



City of Oakland

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

Meeting Minutes - FINAL

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

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

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

Tuesday, May 2, 2023

4:00 PM

City Council Chamber, 3rd Floor

The Oakland City Council convened at 4:12 P.M, with Council President Bas presiding as Chairperson.

1 Call To Order

2 ROLL CALL / CITY COUNCIL

Present 8 - Carroll Fife, Noel Gallo, Dan Kalb, Rebecca Kaplan, Janani Ramachandran, Treva Reid, Nikki Fortunato Bas, and Kevin Jenkins

3 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

- 3.1** Subject: Celebration Of Asian American And Pacific Islander Heritage Month
From: Council President Fortunato Bas And Councilmember Ramachandran
Recommendation: Adopt A Resolution In Celebration Of May 2023 As Asian American And Pacific Islander Heritage Month And Honoring Asian Americans And Pacific Islanders Whose Service And Leadership In Oakland Contribute To A More Vibrant And Just City
[23-0244](#)

Attachments: [View Legislation](#)

[View Supplemental Legislation - 4/28/2023](#)

[89683 CMS](#)

3 Speakers Spoke On This Item

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

Aye: 7 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, and Fortunato Bas

Absent: 1 - Jenkins

NO VOTE: 0

- 3.2 Subject: Honoring And Commending Brian Carthan For 36 Years Of Exemplary Service
From: Councilmember Gallo
Recommendation: Adopt A Resolution Honoring And Commending Brian Carthan For 36
Years Of Exemplary Service To The City Of Oakland
[23-0310](#)

Attachments: [View Legislation](#)
[89684 CMS](#)

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

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

NO VOTE: 0

- 4 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 18, 2023
[23-0304](#)

Attachments: [View Report](#)

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

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

NO VOTE: 0

- 5 **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 Member Gallo motioned, Council Member Reid Seconded To Move Item
6.10 " Covid-Eviction Moratorium Phase Out" To The Non-Consent Calendar. The
Motion Passed.*

- 6 **CONSENT CALENDAR (CC) ITEMS:**

12 Speakers Spoke On This Item

Approval of the Consent Agenda

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

Aye: 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

NO VOTE: 0

- 6.1** 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
[23-0301](#)

Attachments: [View Legislation](#)
[89685 CMS](#)

This City Resolution was Adopted.

- 6.2** 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
[23-0302](#)

Attachments: [View Legislation](#)
[89686 CMS](#)

This City Resolution was Adopted.

- 6.3** Subject: Declaration Of A Local Emergency On Homelessness
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness Crisis
[23-0303](#)

Attachments: [View Legislation](#)
[89687 CMS](#)

This City Resolution was Adopted.

- 6.4** Subject: Sewer Agency Charge Billing And Collection Agreement With East Bay Municipal Utility District
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Ten-Year Agreement With East Bay Municipal Utility District (EBMUD) For Sewer Service Charges, Billing And Collection Services, By And Between EBMUD And The City Of Oakland From July 1, 2023 To June 30, 2033; And Making Appropriate California Environmental Quality Act Findings
[23-0299](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Attachment E](#)
[View Attachment F](#)
[View legislation](#)
[89688 CMS](#)

This City Resolution was Adopted.

- 6.5** Subject: Cannabis Regulatory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Hellen Harvey And Tanya Boyce As Members Of The Cannabis Regulatory Commission
[23-0300](#)

Attachments: [View Report And Legislation](#)
[89689 CMS](#)

This City Resolution was Adopted.

- 6.6** Subject: GoPort - 7th Street Grade Separation East Project
From: Transportation Department
Recommendation: Adopt An Ordinance: (1) Authorizing The City Administrator To Negotiate And Execute A First Amendment To Indenture Dated December 23, 1930, Between Union Pacific Railroad And The City Of Oakland (City), To Relinquish A Portion Of The 1930 Roadway Easement, And Accept The Easements Therein, Upon Completion Of The 7th Street Grade Separation East Project (Project); And (2) Authorizing The City Administrator To Negotiate And Execute An Assignment Agreement Between The Alameda County Transportation Commission And The City For The Assignment Of A Roadway Easement Deed, And Accept The Easements Therein, Upon Completion Of The Project; And (3) Adopting National Environmental Policy Act And California Environmental Quality Act Findings

[23-0203](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D1](#)
[View Attachment D2](#)
[View Legislation](#)
[View Supplemental Attachment B - 4/6/2023](#)
[13733 CMS](#)

This Ordinance was Approved for Final Passage.

- 6.7** Subject: Extended Rent Reduction For Oakland School For The Arts At The Fox Theater
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance (1) Authorizing A Lease Amendment Between The City Of Oakland And The Oakland School For The Arts (OSA) For Approximately 62,910 Square Feet Located On The 2nd And 3rd Floors Of The Fox Theater At 1805 Telegraph Avenue To Extend The Reduced Rental Rate Of Forty-Seven Thousand Twenty-Five Dollars (\$47,025) Per Month Through June 30, 2026; (2) Making Findings That The Lease Amendment For Below Fair Market Value Is In The Best Interest Of The City; And (3) Making Appropriate California Environmental Quality Act Findings

[23-0234](#)

Attachments: [View Report](#)
[View Legislation](#)
[13734 CMS](#)

This Ordinance was Approved for Final Passage.

- 6.8** Subject: Fox Theater Restaurant Lease
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To (A) Negotiate And Execute A Lease Agreement With Uptown Forward LLC, A California Limited Liability Corporation, For The Ground Floor Restaurant Space Located At 1805 Telegraph Avenue (Fox Theater) For A 3- Year Term With Three 5-Year Options And Rent Of Ten Thousand Five Hundred Dollars (\$10,500) Per Month With A Three Percent (3%) Annual Increase For Use As A Cocktail Lounge With Food Service; And (B) Adopting California Environmental Quality Act Findings
[23-0236](#)

Attachments: [View Report](#)
[View Legislation](#)
[13735 CMS](#)

This Ordinance was Approved for Final Passage.

- 6.9** Subject: License Of 1911 Telegraph To Oakland School For The Arts
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance (1) Authorizing A License Agreement Between The City Of Oakland And The Oakland School For The Arts (OSA) For The Approximately 45,121 Square Foot Vacant City-Owned Property Located At 1911 Telegraph Avenue For Improvement And Use As An Outdoor Recreation Area For A 3-Year Term With Three 1-Year Options To Renew At A Rate Of Five Hundred Dollars (\$500) Per Month; (2) Making Findings That The License For Below Fair Market Value Is In The Best Interest Of The City; And (3) Making Appropriate California Environmental Quality Act Findings
[23-0237](#)

Attachments: [View Report & Attachment](#)
[View Legislation](#)
[13736 CMS](#)

This Ordinance was Approved for Final Passage.

- 6.11** Subject: Resolution In Support Of California State Assembly Bill 363 (Bauer-Kahan)
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of California State Assembly Bill 363 (Bauer- Kahan) That Would Protect Bees, Clean Water, People, And The Future Of Our Food Supply By Requiring The Department Of Pesticide Regulation To Complete An Evaluation Of The Use Of Neonicotinoid (Neonic) Pesticides On Turf And Ornamental Plants In Non-Agricultural Settings

[23-0311](#)

Attachments: [View Memo](#)
[View Report](#)
[View Fact Sheet](#)
[View Analysis 1](#)
[View Analysis 2](#)
[View Legislation](#)
[89690 CMS](#)

This City Resolution was Adopted.

- 6.12** Subject: Resolution In Support Of AB 930
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of AB 930 (Friedman), The Reinvestment In Infrastructure For A Sustainable And Equitable California (RISE) Act Of 2023, Which Permits Two Or More Local Governments To Jointly Form A RISE District To Unlock Tax Increment Financing For Infrastructure And Equitable Development

[23-0314](#)

Attachments: [View Report](#)
[View Legislation](#)
[89691 CMS](#)

This City Resolution was Adopted.

- 6.13** Subject: Honoring The Ukrainian Resistance Of Russia's Invasion
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Reaffirming Oakland's Commitment To The Principles Of Democracy And Self Governance, And Condemning The Continued Russian Invasion Of Ukraine
[23-0315](#)

Attachments: [View Report](#)
[View Legislation](#)
[89692 CMS](#)

This City Resolution was Adopted.

- 6.14** Subject: Celebrating East Bay Municipal Utility District's (EBMUD) 100th Anniversary
From: Council President Fortunato Bas And President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Celebration Of East Bay Municipal Utility District's (EBMUD) 100 Years Of Serving The East Bay
[23-0316](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation - 4/28/2023](#)
[89693 CMS](#)

This City Resolution was Adopted.

- 6.15** Subject: Celebration Of May As Affordable Housing Month
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution In Celebration Of May 2023 As Affordable Housing Month And Celebrating The Service And Leadership Of Our Affordable Housing Providers Toward A More Vibrant, Equitable And Just City
[23-0318](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation - 4/28/2023](#)
[89694 CMS](#)

This City Resolution was Adopted.

6.16 Subject: Emmanuel Tril V. The 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 Emmanuel Tril V. The City Of Oakland; Paramount Theatre Of The Arts, Inc.; And Does 1 To 50, United States District Court Case No. 3:22-CV-01087-SK, City Attorney File No. 34994 For The Sum Of Thirty-Two Thousand Two Hundred Twenty-Nine Dollars And Fifty Cents (\$32,229.50) (Department Of Economic & Workforce Development - Disability Discrimination)
[23-0322](#)

Attachments: [View Report](#)
[View Legislation](#)
[89695 CMS](#)

This City Resolution was Adopted.

6.17 Subject: Karen Saucedo 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 Karen Saucedo V. City Of Oakland, Paulista, LLC, Jesse Brod Madway, John Knowles, And Does 1 To 100, Alameda County Superior Court Case No. RG20074972, City Attorney File No. 33825, In The Amount Of Fifty Thousand Dollars And Zero Cents (\$50,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)
[23-0323](#)

Attachments: [View Report](#)
[View Legislation](#)
[89696 CMS](#)

This City Resolution was Adopted.

6.18 Subject: Claim Of Seema Rupani
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Seema Rupani, City Attorney File No. C35008, In The Amount Of Fifty-Seven Thousand Nine Hundred Fifty-Seven Dollars And Zero Cents (\$57,957.00) (Department Of Public Works - Failed Storm Drain)
[23-0324](#)

Attachments: [View Report](#)
[View Legislation](#)
[89697 CMS](#)

This City Resolution was Adopted.

S6.19 Subject: Celebration Of Municipal Clerks Week
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Declaring April 30, 2023 Through May 6th, 2023
Municipal Clerks Week In The City Of Oakland And Honoring Oakland City Clerk Asha
Reed And Her Staff
[23-0356](#)

Attachments: [View Legislation](#)
[89698 CMS](#)

This City Resolution was Adopted.

S6.20 Subject: Supporting Oakland Educators
From: Councilmember Fife
Recommendation: Adopt A Resolution Expressing Support For The Teachers,
Counselors, Social Workers, Nurses And Other Members Of The Oakland Education
Association In Improving Their Working Conditions And Pay, And Improving Education In
Oakland
[23-0352](#)

Attachments: [View Legislation](#)
[89699 CMS](#)

This City Resolution was Adopted.

S6.21 Subject: New Records Retention Policy Contract
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Awarding A Professional Services Contract To
Kaizen InfoSource LLC To Prepare A New Records Retention Policy For The City Of
Oakland In An Amount Not To Exceed \$60,000 Utilizing The Funds Allocated For That
Purpose In The Fiscal Year 2022-23 Mid-Cycle Budget, Pursuant To Resolution No.
89283 C.M.S., To Update And Replace The Existing Policy Last Updated In 2003;
Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process
Pursuant To Oakland Municipal Code Section 2.04.051.B And The Local/Small Local
Business Enterprise (L/SLBE) Program Requirements In The Best Interests Of The City
[23-0248](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[View Supplemental Legislation - 4/28/2023](#)
[89700 CMS](#)

This City Resolution was Adopted.

S6.22 Subject: Budget Outlook Message And Calendar Report
From: Finance Department
Recommendation: Receive An Informational Report From The Finance Department On A Budget Outlook Message And Calendar Providing An Overview Of The FY 2023-25 Budget Development Process And Estimated Key Dates Of Budget Events
[23-0245](#)

Attachments: [View Report](#)
[View Supplemental Report - 4/27/2023](#)

This Informational Report was Received and Filed.

S6.23 Subject: Fiscal Year (FY) 2023-24 Landscaping And Lighting District (LLAD) - Initiation
From: Finance Department
Recommendation: Adopt A Resolution Initiating The Fiscal Year (FY) 2023-24 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District (LLAD) And Authorizing The City Administrator To Order A Preliminary Engineer's Report
[23-0249](#)

Attachments: [View Report](#)
[View Legislation](#)
[89701 CMS](#)

This City Resolution was Adopted.

S6.24 Subject: Salary Ordinance Amendment 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: (A) Add The Full-Time Classification Of Violence Prevention Services Manager; The Full-Time Classification Of Violence Prevention Services Supervisor; The Full-Time Classification Of Early Childhood Education Manager; The Full-Time Classification Of Early Learning Specialist; The Full-Time Classification Of Head Start Program Operations Manager; The Full-Time Classification Of Rent Adjustment Program Assistant; And The Full-Time Classification Of Veterinary Assistant; And (B) Amend The Salary Of The Full-Time Classification Of Veterinarian; The Permanent Part- Time Classification Of Veterinarian; The Part-Time Classification Of Veterinarian; The Full-Time Classification Of Registered Veterinary Technician; And The Full-Time Classification Of Deputy Chief Of Violence Prevention [23-0258](#)

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

A motion was made by Noel Gallo, seconded by Kevin Jenkins, 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 5/16/2023. The motion carried by the following vote:

Abstained: 1 - Reid

Aye: 7 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Fortunato Bas, and Jenkins

NO VOTE: 0

S6.25 Subject: Assignment Of The 2022 Affordable Housing Infrastructure Bond Measure To The Affordable Housing And Infrastructure Public Oversight Committee
From: Finance Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13619 C.M.S., Which Established The Affordable Housing & Infrastructure Public Oversight Committee, To Assign To The Committee The Responsibility For Oversight Of The 2022 Affordable Housing And Infrastructure Bond (Measure U) And Make Non-Substantive Technical Edits
[23-0292](#)

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

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 5/16/2023

S6.26 Subject: East Bay Greenway Multimodal (Phase 1) Project
From: Transportation Department
Recommendation: Adopt A Resolution Approving The Updated Concept Plans Within
City Of Oakland Right Of Way For The East Bay Greenway Multimodal Project Led By
The Alameda County Transportation Commission (ACTC)
[23-0239](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Legislation](#)
[View Supplemental Legislation - 4/20/2023](#)
[89702 CMS](#)

This City Resolution was Adopted.

S6.27 Subject: State Land Relinquishment For The Construction Of The 42nd Ave And High
Street Access Improvement Project
From: Transportation Department
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Enter
Into An Agreement With The State Of California To Accept A Portion Of The State
Highway Right Of Way To Be Relinquished At The Interstate-880 Freeway Southbound
Offramp Between 42nd Ave And High Street And (2) Authorizing The City Administrator
To Acquire A 176 Square Foot Parcel With An Additional 134.31 Linear Feet Of Access
Control From Home Depot For The Construction Of 42nd Avenue And High Street
Access Improvement Project (City Project No. 1003983); And Adopting Appropriate
California Environmental Quality Act (CEQA) Findings
[23-0240](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Attachment E](#)
[View Legislation](#)
[View Supplemental Legislation - 4/20/2023](#)
[89703 CMS](#)

This City Resolution was Adopted.

S6.28 Subject: Street Sweeping Program Update Informational Report
From: Oakland Public Works Department
Recommendation: Receive An Informational Report Regarding An Update On The City Of
Oakland's Street Sweeping Program
[23-0242](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S6.29 Subject: Informational Report - Custom Goods Air Quality Plan
From: Planning And Building Department
Recommendation: Receive An Informational Report On The Air Quality Plan Approved By
The City Administrator For Operations Of The Custom Goods Facility Located At 2001
Maritime Street In The New Central Gateway Area Of The Oakland Army Base
Redevelopment Project
[23-0162](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S6.30 Subject: Fiscal Year 2022-23 Cultural Funding Grants - Round Two
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Awarding Grants To Forty (40) Oakland-Based
Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In
Oakland For Fiscal Year 2022-23 (Round Two), In A Total Amount Not To Exceed Six
Hundred Thousand Dollar (\$600,000)
[23-0212](#)

Attachments: [View Report And Attachment A-C](#)

[View Legislation](#)

[89704 CMS](#)

This City Resolution was Adopted.

S6.31 Subject: Family First Foundation Grant And License
From: Parks, Recreation And Youth Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Two-Year Grant Agreement With A Two-Year Option To Renew To The Fam 1st Family Foundation To Support Youth Programming And Operations At The West Oakland Youth Center In Annual Amounts Not To Exceed One Hundred Ninety-Five Thousand Dollars (\$195,000), Subject To Funding Availability; And [23-0232](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 4/20/2023](#)
[89705 CMS](#)

This City Resolution was Adopted.

Subject: Family First Foundation Grant And License
From: Parks, Recreation And Youth Development Department
Recommendation: Adopt An Ordinance (1) Authorizing A License Agreement With Fam 1st Family Foundation For Use Of The West Oakland Youth Center Located At 3233 Market Street, Oakland, At The Below Market Rate Of \$0.00 Through June 30, 2025 With A Two-Year Option To Renew To Provide Afterschool Programs, Summer Programs, Workforce Employment Training And Placement Programs And Community Events For Youth And Their Families; (2) Making Findings That The License For A Below Fair Market Value Is In The Best Interest Of The City; And (3) Making Appropriate California Environmental Quality Act (CEQA) Findings
[23-0233](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 4/20/2023](#)

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 5/16/2023

S6.32 Subject: OUSD And Community Kitchens Grant Agreements Award
From: Office Of The City Administrator
Recommendation: Adopt A Resolution: (1) Awarding A Grant Agreement To The Oakland Unified School District Not To Exceed One Million Dollars (\$1,000,000) In Accordance With City Council Budget Appropriations And Allocations As Adopted By Resolution No. 88717 C.M.S; And (2) Awarding A Grant Agreement To Community Kitchens, Inc. For An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) In Accordance With City Council Budget Appropriations And Allocations As Adopted By Resolution No. 89376 C.M.S..

[23-0293](#)

Attachments: [View Report](#)
[View Legislation](#)
[89706 CMS](#)

This City Resolution was Adopted.

7 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS
[23-0325](#)

Attachments: [Report Out of Final Action - Tril v. City of Oakland](#)
[Report Out of Final Action - Saucedo v. City of Oakland](#)
[Report Out of Final Action - Claim of Seema Rupani](#)

2 Speakers Spoke On This Item

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 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

NO VOTE: 0

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

6.10 Subject: Covid-19 Eviction Moratorium Phase-Out And Amendments To The Just Cause Ordinance
From: Council President Fortunato Bas And President Pro Tempore Kalb
Recommendation: Adopt An Ordinance Establishing A Timeline For Termination Of The Moratorium On Residential Evictions, Rent Increases, And Late Fees Enacted In Response To The Covid-19 Pandemic (Ordinance Nos. 13589 C.M.S., 13594 C.M.S., 13606 C.M.S.); And Amending The Just Cause For Eviction Ordinance To: (1) Permanently Codify Certain Protections Established By The Moratorium; (2) Prohibit Evictions Based On Non-Payment Of Rent Where The Amount Demanded Is Less Than One Month Of Hud Fair Market Rent; (3) Require Landlords To Demonstrate Substantial Damage Before Evicting Tenants For Breach Of Lease; (4) Conform Occupancy Limitations To State Law; (5) Limit Evictions Of Resident Managers With Pre-Existing Tenancies; And (6) Make Other Non-Substantive Clarifying Amendments
[23-0216](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Supplemental Presentation - 4/6/2023](#)
[View Supplemental Amendments - 4/12/2023 Bas & Kalb](#)
[View Supplemental Amendments - 4/13/2023 Gallo](#)
[View Supplemental Report - 4/13/2023](#)
[View Supplemental Presentation - 4/13/2023](#)
[View Supplemental Legislation - 4/13/2023 Bas & Kalb](#)
[View Supplemental Legislation - 4/21/2023](#)
[View Revised Supplemental Legislation - 4/24/2023](#)
[13737 CMS](#)

13 Speakers Spoke On This Item

A motion was made by Nikki Fortunato Bas, seconded by Dan Kalb, that this matter be Approved for Final Passage. The motion carried by the following vote:

Aye: 7 - Fife, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

No: 1 - Gallo

NO VOTE: 0

8 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

8.1 Subject: Brooklyn Basin Marina Expansion Project
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A Resolution Certifying The Brooklyn Basin Marina Expansion Project Supplemental
Environmental Impact Report And Making Certain Findings Concerning Environmental
Impacts, Mitigation Measures, And Alternatives, And Adopting A Mitigation Monitoring
And Reporting Program, All In Accordance With The California Environmental Quality Act;
[23-0206](#)

Attachments: [View Report](#)

[View Attachment 2](#)

[View Attachment 3](#)

[View Attachment 4](#)

[View Attachment 5](#)

[View Attachment 6a](#)

[View Attachment 6b](#)

[View Attachment 7](#)

[View Attachment Sub 7 A1](#)

[View Attachment Sub 7 A2](#)

[View Attachment Sub 7 A3](#)

[View Attachment Sub 7 A4a](#)

[View Attachment Sub 7 A4b](#)

[View Attachment Sub 7 A5](#)

[View Attachment Sub 7 D1](#)

[View Attachment Sub 7 D2a](#)

[View Attachment Sub 7 D2b](#)

[View Attachment Sub 7 D3](#)

[View Attachment Sub 7 D4](#)

[View Attachment Sub 7 D5a](#)

[View Attachment Sub 7 D5b](#)

[View Attachment Sub 7 D5c](#)

[View Legislation](#)

[89707 CMS](#)

At 7:38 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Kaplan, to open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes

Upon the reading of Item 8. by the City Clerk, the Public Hearing was opened.

12 individuals spoke on this item

At 8:56 P.M. Council President Bas made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and by the same motion accept staff recommendations and approve the resolution with direction to the City Administrator to reach out to AC Transit as was described by staff, and hearing no objections, the motion passed with 7 Ayes: Fife, Gallo, Jenkins, Kalb, Reid, Ramachandran, and Fortunato Bas; 1 Absent - Kaplan

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

Aye: 7 - Fife, Gallo, Kalb, Ramachandran, Reid, Fortunato Bas, and Jenkins

Absent: 1 - Kaplan

NO VOTE: 0

2) A Resolution Approving Text Amendments To The General Plan Estuary Policy Plan To Increase The Maximum Average Density In The Estuary Policy Plan Planned Waterfront Development-4 (PWD-4) Land Use Designation In Connection With The Brooklyn Basin (Formerly Oak-To-Ninth Avenue Mixed Use Development) Project; And Adopting Appropriate California Environmental Quality Act Findings;

[23-0208](#)

Attachments: [View Report](#)
[View Legislation](#)
[89708 CMS](#)

At 7:38 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Kaplan, to open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes

Upon the reading of Item 8. by the City Clerk, the Public Hearing was opened.

12 individuals spoke on this item

At 8:56 P.M. Council President Bas made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and by the same motion accept staff recommendations and approve the resolution with direction to the City Administrator to reach out to AC Transit as was described by staff, and hearing no objections, the motion passed with 7 Ayes: Fife, Gallo, Jenkins, Kalb, Reid, Ramachandran, and Fortunato Bas; 1 Absent - Kaplan

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

Aye: 7 - Fife, Gallo, Kalb, Ramachandran, Reid, Fortunato Bas, and Jenkins

Absent: 1 - Kaplan

NO VOTE: 0

Subject: Brooklyn Basin Marina Expansion Project
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Approving Zone Text Amendment To Increase The Maximum Average Density And Modify The Parking Requirements In The Oak To Ninth District (D-OTN) Zone; And Making Appropriate California Environmental Quality Act Findings;
[23-0209](#)

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

At 7:38 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Kaplan, to open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes

Upon the reading of Item 8. by the City Clerk, the Public Hearing was opened.

12 individuals spoke on this item

At 8:56 P.M. Council President Bas made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and by the same motion accept staff recommendations and approve the Ordinance on Introduction, and Schedule for Final Passage at the May 16, 2023 City Council Meeting, and with direction to the City Administrator to reach out to AC Transit as was described by staff, and hearing no objections, the motion passed with 7 Ayes: Fife, Gallo, Jenkins, Kalb, Reid, Ramachandran, and Fortunato Bas; 1 Absent - Kaplan

A motion was made by Nikki Fortunato Bas, seconded by Noel Gallo, 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 5/16/2023. The motion carried by the following vote:

Aye: 7 - Fife, Gallo, Kalb, Ramachandran, Reid, Fortunato Bas, and Jenkins

Absent: 1 - Kaplan

NO VOTE: 0

2) An Ordinance Authorizing The City Administrator To Execute A Third Amendment To The Development Agreement For The Brooklyn Basin (Formerly The Oak-To-Ninth Avenue Mixed Use Development) Project Between The City Of Oakland And Zarsion-OHP I, LLC; And Making Appropriate California Environmental Quality Act Findings
[23-0210](#)

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

At 7:38 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Kaplan, to open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes

Upon the reading of Item 8. by the City Clerk, the Public Hearing was opened.

12 individuals spoke on this item

At 8:56 P.M. Council President Bas made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and by the same motion accept staff recommendations and approve the Ordinance on Introduction, and Schedule for Final Passage at the May 16, 2023 City Council Meeting, and with direction to the City Administrator to reach out to AC Transit as was described by staff, and hearing no objections, the motion passed with 7 Ayes: Fife, Gallo, Jenkins, Kalb, Reid, Ramachandran, and Fortunato Bas; 1 Absent - Kaplan

A motion was made by Nikki Fortunato Bas, seconded by Noel Gallo, 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 5/16/2023. The motion carried by the following vote:

Aye: 7 - Fife, Gallo, Kalb, Ramachandran, Reid, Fortunato Bas, and Jenkins

Absent: 1 - Kaplan

NO VOTE: 0

5) A Resolution Revising The Preliminary Development Plan For The Brooklyn Basin (Formerly The Oak-To-Ninth Mixed Use Development) Project; And Making Appropriate California Environmental Quality Act Findings

[23-0211](#)

Attachments: [View Report](#)
[View Legislation](#)
[89709 CMS](#)

At 7:38 P.M. Councilmember Jenkins made a motion, seconded by Councilmember Kaplan, to open the Public Hearing, and hearing no objections, the motion passed by 8 Ayes

Upon the reading of Item 8. by the City Clerk, the Public Hearing was opened.

12 individuals spoke on this item

At 8:56 P.M. Council President Bas made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and by the same motion accept staff recommendations and approve the resolution with direction to the City Administrator to reach out to AC Transit as was described by staff, and hearing no objections, the motion passed with 7 Ayes: Fife, Gallo, Jenkins, Kalb, Reid, Ramachandran, and Fortunato Bas; 1 Absent - Kaplan

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

Aye: 7 - Fife, Gallo, Kalb, Ramachandran, Reid, Fortunato Bas, and Jenkins

Absent: 1 - Kaplan

NO VOTE: 0

Councilmember Kaplan Was Noted Absent At 8:19 P.M.

Councilmember Gallo Was Noted Absent At 9:10 P.M.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

OPEN FORUM / PUBLIC COMMENTS

6 individuals Spoke During Open Forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 10:00 P.M., Unless Extended By Majority Vote Of The Council)

There being no further business, the Council adjourned the meeting at 9:23 p.m.

Americans With Disabilities Act

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

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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.