

City of Oakland

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



CITY OF OAKLAND

Meeting Agenda - FINAL

Tuesday, October 4, 2022

10:00 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

**Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City Council**

Pursuant to California Government Code Section 54953(e), the City Council has found that an imminent risk to the health of attendees due to the COVID-19 pandemic continues to exist. Therefore, all City Councilmembers will participate in the meeting via phone/video conference without notice of their teleconference locations

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/88969210064> 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: 889 6921 0064
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 twenty four (24) hours 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](https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar).
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing "*9" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute your self by pressing *6.

If you have any questions, please email the Agenda Management Unit at cityclerk@oaklandca.gov
- Office of the City Clerk

ROLL CALL / CITY COUNCIL

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

ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Subject: State Of The City
From: Office Of The Mayor
Recommendation: Receive An Oral Update From Mayor Libby Schaaf Regarding The
State Of The City
[22-0714](#)

Legislative History

9/15/22	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
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MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS

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

**1 PUBLIC COMMENT: COMMENTS ON ALL ITEMS WILL BE TAKEN AT THIS TIME.
COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN
FORUM**

2 CONSENT CALENDAR (CC) ITEMS:

2.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
[22-0730](#)

Attachments: [View Report](#)

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
[22-0733](#)

Attachments: [View Report](#)

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
[22-0734](#)

Attachments: [View Report](#)

2.4 Subject: Teleconference Meetings Of The City Council
From: Office Of The City Administrator's
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
[22-0735](#)

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2.5 Subject: Reimagine Alameda County's Youth Justice System
From: Vice Mayor Kaplan, President Bas And Councilmember Fife
Recommendation: Adopt A Resolution Supporting The Creation Of A Countywide, Collaborative, Community-Based Planning Process To Reimagine Alameda County's Approach To Youth Justice As Proposed By The Free Our Kids (FOK) Coalition And The County's Juvenile Justice Coordinating Council (JJCC) Realignment Subcommittee Created Pursuant To California Senate Bill 823
[22-0715](#)

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Successor Agency/City Council

On Consent

- 2.6** Subject: 50th Anniversary Of Center for Independent Living Inc.
From: Vice Mayor Kaplan And Councilmember Kalb
Recommendation: Adopt A Resolution Celebrating The Center For Independent Living Inc. On Its 50th Anniversary And Its Many Contributions To Advancing The Civil Rights And Independence Of People With Disabilities
[22-0716](#)

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	<i>On Consent</i>	

Councilmember Kalb requested to be added as a co-author.

- 2.7** Subject: Summarily Vacation Of Public Sewer Easement At 1017 Portal Avenue
From: Transportation Department
Recommendation: Adopt A Resolution Summarily Vacating An Unused Public Sewer Easement Located At 1017 Portal Avenue To The Property Owner, David Marshall Perkins
[22-0719](#)

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- 2.8** Subject: Major Encroachment Permit At 6570 Girvin Drive
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Viorel Bogdan, To Allow Portions Of Earth Retaining Structures To Encroach Into The Public Right Of Way Along Girvin Drive, Adjacent To 6570 Girvin Drive, Major Encroachment Permit ENMJ22051; And Making California Environmental Act Findings
[22-0720](#)

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- 2.9** Subject: Apply For, Accept, And Appropriate Funds From CalRecycle Payment Programs And Grants And SB 1383 And ECAP Compliance Grants
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Funds From California Department Of Resources Recycling And Recovery Payment Programs Beginning With Fiscal Year 2022/2023 And Effective Until Rescinded By The City Council; And

[22-0721](#)

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2) A Resolution Amending Resolution No. 86915 C.M.S. And Resolution No. 87623 C.M.S. To Authorize The City Administrator To Apply For, Accept, And Appropriate Funds From California Department Of Resources Recycling And Recovery Competitive And Non-Competitive Grants Beginning With Fiscal Year 2022/2023 And Effective For Five (5) Years; And

[22-0722](#)

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3) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Funds From Grants For Which The City Is Eligible To Support Compliance With Senate Bill 1383, The Short-Lived Climate Pollutant: Organic Waste Methane Emissions Reduction Act Of 2016, And Oakland 2030 Equitable Climate Action Plan Programs Beginning With Fiscal Year 2022/2023 And Effective For Five (5) Years

[22-0723](#)

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- 2.10** Subject: Urging Children’s Hospital Oakland To Negotiate In Good Faith With The Resident Physicians Of Children’s Hospital Oakland
From: Councilmember Kalb And Pro Tempore Thao
Recommendation: Adopt A Resolution Urging UCSF Benioff Children’s Hospital Oakland To Negotiate In Good Faith With The Resident Physicians Of Children’s Hospital Oakland To Achieve An Equitable Collective Bargaining Agreement That Will Attract A Diverse Population Of Medical Student Graduates From Across The Country To Oakland To Complete Their Residency And Allow Resident Physicians To Afford To Live Nearby
[22-0724](#)

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On Consent

Pro Tempore Thao requested to be added as a co-author.

- 2.11** Subject: 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
[22-0744](#)

Attachments: [View Legislation](#)

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- 2.12** Subject: Support Of Freedom For Nasrin
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution In Support Of Freedom For Nasrin Sotoudeh And All Other Political Prisoners And Prisoners Of Conscience In The Islamic Republic Of Iran
[22-0747](#)

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On Consent

- 2.13** Subject: Celebrating 2 Years Of Black Cultural Zone's Akoma Market
From: Councilmember Taylor And Councilmember Reid
Recommendation: Adopt A Resolution Recognizing And Honoring The Black Cultural Zone For Two Years Of Serving The Community Through The Akoma Market And Congratulating The Market On Expansion To Phase 2.0 Expanding It To Other Locations Across Oakland While Maintaining Its Presence And Footprint At Liberation Park In East Oakland
[22-0748](#)

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Councilmember Reid was added as a co-sponsor.

- 2.14** Subject: Kate Didech V. City Of Oakland, And Does 1 To 20, Inclusive
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Kate Didech V. City Of Oakland, And Does 1 To 20, Inclusive, Alameda County Superior Court Case No. RG19030982, City Attorney File No. 33141, In The Amount Of Sixty Five Thousand Dollars And Zero Cents (\$65,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)
[22-0749](#)

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- 2.15** Subject: California Capital Insurance Company V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of California Capital Insurance Company As Subrogee Of 350 Fourth Street LLC V. City Of Oakland, And Does 1 Through 25, Inclusive, Alameda County Superior Court Case No. RG21102644, City Attorney File No. 34451, In The Amount Of Forty-Five Thousand Dollars And No Cents (\$45,000.00) (Department Of Public Works-Inverse Condemnation)
[22-0753](#)

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3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

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

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF SEPTEMBER 20, 2022
[22-0736](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

6 Subject: Access To The Undesignated Eight Acres On The North Gateway Parcel
From: Councilmember Fife
Recommendation: Adopt A Resolution Directing The City Administrator To Allow Access To The Undesignated Eight Acres On The North Gateway Parcel Located At The Former Oakland Army Base To Serve Up To 300 Individuals Who Have Been Displaced Due To The Wood Street Encampment Closure, And Directing The City Administrator, In Collaboration With State And Alameda County Leaders, To Develop A Plan To Stand Up A More Stable Housing Intervention With Supportive Services On Eight Acres Of The North Gateway Parcel
[22-0746](#)

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On Non-Consent

OPEN FORUM / CITIZEN COMMENTS

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 3:00 P.M., Unless Extended By Majority Vote Of The Council)

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.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Relay Service: 711

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.