

# 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 5, 2021**

**1:30 PM**

**Please See The Agenda To Participate In the Meeting**

**Virtual Tele- Conference Via Zoom**

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

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

#### PUBLIC PARTICIPATION

The public may observe and/or participate in this meeting many ways.

#### OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on <https://oakland.legistar.com/calendar.aspx> and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/83417090477> 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: 834 1709 0477

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

#### COMMENT:

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

There are three ways to submit public comments.

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

If you have any questions, please email the Agenda Management Unit at [cityclerk@oaklandca.gov](mailto: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):

- A** Subject: State Of The City  
From: Office Of The Mayor  
Recommendation: Receive An Oral Update From Mayor Libby Schaaf Regarding State Of The City  
[21-0664](#)

### Legislative History

9/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>Ceremonial Item</i>	

## 1 PUBLIC COMMENT:

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

## 2 CONSENT CALENDAR (CC) ITEMS:

- 2.1** Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health  
Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired  
Immunodeficiency Syndrome ("AIDS") Epidemic  
[21-0682](#)

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

- 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  
[21-0683](#)

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

**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  
[21-0684](#)

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

**2.4** Subject: Fruitvale Transit Village IIB Transit-Oriented Development Financing Correction  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Amending Resolution No. 88278 C.M.S., Which  
Authorized The City To Apply For And Accept \$2,500,000 In Grant Funds Under The State  
Of California's Transit- Oriented Development ("TOD") Housing Program For The Fruitvale  
Transit Village II-B Project At 35th Avenue And East 12th Street, To Authorize The City To  
Apply For, Accept, And Appropriate Additional TOD Funds For This Project In The Form  
Of A Loan In An Amount Not To Exceed \$5,000,000  
[21-0651](#)

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

[View Legislation](#)

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.5** Subject: Aircraft Rescue Fire Fighting Services At The Oakland Airport  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The  
Memorandum Of Understanding Regarding Fire Protection And Aircraft Rescue Fire  
Fighting Services (ARFF) Between The City Of Oakland And The Port Of Oakland, To  
Extend The Term For Fifteen Months To Allow The Oakland Fire Department To Continue  
To Provide Such Services At The Oakland International Airport  
[21-0659](#)

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

[View Report Attachment A](#)

[View Legislation](#)

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.6** Subject: Memorandum Of Agreement For 513 Boulevard Way  
From: Planning And Building Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Agreement (MOA) With The City Of Piedmont Establishing That The City Of Piedmont Will Process Planning And Building Entitlements For A Rear Floor Area Addition, Upper Balcony And Lower Deck At 513 Boulevard Way, A Property Located Within Both Jurisdictions; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

[21-0671](#)

**Attachments:** [View Report](#)  
[View Report Attachment A](#)  
[View Report Attachment B](#)  
[View Report Attachment C](#)  
[View Legislation And Exhibit A](#)

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.7** Subject: Head Start Advisory Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kevin Bremond To The Head Start Advisory Board

[21-0704](#)

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

- 2.8** Subject: Commission On Persons With Disabilities Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Marjorie Lynne, Noah Smith, And Howard Tevelson, And The Appointment Of Ayanna Keeton And Leonard Moore To The Mayor's Commission On Persons With Disabilities

[21-0703](#)

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

- 2.9** Subject: Cultural Affairs Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Kevin Choice, J. K. Fowler, Michelle Lee, Diane Sanchez, And Theo Aytchan Williams To The Cultural Affairs Commission

[21-0702](#)

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

**2.10** Subject: Budget Advisory Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of  
Margaret Grimsley And Sarah Price To The Budget Advisory Commission  
[21-0701](#)

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

**2.11** Subject: Formation Of A Regional Vegetation Management Joint Powers Agency  
(EBVMJPA)  
From: Councilmember Kalb And President Pro Tempore Thao  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Participate  
In The Formation Of A Regional Vegetation Management Joint Powers Agency  
(EBVMJPA) To Address Wildfire Prevention In The East Bay  
[21-0698](#)

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

[View Legislation](#)

**Legislative History**

9/23/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.12** Subject: Resolution Declaring October 6th 2021 A "Clean Air Day"  
From: Councilmembers Kalb  
Recommendation: Adopt A Resolution Declaring October 6th 2021 A "Clean Air Day" In  
The City Of Oakland And Asking All City Department Heads To Determine How Their  
Departments Can Participate In Clean Air Day, As Appropriate, And Encourage All  
Residents, Businesses, Employees, And Community Members To Participate In Clean Air  
Day And Help Clear The Air For All Californians  
[21-0700](#)

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

[View Legislation](#)

**Legislative History**

9/23/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**2.13** Subject: City Of Portland And The City Of Oakland V. Merrick Garland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle And Dismiss The Case Of The City Of Portland And The City Of Oakland V. Merrick Garland, In His Official Capacity As United States Attorney General; United States Department Of Justice; Alejandro Mayorkas, In His Official Capacity As Secretary Of Homeland Security; And United States Department Of Homeland Security, United States District Court Case No. 3:20-CV-7184-EMC, City Attorney's File No. AL-05173 (City Council - Constitutional And Statutory Violations)  
[21-0705](#)

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

**2.14** Subject: Segula Investments, Inc., A California Corporation 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 Segula Investments, Inc., A California Corporation V. City Of Oakland, A California Municipal Corporation, Oakland Department Of Planning And Building, William Gilchrist In His Official Capacity, And DOES 1-10, Inclusive, Alameda County Superior Court Case No. RG21089614, City Attorney's File No. 34281, In The Amount Of Four Hundred Sixty-Five Thousand Dollars And Zero Cents (\$465,000.00) (Planning And Building Department - Permitting Fees Dispute)  
[21-0706](#)

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

### **3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:**

**3.1** Subject: Appeal Of Jobs/Housing Impact Fees For 1300 Maritime Street  
From: Planning And Building Department  
Recommendation: Adopt One Of The Following Two (2) Options:

1) A Resolution Upholding The Decision Of The Impact Fee Review Board To Deny A Fifty Percent (50%) Reduction Of The Jobs/Housing Impact Fee (Oakland Municipal Code Chapter 15.68) For A Warehouse Project At 1300 Maritime Street (Permit No. B1901472); Or

[21-0665](#)

**Attachments:**

[View Report](#)

[View Report Attachment A](#)

[View Report Attachment B](#)

[View Report Attachment C](#)

[View Legislation](#)

**Legislative History**

9/16/21

\*Rules & Legislation  
Committee

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

*Approved As A Public Hearing*

2) Provided The City Council Can Make The Appropriate Findings,

Direct The City Administrator Or Designee To Prepare A Resolution For Future City Council Consideration To Impose The Jobs/Housing Impact Fee In A Different Amount

[21-0666](#)

**Legislative History**

9/16/21

\*Rules & Legislation  
Committee

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

*Approved As A Public Hearing*



- 3.2** Subject: Oak Knoll Community Facilities District (CFD)  
From: Economic And Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of The City Council Of Intention To Establish A Community Facilities District, Three Improvement Areas, And A Future Annexation Area To Finance Public Improvements And Public Services For The Oak Knoll Project, And Making Findings Under The California Environmental Quality Act (CEQA); And  
[21-0668](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Attachment D](#)  
[View Attachment E](#)  
[View Attachment F](#)  
[View Legislation](#)

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Approved As A Public Hearing*

2) A Resolution Of The City Council Of Intention To Incur Bonded And Other Indebtedness For The Oak Knoll Project Community Facilities District, And Making Findings Under The California Environmental Quality Act (CEQA)  
[21-0670](#)

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

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Approved As A Public Hearing*

- 4** ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &  
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS  
[21-0709](#)

**Attachments:** [View Report - September 23, 2021 Closed Session Report Out \(1\)](#)  
[View Report - September 23, 2021 Closed Session Report Out \(2\)](#)

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF SEPTEMBER 1,  
AND 21, 2021  
[21-0685](#)

6 Subject: Love Life Resolution Update  
From: President Pro Tempore Thao  
Recommendation: Receive A Report And Recommendations From The City  
Administrator Regarding The Action Plan To Implement The City's Motto "Love Life" With  
Public Agency Partners  
[21-0581](#)

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

**Legislative History**

7/22/21	*Rules & Legislation Committee <i>This Item was Approved for September 27, 2021, Life Enrichment Committee</i>	Scheduled to the *Life Enrichment Committee
9/23/21	*Rules & Legislation Committee <i>Approved to be scheduled to Non - Consent</i>	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 7 Subject: Professional Services Agreement For General Plan Update  
From: Planning And Building Department  
Recommendation: Adopt The Following Pieces Of Legislation:

A Resolution:

(1) Accepting And Appropriating A Priority Development Area (PDA) Grant From The Metropolitan Transportation Commission (MTC) In The Amount Of One Million Six Hundred Thousand Dollars (\$1,600,000) To Provide Funding For Services Related To The General Plan Update, Associated Zoning Code And Map Amendments, Community Engagement, And California Environmental Quality Act Assessment; And

(2) Accepting And Appropriating A Regional Early Action Plan (REAP) Grant From The Association Of Bay Area Governments (ABAG) In The Amount Of Two Hundred Eighty-One Thousand Six Hundred Nine Dollars (\$281,609) To Provide Funding For Services Related To The General Plan Update, Associated Zoning Code And Map Amendments, Community Engagement, And California Environmental Quality Act Assessment; And

(3) Awarding A Professional Services Agreement To Dyett & Bhatia, Urban And Regional Planners, Inc In An Amount Not-To-Exceed Five Million Seven Hundred Nineteen Thousand Four Hundred Two Dollars (\$5,719,402), Including Five Hundred Nineteen Thousand Nine Hundred Forty-Six Dollars (\$519,946) Reserved As Contingency, To Provide Technical Consultant Services Related To The General Plan Update, Associated Zoning Code And Map Amendments, Community Engagement, And California Environmental Quality Act Assessment, For A Term Of Six (6) Years; And

(4) Appropriating Funds From The Development Services Fund (2415) Fund Balance In The Amount Of Two Million Three Hundred Forty-Seven Thousand Eight Hundred Ninety Dollars And Eighty-Four Cents (\$2,347,890.84) To Provide Funding For Services Related To The General Plan Update, Associated Zoning Code And Map Amendments, Community Engagement, And California Environmental Quality Act Assessment; And [21-0680](#)

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

**Legislative History**

9/16/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Approved To Be Placed On Non-Consent*

2) A Resolution:

Awarding A Professional Services Agreement To Urban Strategies Council As The Contracting Entity For The Deeply Rooted In Oakland Consulting Team In An Amount Not-To-Exceed Two Million Seven Hundred One Thousand Nine Hundred Fifty-Two Dollars (\$2,701,952), Including Two Hundred Forty-Five Thousand Six Hundred Thirty-Two Dollars (\$245,632) Reserved As Contingency, To Provide Community Consultant Services Related To The General Plan Update, Associated Zoning Code And Map Amendments, Community Engagement, And California Environmental Quality Act Assessment, For A Term Of Six (6) Years

[21-0681](#)

**Attachments:**

[View Report](#)

[View Report Attachment A](#)

[View Presentation](#)

[View Legislation](#)

**Legislative History**

9/16/21

\*Rules & Legislation  
Committee

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

*Approved To Be Placed On Non-Consent*

- 8 Subject: Resolution In Support Of City Of Oakland Mandatory Vaccination Policy  
From: Councilmember Kalb  
Recommendation: Adopt A Resolution In Support Of A City Of Oakland Employee Mandatory Vaccination Policy That Would Require Employees Of The City Of Oakland To Be Vaccinated Against The Covid-19 Virus Or Have A Valid Exemption, In Order To Provide A Safer Working Environment For Our Employees And Their Families, Help Protect The Public, And Reduce The Risk Of Community Transmission

[21-0675](#)

**Attachments:**

[View Report](#)

[View Legislation](#)

**Legislative History**

9/16/21

\*Rules & Legislation  
Committee

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

*Approved To Be Placed On Non-Consent*

- 9 Subject: Inter-Agency Report On Project Labor Agreements And Racial Equity Analysis  
From: Department Of Race And Equity  
Recommendation: Receive A Report And Recommendations Regarding (1) The Project Labor Agreement (PLA) Report Prepared By The Estolano Advisors And Related Racial Equity Impact Analysis And (2) Recommendations To Guide Next Steps On Consideration Of A City-Wide PLA  
[21-0690](#)

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

**Legislative History**

9/23/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Approved As Non-Consent*

**ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF**

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

**ADJOURNMENT OF COUNCIL SESSION**

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

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**Office of the City Clerk - Agenda Management Unit**

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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.**