.m.

The Roll Call was modified to note President Pro Tempore Thao excused at 6:35 p.m.

The Agenda was modified to have item 12 taken after Item 10

- 12** Subject: Arroyo Viejo Commercial Kitchen Equipment
From: Councilmember Taylor
Recommendation: Adopt A Resolution Accepting A Gift Of Commercial Kitchen
Equipment And In-Kind Services For Said Equipment Valued In An Amount Not To
Exceed \$100,000 From Google For The Arroyo Viejo Recreation Center
[21-0748](#)

Attachments: [View Report](#)

[View Legislation](#)

**The Council Committee approved recommendations as amended to include the
following:**

Adding a second to last WHEREAS Clause:

**WHEREAS, Prior To Acceptance Of The Equipment And In-Kind Services, The
Appropriate City Staff Will Review And Inspect The Equipment And Proposed
Services To Ensure They Comply With All Applicable City Requirements, Including
But Not Limited To Appropriate Safety And License Requirements; And**

**A motion was made by Loren Taylor, seconded by Rebecca Kaplan, that this
matter be Adopted as Amended. The motion carried by the following vote:**

Excused: 2 - Fife, and Thao

Aye: 6 - Gallo, Kalb, Kaplan, Reid, Taylor, and Fortunato Bas

NO VOTE: 0

- 11 Subject: State Capital In The Community Grant
From: Councilmember Taylor
Recommendation: Adopt A Resolution Accepting And Appropriating Eight Million Dollars (\$8,000,000) Awarded To The City Of Oakland By The State Of California For The Specific Purpose Of Funding The ESO Ventures Capital In The Community Act And Awarding A Grant To ESO Ventures In An Amount Not To Exceed Eight Million Dollars (\$8,000,000)
[21-0747](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report 10/14/21](#)

The Council Committee approved recommendations as amended to include as follows:

To The 2nd FURTHER RESOLVED:

FURTHER RESOLVED: That a grant in an amount not to exceed Eight Million Dollars (\$8,000,000) is awarded to ESO Ventures, with \$4,000,000 awarded as soon as practicable and the remaining \$4,000,000 to be awarded on or about September 2022 after a states report is provided to the Council by the awardee with input from the city's Economic and Workforce Development (EWD) department and be it

FURTHER RESOLVED: That City Administrator or designee shall, consistent with the above Resolved Clause and in consultation with the City Attorney's Office, determine the best method for disbursement of these funds to ensure the funds are used for the specified purposes as required by Senate Bill No. 170; and be it

Adding a 4th FURTHER RESOLVED

FURTHER RESOLVED: That such contract shall include a prohibition on ESO Ventures using public funds obtained under the grant agreement to promote the name, likeness, or logo of candidates and elected officials; and be it

A motion was made by Loren Taylor, seconded by Dan Kalb, that this matter be Adopted as Amended. The motion carried by the following vote:

Excused: 2 - Fife, and Thao

Abstained: 1 - Fortunato Bas

Aye: 5 - Gallo, Kalb, Kaplan, Reid, and Taylor

NO VOTE: 0

- 13** Subject: Reports On Outside Boards And Commissions
From: Vice Mayor Kaplan And Council President Fortunato Bas
Recommendation: Receive An Informational Reports From Representatives On Outside
Boards And/Or Commissions To Provide The City Council With A Briefing On General
Business Regarding The Issues, Activities, Major Decisions And The Agenda Of The
Body On Which The Representative Serves
[21-0588](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 11/2/2021. The motion carried by the following vote:

Excused: 2 - Fife, and Thao

Aye: 6 - Gallo, Kalb, Kaplan, Reid, Taylor, and Fortunato Bas

NO VOTE: 0

ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF

Vice Mayor Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of LoEshé Lacey

OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

6 speakers spoke during Open Forum.

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 6:30 P.M., Unless Extended By Majority Vote Of The Council)

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of LoEshé Lacey at 7:10 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.

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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.