



City of Oakland

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

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

Tuesday, January 18, 2022

1:00 PM

Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date, and the meeting was convened at 1:04 PM.

ROLL CALL / CITY COUNCIL

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

ACTIONS ON SPECIAL ORDERS OF THE DAY

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

The Council President took a point of Personal Privilege to honor Dr. Martin Luther King Jr. The Council heard the ceremonial items, "Honoring Gordon And Sue Piper" & "Celebrating Frank Foster For 30 Years Of Service To The City Of Oakland" prior to hearing public comment.

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):**

Council President Bas made a request to move item S2.21 "EMC Research, Inc. Professional Services Agreement" to the Non Consent Calendar; and Councilmember Fife made a request to move items 2.5 "Economic Development Administration (EDA) Grant Revolving Loan Fund", 2.18 "2022 As-Needed Pavement Rehabilitation Services" and 2.19 Citywide Sidewalks & Curb Ramps For Paving 2022" to the Non Consent Calendar.

A motion was made by Council President Bas, seconded by Pro Tem Thao to place these items on the Non Consent Calendar.

1 PUBLIC COMMENT:

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

50 speakers spoke during Public Comment .

- 7 Subject: Grant Award To Lao Family Community Development Inc's Care Campus
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution:
1. Awarding A Grant In The Amount Of One Million Dollars (\$1,000,000,000) To Lao Family Community Development Inc. For The Provision Of Temporary Housing And Support Services To Assist Homeless Residents In Finding Permanent Affordable Housing And Achieve Long-Term Financial Security;
 2. Waiving Competitive Bidding And Authorizing The City Administrator To Amend The Construction Contract With Sustainable Urban Neighborhoods To Increase The Amount By Three Hundred Thirty Thousand Dollars (\$330,000) For Installation Of Utilities At The East 12th Street/2nd Avenue And 3rd Street/Peralta Street Pallet-Shelter Sites;
 3. Allocating One Hundred Thousand Dollars (\$100,000) To Be Used As Contingency Funds For Payment Of Utility Cost At The East 12th Street/2nd Avenue And 3rd Street/Peralta Street Pallet-Shelter Sites; And
 4. Directing The City Administrator To Prioritize Individuals Who Were Oakland Residents Prior To Becoming Homeless For The Purpose Of Providing Homeless Interventions
- [TITLE CHANGE]
[21-0966](#)

Attachments: [View Report & Legislation](#)
[View Supplemental Report & Legislation - 1/12/2022](#)
[88983 CMS](#)

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

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

NO VOTE: 0

- 8** Subject: Blue Ribbon Equitable Business Tax Task Force Recommendations
From: Council President Fortunato Bas
Recommendation: Receive An Informational Report From The Finance Department On
Analyses And Policy Recommendations Prepared And Adopted By The Blue Ribbon
Equitable Business Tax Task Force Regarding The Proposed New Rates And The
Economic Impacts Of The Recommended Business Tax Rates As Requested By The
City Council Pursuant To Resolution 88478 C.M.C
[21-0878](#)

Attachments: [View Report](#)

[View Supplemental Report - 1/12/2022](#)

**A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that
this matter be Received and Filed. The motion carried by the following vote:**

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

NO VOTE: 0

S14 Subject: Apply For Homekey Grant Funds
From: Vice Mayor Kaplan
Recommendation: Adopt Resolution Authorizing The City Administrator To Submit An Application To The Department Of Housing And Community Development In Response To The NOFA, Dated September 9, 2021, And To Apply For The Homekey Grant Funds In A Total Amount Not To Exceed \$120,000,000 For Capital And Operating Expenditures For The Foothill & Edes/Clara Senior Housing Homekey Project, In Addition To The Homekey Projects Which Received Authorization In Resolution No. 88950
[22-0025](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Legislation](#)
[View Redlined Amendments January 18, 2022](#)
[88984 CMS](#)

Vice Mayor Kaplan made a motion seconded by Councilmember Gallo to approve the urgency finding on item S14 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action

(1) is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;

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

The legislation was amended to reflect the following changes;

-On the face of the agenda to read "RESOLUTION AMENDING RESOLUTION NO. 88950 C.M.S., WHICH AUTHORIZED THE CITY ADMINISTRATOR TO JOINTLY APPLY FOR, ACCEPT, AND ENTER INTO A STANDARD AGREEMENT AS A LOCAL AGENCY PARTNER FOR, FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S HOMEKEY PROGRAM FOR CERTAIN PROJECTS, TO ADD THE FOOTHILL & EDES/CLARA SENIOR HOUSING HOMEKEY PROJECT TO THE APPLICATION, WAIVE THE REQUEST FOR PROPOSALS PROCESS FOR THIS PROJECT, AND INCREASE THE APPLICATION AMOUNT FROM \$120 MILLION TO \$160 MILLION";

- Adding a second clause to the top of page 2 "WHEREAS, the City of Oakland desires to jointly apply for Homekey grant funds ("Application") with qualified sponsors ("Qualified Sponsors") to the Department for review and consideration; and";

- in the 4th whereas clause replacing the term "with" with the term "for";

- bottom of page 2 "WHEREAS, the City wishes to apply, as the local agency partner with Housing Consortium of the East Bay for Homekey Funds for the

Foothill & Edes/Clara Senior Housing Homekey Project, a 206-unit modular construction senior housing project; and

WHEREAS, Council wishes to waive the City Homekey RFP process for the Foothill & Edes/Clara Senior Housing Homekey Project; and

WHEREAS, the City wishes to increase the Homekey Application amount from \$120 million to \$160 million to accommodate the Foothill & Edes/Clara Senior Housing Homekey Project; and"

- On Page 3 striking "WHEREAS, the City desires to include soft commitments for local matching capital and operating funds for the City's Homekey applications to enhance the viability and competitiveness of the applications; and

WHEREAS, more than \$6,000,000 in funds for affordable housing development, of which Homekey acquisitions and rehabilitations are eligible uses, are available from the Measure KK Housing and Infrastructure Bond Fund (Funds 5331/5333) and Excess Redevelopment Bond Fund (Fund 5610), and the HOME Investment Partnerships American Rescue Plan Program (HOME- ARP) Fund (Fund 2109); and

WHEREAS, the City Council has authorized the allocation of Homeless Housing, Assistance, and Prevention ("HHAP") program funds as matching local operating subsidy funding for Homekey Projects; and"

- to page 3 adding "WHEREAS, Homekey funding allocations are subject to the terms and conditions of the NOFA, the Application, the Department-approved STD 213, Standard Agreement, and all other legal requirements of Homekey; and" & "WHEREAS, the Foothill & Edes/Clara Senior Housing Homekey Project may be exempt from CEQA pursuant to CEOA Guidelines section 15332, "In Fill Development Projects." which exempts projects characterized as infill development meeting certain specified criteria, if the Foothill & Edes/Clara Senior Housing Homekey Project meets the criteria specified therein; and"

- to page 4 "RESOLVED: That the foregoing recitals are true and correct, and the City Council hereby makes them part of this Resolution; and be it"

- amending 1st further resolved to read "FURTHER RESOLVED: That Resolution No. 88950 C.M.S is hereby amended to provide that the City Council authorizes and directs the City Administrator to submit an Application to the Department in response to the NOFA, dated September 9, 2021, and to apply for Homekey grant funds for capital and operating expenditures for the Foothill & Edes/Clara Senior Housing Homekey Project, in addition to the Homekey projects which received authorization under Resolution No. 88950 C.M.S.; and be it"

- adding 4 resolved clauses "FURTHUR RESOLVED: That the City Council hereby waives the City Homekey RFP process for the Foothill & Edes/Clara Senior Housing Homekey Project; and be it

FURTHER RESOLVED: That Resolution No. 88950 C.M.S is hereby further amended to authorize and direct the City Administrator to submit an Application for Homekey grant funds in a total amount not to exceed \$160,000,000 for capital and operating expenditures for the projects authorized under Resolution No. 88950

C.M.S. as well as the Foothill & Edes/Clara Senior Housing Homekey Project; and be it

FURTHER RESOLVED: That, if the Application is approved, the City Administrator is authorized to enter into, execute, and deliver a Standard Agreement for the total amount awarded, any and all other documents required or deemed necessary or appropriate to secure the Homekey funds from the Department, and to participate in the Homekey Program, and all amendments thereto (collectively, "the Homekey Documents") on behalf of the City, as a local agency partner; and be it

FURTHER RESOLVED: That the City acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement, that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof, that any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard Agreement, and that funds are to be used for the allowable expenditures and activities identified in the Standard Agreement; and be it

FURTHER RESOLVED: That, contingent upon the award of Homekey funds for the Foothill & Edes/Clara Senior Housing Homekey Project, the City Administrator is hereby authorized to enter into a grant or loan agreement with the Qualified Sponsor, or affiliated entities, for the Foothill & Edes/Clara Senior Housing Homekey Project in a total amount up to the amount of Homekey funds awarded; and be it"

- replacing the 3rd further resolved on the last page with "FURTHER RESOLVED: That adoption of this Resolution and authorization of the Homekey Application for the Foothill & Edes/Clara Senior Housing Homekey Project is expressly conditioned on the City Administer determining prior to submission of the Application for this project that (1) the Foothill & Edes/Clara Senior Housing Homekey Project meets the criteria for exemption as an infill project under CEOA Guidelines section 15332 and is therefore exempt from CEQA, and (2) the Sponsor of the Foothill & Edes/Clara Senior Housing Homekey Project has provided sufficient information on the project to the City Administrator or his designee necessary for the City Administrator to timely submit the Application and be able to provide the necessary certifications thereto; and be it "

- Amending the last further resolved to read "FURTHER RESOLVED: That the City hereby authorizes the City Administrator to determine funding allocations, conduct negotiations, execute documents, administer loans or grants, extend or modify the repayment terms, and take any other action with respect to the Foothill & Edes/Clara Senior Housing Homekey Project, and the Application as amended under this Resolution, consistent with this Resolution and its basic purpose"

This City Resolution be Adopted as Amended.

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

NO VOTE: 0

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

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
[21-0972](#)
Attachments: [View Legislation](#)
[88985 CMS](#)
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
[21-0973](#)
Attachments: [View Legislation](#)
[88986 CMS](#)
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
[21-0974](#)
Attachments: [View Legislation](#)
[88987 CMS](#)
This City Resolution was Adopted.

- 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
[21-0975](#)

Attachments: [View Legislation](#)
[88988 CMS](#)

This City Resolution was Adopted.

- 2.6** Subject: California Legislature Support For "Cash For Clunkers" For Heavy Duty Trucks
From: Vice Mayor Kaplan, Councilmember Kalb And Pro Tem Pore Thao
Recommendation: Adopt A Resolution Asking The California Legislature To Create, Expand, And Fund A "Cash For Clunkers" Program For Heavy Duty Freight Trucks, To Provide An Incentive For The Removal Of Heavily Polluting Trucks From Streets And Highways In Order To Reduce Air Pollution Impacts On Low-Income And Other Hard-Hit Communities
[21-0951](#)

Attachments: [View Report](#)
[View Legislation](#)
[88989 CMS](#)

This City Resolution was Adopted.

2.7 Subject: Alameda-Contra Costa Transit District Invitation To Participate In An Inter-Agency Liaison Committee
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Directing The City Administrator To Accept The Invitation From The Alameda-Contra Costa Transit District (AC Transit) To Participate In Inter-Agency Liaison Committee, Which Will Provide A Cooperative Framework An For Input And Exchange Of Information To Improve Service Planning Coordination Between Ac Transit And The City Of Oakland, And Appointing City Of Oakland Councilmember Noel Gallo, Councilmember _____ And Vice Mayor Rebecca Kaplan As The City Representatives To The Committee, And Appointing Councilmember Dan Kalb As An Alternate
[TITLE CHANGE]
[21-0956](#)

Attachments: [View Report & Legislation](#)
[View Supplemental Legislation - 1/12/2022](#)
[88990 CMS](#)

Councilmember Taylor was appointed as the 3rd member to this board.

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

NO VOTE: 0

- 2.8** Subject: Amendments To Oakland Planning Code Related To Accessory Dwelling Units
From: Planning & Building Department
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To: 1) Revise Regulations For Accessory Dwelling Units (ADUs) And Junior Accessory Dwelling Units (JADUs) To Comply With State Law; 2) Amend The S-9 Zoning Overlay Zone That Identifies Areas In The City Where ADUs Are Restricted To One Internal Conversion ADU Or JADU Per Residential Lot; 3) Provide An Exception Mechanism For Allowing Attached And Detached ADUs In The S-9 Zoning Overlay Zone; 4) Provide Additional Wildfire Building Protections In S-9 Zoning Overlay Zone; 5) Make Conforming Changes In Various Sections Of The Oakland Planning Code Related To ADUs; And 6) Make Appropriate California Environmental Quality Act (CEQA) Findings
[21-0829](#)

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Attachment D](#)

[View Attachment E](#)

[View Attachment F](#)

[View Legislation](#)

[View Exhibit A](#)

[View Exhibit B](#)

[View Supplemental Report - 12/17/2021](#)

[View Supplemental Attachment A - 12/17/2021](#)

[View Supplemental Exhibit A - 12/17/2021](#)

[View Presentation - 12/17/2021](#)

[View Supplemental Report - 1/6/2022](#)

[View Supplemental Exhibit - 1/6/2022](#)

[View Supplemental Attachment A - 1/6/2022](#)

[13677 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.9** Subject: Amending Fiscal Year 2021-22 Master Fee Schedule (MFS)
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 13654 C.M.S. (Which Adopted The Fiscal Year 2021-22 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland Referenced Herein
[21-0900](#)

Attachments: [View Report](#)
[View Legislation](#)
[13678 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.10** Subject: Support Of California State Assembly Bill 328
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill 328 That Would Redirect A Portion Of Cost Savings At The California Department Of Corrections And Rehabilitation To Evidenced-Based Reentry Housing
[21-0980](#)

Attachments: [View Report](#)
[View Legislation](#)
[88991 CMS](#)

This City Resolution was Adopted.

- 2.11** Subject: Negrete V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Francisco Negrete, William Berger, Craig Tanaka, Brandon Hraiz, Josef Phillips, V. City Of Oakland; Police Commission Of The City Of Oakland; Does 1 - 10, Inclusive, Alameda County Superior Court Case No. RG20062117, City Attorney's File No. X04860-1, In The Amount Of Forty Thousand Dollars And Zero Cent (\$40,000.00) (Community Police Review Agency - Administrative Writ Of Mandamus)
[21-0963](#)

Attachments: [View Report](#)
[View Legislation](#)
[88992 CMS](#)

This City Resolution was Adopted.

- 2.12** Subject: Claudine Jones V. City Of Oakland, Joseph D. Evinger, Sara A. Evinger,
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Claudine Jones V. City Of Oakland, Joseph D.
Evinger, Sara A. Evinger, And Does One Through Twenty, Alameda County Superior
Court Case No. RG21087883, City Attorney's File No. 33578, In The Amount Of Three
Hundred Thousand Dollars And Zero Cents (\$300,000.00) (Department Of
Transportation - Dangerous Condition)
[21-0961](#)

Attachments: [View Report](#)
[View Legislation](#)
[88993 CMS](#)

This City Resolution was Adopted.

- 2.13** Subject: Honoring Gordon And Sue Piper
From: President Pro Tempore Thao And Councilmember Kalb
Recommendation: Adopt A Resolution Honoring Gordon And Sue Piper For Their
Decades-Long Efforts To Improve Wildfire Prevention In The City Of Oakland
[22-0006](#)

Attachments: [View Legislation](#)
[88994 CMS](#)

This City Resolution was Adopted.

- 2.14** Subject: Celebrating Frank Foster For 30 Years Of Service To The City Of Oakland
From: Councilmember Reid
Recommendation: Adopt A Resolution Celebrating Frank Foster For 30 Years Of
Dedicated And Distinguished Service To The City Of Oakland
[TITLE CHANGE]
[21-0941](#)

Attachments: [View Legislation](#)
[88995 CMS](#)

This City Resolution was Adopted.

- 2.15** Subject: Recognized Obligation Payment Schedule Fiscal Year 2022-23
From: Finance Department
Recommendation: Adopt Resolution Approving The Submission Of A Recognized Obligation Payment Schedule And Oakland Redevelopment Successor Agency Administrative Budget For July 1, 2022 Through June 30, 2023, And Transmission Of Both To The Countywide Oversight Board, The Alameda County Auditor-Controller And The State Department Of Finance For Approval
[22-0007](#)

Attachments: [View Report](#)
[View Legislation & Exhibits](#)
[2022-001 CMS](#)

This ORSA Resolution was Adopted.

- 2.16** Subject: High Quality Health Services At Children's Hospital
From: Councilmembers Kalb And Fife
Recommendation: Adopt A Resolution In Support Of High Quality, Equitable Health Care Services At UCSF Children's Hospital Oakland
[22-0005](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - Kalb 1/13/2022](#)
[View Supplemental Children's Hospital Article - Kalb 1/13/2022](#)
[88996 CMS](#)

This City Resolution was Adopted.

- 2.17** Subject: RFQ On-Call Engineering Services For Paving
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award And Execute Five Professional Services Agreements For On-Call Engineering Services With Acumen Building Enterprise, Inc.; BKF Engineers; Kimley-Horn And Associates, Inc.; NCE; And Wood-Rodgers, Inc. Each In The Amount Of One Million, Five Hundred Thousand Dollars (\$1,500,000)
[22-0000](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Attachment A](#)
[88997 CMS](#)

This City Resolution was Adopted.

2.20 Subject: Alameda County Mosquito Abatement District Board Reappointment
From: Councilmember Gallo
Recommendation: Adopt A Resolution Re-Appointing Jan Washburn As The City Of
Oakland's Trustee To The Alameda County Mosquito Abatement District Board
[22-0004](#)

Attachments: [View Legislation](#)
[88998 CMS](#)

This City Resolution was Adopted.

S2.21 Subject: EMC Research, Inc. Professional Services Agreement
From: Finance Department
Recommendation: Adopt A Resolution Waiving The City's Small-Very Small Local
Business Enterprise Participation Requirement And Authorizing The City Administrator
To Negotiate And Award A Professional Services Agreement To EMC Research, Inc. In
An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000.00) For Polling
Services
[22-0024](#)

Attachments: [View Report](#)
[View Legislation](#)
[88999 CMS](#)

Council President Bas made a request to move item S2.21 "EMC Research, Inc. Professional Services Agreement" to the Non Consent Calendar; and

A motion was made by Council President Bas, seconded by Pro Tem Thao to place these items on the Non Consent Calendar.

Council President Bas rescinded her motion to place this item on the Non Consent calendar, and the vote was taken with the Consent Calendar.

Council President Bas amended the legislation to include; add as second to last resolved:

"FURTHER RESOLVED: That the Council President shall work with the City Administrator and EMC Research, Inc. to determine which potential 2022 revenue ballot measures to poll and to develop the polling questions, and be it"

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:

Abstained: 1 - Reid

Aye: 7 - Thao, Taylor, Fortunato Bas, Gallo, Kaplan, Kalb, and Fife

NO VOTE: 0

S2.22 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](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/1/2022

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

3.1 Subject: OPW Illegal Dumping Surveillance Camera Program
From: Oakland Public Works Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Approving The Oakland Public Works (OPW) Illegal Dumping Surveillance Camera Program Use Policy And Surveillance Impact Report, And The Deployment Of Portable Observation Device (POD) Surveillance Cameras At Known Dumping Hot Spots
[22-0003](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Legislation](#)
[View Presentation](#)
[View Supplemental Presentation - January 13, 2022](#)
[89000 CMS](#)

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

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

NO VOTE: 0

A motion was moved by Councilmember Taylor, seconded by Councilmember Kalb and carried at 6:43 p.m. to extend the meeting past 6:00 p.m.

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

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

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

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

NO VOTE: 0

**5 APPROVAL OF THE DRAFT MINUTES FROM THE REGULAR AND SPECIAL
MEETINGS OF DECEMBER 21, 2021**

[21-0971](#)

Attachments: [View December 21, 2021 9:30 AM Minutes](#)

[View December 21, 2021 Minutes](#)

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

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

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

6 The Item regarding the "Homeless Youth Guaranteed Income Pilot" was removed from this agenda pursuant to Rule 28 of Resolution 88266 C.M.S.

- 10** 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](#)

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

This City Resolution be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/1/2022

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

NO VOTE: 0

- 12 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](#)

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

This Informational Report be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/1/2022

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

NO VOTE: 0

2.5 Subject: Economic Development Administration (EDA) Grant Revolving Loan Fund
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating Five-Hundred And Fifty Thousand Dollars (\$550,000) Awarded To The City Of Oakland By The U.S. Department Of Commerce's Economic Development Administration (EDA) For The Purpose Of Funding The City's Small Business Revolving Loan Fund For Zero Percent (0%) Interest Loans Made By June 30, 2022 In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) Each; And

(2) Authorizing The City Administrator To Negotiate And Award A Professional Services Agreement With Pacific Community Ventures In An Amount Not To Exceed Eighty Thousand Dollars (\$80,000) For A One Year Term To Administer The City's Small Business Revolving Loan Fund Pursuant To A Competitive Process

[21-0944](#)

Attachments: [View Report](#)
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[89001 CMS](#)

Councilmember Fife made a request to move item 2.5 "Economic Development Administration (EDA) Grant Revolving Loan Fund" to the Non Consent Calendar.

A motion was made by Council President Bas, seconded by Pro Tem Thao to place these items on the Non Consent Calendar.

Councilmember Fife amended the first Further Resolved clause on page 2 to strike "with one two year option to renew depending upon performance and renewed funding;"

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

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

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

NO VOTE: 0

2.18 Subject: 2022 As-Needed Pavement Rehabilitation Services
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Waiving Further Advertising, Competitive Bidding, And The City's Small-Very Small Local Business Enterprise Participation Requirement And Authorizing The City Administrator To Negotiate And Award Construction Contracts To 1) Gallagher & Burk 2) McGuire & Hester And 3) O.C. Jones & Sons Provided That All Meet The Contractor's Bid Schedule Of The Lowest Responsible Bid Of Gallagher & Burk, For As-Needed Pavement Rehabilitation Services (Project Number 1006103) In Accordance With The Project Plans And Specifications And The Lowest Responsible Bidder In Accordance With Contractor's Bid In An Amount Not To Exceed Thirteen Million, Six Hundred Fifty-Seven Thousand, Five Hundred Dollars (\$13,657,500.00) Each, Without Return To Council, And 4) Adopting Appropriate California Environmental Quality Act (CEQA) Findings;

[21-0994](#)

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

Councilmember Fife made a request to move item 2.18 "2022 As-Needed Pavement Rehabilitation Services" to the Non Consent Calendar.

A motion was made by Council President Bas, seconded by Pro Tem Thao to place these items on the Non Consent Calendar.

Councilmember Fife made a motion, seconded by Councilmember Reid, reject all bids and direct the City Administrator to reopen the bidding process. Council President Bas made a freindly amendment to continue the item to the February 1, 2022 City Council for further review. Councilmember Fife accepted the amendment.

Councilmember Taylor made a substitute motion, seconded by Councilmember Gallo to:

***1.Take no action Resolution numbers 1, 2, & 3 under Item 2.18; and
2.Direct staff to return to Council with a Resolution rejecting all bids for Project #'s 1006103, 1006104, and 1006105 And to negotiate with the lowest responsible bidder and other bidders for these projects in an attempt to secure full compliance with Oakland's Local/Small Local Business Enterprise program requirements and to return to Council with a resolution awarding a negotiated contract that satisfies all Local/Small Local Business Enterprise program requirements.***

Councilmember Taylor withdrew his substitute motion, and Councilmember Fife amended her Original motion to read:

1.Take no action Resolution numbers 1, 2, & 3 under Item 2.18; and

2. Direct staff to return to Council with a Resolution rejecting all bids for Project #'s 1006103, 1006104, and 1006105 And to negotiate with the lowest responsible bidder and other bidders for these projects in an attempt to secure full compliance with Oakland's Local/Small Local Business Enterprise program requirements and to return to Council with a resolution awarding a negotiated contract that satisfies all Local/Small Local Business Enterprise program requirements.

Seconded by Councilmember Taylor, and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Carroll Fife, seconded by Loren Taylor, that this matter be No Action Taken. The motion carried by the following vote:

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

NO VOTE: 0

2) A Resolution Waiving Further Advertising, Competitive Bidding And The City's Small-Very Small Local Business Enterprise Participation Requirement And Authorizing The City Administrator To Negotiate And Award A Construction Contract For As Needed Pavement Rehabilitation Services (Project 1006104) To Gallagher & Burk, The Lowest Responsible Bidder, In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Thirteen Million, Six Hundred Fifty-Seven Thousand, Five Hundred Dollars (\$13,657,500.00), Without Return To Council, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And [21-0995](#)

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

Councilmember Fife made a request to move item 2.18 "2022 As-Needed Pavement Rehabilitation Services" to the Non Consent Calendar.

A motion was made by Council President Bas, seconded by Pro Tem Thao to place these items on the Non Consent Calendar.

Councilmember Fife made a motion, seconded by Councilmember Reid, reject all bids and direct the City Administrator to reopen the bidding process. Council President Bas made a freindly amendment to continue the item to the February 1, 2022 City Council for further review. Councilmember Fife accepted the amendment.

Councilmember Taylor made a substitute motion, seconded by Councilmember Gallo to:

***1. Take no action Resolution numbers 1, 2, & 3 under Item 2.18; and
2. Direct staff to return to Council with a Resolution rejecting all bids for Project #'s 1006103, 1006104, and 1006105 And to negotiate with the lowest responsible bidder and other bidders for these projects in an attempt to secure full compliance with Oakland's Local/Small Local Business Enterprise program requirements and to return to Council with a resolution awarding a negotiated contract that satisfies all Local/Small Local Business Enterprise program requirements.***

Councilmember Taylor withdrew his substitute motion, and Councilmember Fife amended her Original motion to read:

***1. Take no action Resolution numbers 1, 2, & 3 under Item 2.18; and
2. Direct staff to return to Council with a Resolution rejecting all bids for Project #'s 1006103, 1006104, and 1006105 And to negotiate with the lowest responsible bidder and other bidders for these projects in an attempt to secure full compliance with Oakland's Local/Small Local Business Enterprise program requirements and to return to Council with a resolution awarding a negotiated contract that satisfies all Local/Small Local Business Enterprise program requirements.***

Seconded by Councilmember Taylor, and hearing no objections, the motion

passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Carroll Fife, seconded by Loren Taylor, that this matter be Not Adopted. The motion carried by the following vote:

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

NO VOTE: 0

3) A Resolution Waiving Further Advertising, Bidding And The City's Small-Very Small Local Business Enterprise Participation Requirement And Authorizing The City Administrator To Negotiate And Award A Construction Contract For As-Needed Pavement Rehabilitation Services (Project 1006105) To Gallagher & Burk, The Lowest Responsible Bidder, In Accordance With The Project Plans And Specifications And Contractor's Bid In An Amount Not To Exceed Five Million, Seventy-Two Thousand, Five Hundred And Thirty Dollars (\$5,072,530.00), Without Return To Council, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings [21-0996](#)

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

Councilmember Fife made a request to move item 2.18 "2022 As-Needed Pavement Rehabilitation Services" to the Non Consent Calendar.

A motion was made by Council President Bas, seconded by Pro Tem Thao to place these items on the Non Consent Calendar.

Councilmember Fife made a motion, seconded by Councilmember Reid, reject all bids and direct the City Administrator to reopen the bidding process. Council President Bas made a freindly amendment to continue the item to the February 1, 2022 City Council for further review. Councilmember Fife accepted the amendment.

Councilmember Taylor made a substitute motion, seconded by Councilmember Gallo to:

***1. Take no action Resolution numbers 1, 2, & 3 under Item 2.18; and
2. Direct staff to return to Council with a Resolution rejecting all bids for Project #'s 1006103, 1006104, and 1006105 And to negotiate with the lowest responsible bidder and other bidders for these projects in an attempt to secure full compliance with Oakland's Local/Small Local Business Enterprise program requirements and to return to Council with a resolution awarding a negotiated contract that satisfies all Local/Small Local Business Enterprise program requirements.***

Councilmember Taylor withdrew his substitute motion, and Councilmember Fife amended her Original motion to read:

***1. Take no action Resolution numbers 1, 2, & 3 under Item 2.18; and
2. Direct staff to return to Council with a Resolution rejecting all bids for Project #'s 1006103, 1006104, and 1006105 And to negotiate with the lowest responsible bidder and other bidders for these projects in an attempt to secure full compliance with Oakland's Local/Small Local Business Enterprise program requirements and to return to Council with a resolution awarding a negotiated contract that satisfies all Local/Small Local Business Enterprise program requirements.***

Seconded by Councilmember Taylor, and hearing no objections, the motion

passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Carroll Fife, seconded by Loren Taylor, that this matter be No Action Taken. The motion carried by the following vote:

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

NO VOTE: 0

- 2.19** Subject: Citywide Sidewalks & Curb Ramps For Paving 2022
From: Transportation Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To A) Award A Construction Contract To Rosas Brothers, The Lowest Responsive And Responsible Bidder, And Waiving Further Advertising And Competitive Bidding And B) Negotiate And Award A Construction Contract To Ray's Electric, The Second Lowest Responsive And Responsible Bidder, Provided That Ray's Electric Meets The Contractor's Bid Schedule Of The Lowest Bid Of Rosas Brothers Construction, Each For Citywide Curb Ramps And Sidewalk Repair In Accord With The Project Plans And Specifications And The Lowest Bid In The Amount Of Five Million, Four Hundred And Seventy-Three Thousand, Five Hundred Dollars (\$5,473,500.00) Each, And 2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[21-0993](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[89002 CMS](#)

Councilmember Fife made a request to move item 2.19 "Citywide Sidewalks & Curb Ramps For Paving 2022" to the Non Consent Calendar.

A motion was made by Council President Bas, seconded by Pro Tem Thao to place these items on the Non Consent Calendar.

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

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

NO VOTE: 0

- 9** Subject: No-Layoffs And Appreciation For City Of Oakland Workers
From: Vice Mayor Kaplan, Pro Tem Pore Thao, President Fortunato Bas And Councilmember Fife
Recommendation: Adopt A Resolution Appreciating City Of Oakland Workers For Their Hard Work And Dedication To The City And Its Residents; And As An Extension Of This Appreciation, The Council Does Not Support Layoffs Of Any City Employees
[21-0953](#)

Attachments: [View Report](#)
[View Legislation](#)
[89003 CMS](#)

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

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

NO VOTE: 0

- 11** Subject: FY2020-21 Q4 And FY2021-22 Q1 Revenue And Expenditure Report (R&E)
From: Finance Department
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2020-21 Fourth Quarter And FY 2021-22 First Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds
[21-0916](#)

Attachments: [View Report](#)
[View Supplemental Report - 12/17/2021](#)
[View Supplemental Attachment C - 12/17/2021](#)

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Received and Filed. The motion carried by the following vote:

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

NO VOTE: 0

- 13** Subject: Status Of The City Council Direction Given At The December 21, 2021
From: Vice Mayor Kaplan
Recommendation: Receive An Oral Report On The Status Of The City Council Direction, Given At The December 21, 2021 Special Council Meeting, To The City Administrator To Pursue Opening Additional Free, Public Vaccination Sites, Including Drop-In Availability
[22-0008](#)

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

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

NO VOTE: 0

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

5 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 Tone, John Madden, Deja Robinson And Dr
Martin Luther King Jr. at 9:15 p.m.*

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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.