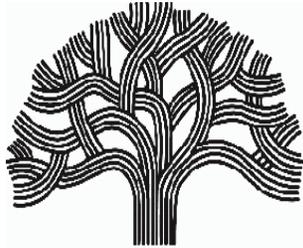


City of Oakland

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



CITY OF OAKLAND

Meeting Agenda - SUPPLEMENTAL

Thursday, March 23, 2023

10:30 AM

City Council Chamber, 3rd Floor

***Rules & Legislation Committee**

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

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

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/85644242981> 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: 856 4424 2981

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

PUBLIC COMMENT WILL BE TAKEN ON EACH ACTION ITEM . ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK MUST FILL OUT A SPEAKER CARD FOR EACH ITEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:

- **THE E-COMMENT FUNCTION IS CURRENTLY UNAVAILABLE.** Please Email Written Comments To Cityclerk@Oaklandca.Gov. Written Comments Must Be Submitted At Least 24 Hours Prior To The Meeting Time To Be Delivered To Committee Members.
- To Comment In Person, Members Of The Public Must Submit A Separate Speaker Card For Each Item On The Agenda To The City Clerk Before The Item Is Called.
- To Comment Via Zoom, Members Of The Public Must Submit An Electronic Speakers Card By Emailing Cityclerk@Oaklandca.Gov. The Email Should Include The Name And Date Of The Meeting, The Agenda Number, & Zoom Profile Name (Which At The Speakers Discretion May Be Their Legal Name Or Other Information To Identify Them) Or Phone Number.
- Once You Have Submitted Your Electronic Speaker Card - To Comment Via Zoom , Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Being Taken On A Eligible Agenda Item At The Presiding Officers Discretion. 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, Upon Submitting An Electronic Speakers Card, 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

DEFINITION OF TERMS:

- **Action Item:** shall mean any resolution, ordinance, public hearing, motion or recommendation requiring official vote and approval of the City Council to be effective.
- **Informational Item:** shall mean an agenda item consisting only of an informational report that does not require or permit Council action.
- **Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval, except: 1) any item having a high level of public interest or controversy as determined by the Rules and Legislation Committee; 2) any action item that the Rules and Legislation Committee has placed on the Consent Calendar in accordance with Rule 26; or 3), any item that requires a public hearing or that is otherwise ineligible by law as a Consent Item.
- **Non-Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that: 1) a Standing Committee has forwarded to the full Council without unanimous recommendation for approval; 2) has a high level of public interest or controversy as determined by the Rules and Legislation Committee or; 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

COMMITTEE MEMBERSHIP:

*Councilmember Carroll Fife, District 3; President Pro Tempore Dan Kalb, District 1;
Councilmember Janani Ramachandran, District 4; Chairperson: Council President Nikki
Fortunato Bas, District 2*

1 Roll Call / Call To Order

- 2** Approval Of The Draft Minutes From The Committee Meeting Of March 2, 2023 And March 9, 2023

[23-0114](#)

Attachments: [Draft March 2, 2023 Minutes](#)
[Draft March 9, 2023 Minutes](#)

3 New Scheduling Items

- 3.1** Subject: Fiscal Year 2024-28 Five-Year Financial Forecast
From: Finance Department
Recommendation: Receive An Informational Report On The City Of Oakland Five-Year Financial Forecast Prepared In Accordance With The City Of Oakland's Consolidated Fiscal Policy, Ordinance No. 13279 C.M.S.; On The April 11, 2023 Finance And Management Committee Agenda
[23-0204](#)
- 3.2** Subject: Oakland Redevelopment Successor Agency (ORSA) Audit Report FY 2021-22
From: Finance Department
Recommendation: Receive The Oakland Redevelopment Successor Agency (ORSA) Audit Report For The Year Ended June 30, 2022; On The April 11, 2023 Finance And Management Committee Agenda
[23-0205](#)
- 3.3** Subject: GoPort - 7th Street Grade Separation East Project
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution: (1) Authorizing The City Administrator To Negotiate And Execute A Cooperative Agreement, Between The City Of Oakland (City), Port Of Oakland (Port), And Alameda County Transportation Commission (ACTC), For The 7th Street Grade Separation East Project (Project); And (2) Authorizing The City Administrator To Negotiate And Execute A Construction Memorandum Of Understanding, Between The City, Port, And ACTC, For The Project; And (3) Authorizing The City Administrator To Negotiate And Execute An Amended Reimbursement Cooperative Agreement (A19-0028) Between The City And ACTC; And (4) Adopting California Environmental Quality Act Findings; And
[23-0202](#)

2) 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, To Relinquish A Portion Of The 1930 Roadway Easement, And Accept The Easements Therein, Upon Completion Of The 7th Street Grade Separation East Project Realigning 7th Street (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 California Environmental Quality Act Findings; On The April 11, 2023 Public Works And Transportation Committee Agenda
[23-0203](#)

3.4 Subject: Award Construction Contract For Courtland Creek Restoration Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Award A Construction Contract That Follows All City Advertising And Competitive Bidding Requirements To The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For Project No. 1005340 Courtland Creek Restoration Project, And With The Contractor's Bid, For An Amount Not To Exceed Four Million Four Hundred Seventy-Five Dollars (\$4,000,475.00); 2) Enter Into A Cooperative Agreement With The Alameda County Flood Control And Water Conservation District (District) To Implement A Portion Of The Project On District Property; And 3) Adopt Appropriate California Environmental Quality Act Findings; On The April 11, 2023 Public Works And Transportation Committee Agenda
[23-0207](#)

3.5 Subject: Bancroft Avenue Greenway
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute And File An Application For Funding For The Bancroft Avenue Greenway For Regional Discretionary Funding Under The Federal Transportation Act Or Continued Funding; Accept And Appropriate An Active Transportation Program (ATP) Grant Totaling Twenty-Nine Million Three Hundred Eleven Thousand Dollars (\$29,311,000) For The Bancroft Avenue Greenway; Commit A Match Of Up To Five Million Three Hundred Sixty-Four Thousand Dollars (\$5,364,000) In Local Funds; State The City's Intent To Complete The Project; And Adopt Appropriate California Environmental Quality Act (CEQA) Findings; On The April 11, 2023 Public Works And Transportation Committee Agenda
[23-0213](#)

- 3.6** Subject: Approval To Apply For California Automated Permit Processing Permit Program (CalAPP) Grant Funds
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Up To A Total Of One Hundred Thousand Dollars (\$100,000) In California Automated Permit Processing Permit Program (CalAPP) Grant Funds From The State Of California Energy Commission And Adopting Appropriate California Environmental Quality Act Findings; On The April 11, 2023 Community And Economic Development Committee Agenda
[23-0201](#)
- 3.7** Subject: Covid-19 Eviction Moratorium Ramp Down 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; On The April 11, 2023 Community And Economic Development Agenda
[23-0216](#)
- 3.8** Subject: OPD State COPS Grant XXV
Form: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year (FY) 2023 State Of California "Citizens Options For Public Safety " (State COPS Grant XXV) Allocation In The Amount Of Six Hundred Fifty-Five Thousand Five Hundred Seventy-Nine Dollars (\$655,579) Plus Accrued Interest Earnings, Of Up To Ten Thousand Dollars For A Total Amount Not To Exceed Six Hundred Sixty-Five Thousand Five Hundred Seventy-Nine Dollars (\$665,579) To Fund Body Armor For The SWAT Team, Helicopter Maintenance, Records Division Workstations, Micro TraumaPak Kits, Medical Training Supplies And Equipment: On The April 11, 2023 Public Safety Committee Agenda
[23-0214](#)

- 3.9** Subject: Grant Agreement Between State Of CA And MACRO Program
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into An Agreement With The Department Of Health And Human Services (HHS) Substance Abuse And Mental Health Services Administration To Receive Grant Funds (SAMHSA GRANT) In The Amount Of Seven Hundred And Thirty-Four Thousand (734,000) Dollars; (2) Accept, Appropriate, And Administer Said SAMHSA Grant To Fund The Mobile Assistance Community Responders Of Oakland (“MACRO”) Program Costs Including Equipment, Uniforms, And Software; On The April 11, 2023 Public Safety Committee Agenda
[23-0217](#)
- 3.10** Subject: Resolution Recognizing A’Janee Landingham
From: Councilmember Fife And Office Of The City Clerk
Recommendation: Adopt A Resolution Recognizing And Honoring The Inimitable A’Janee Landingham For Her Years Of Dedicated And Impactful Service To The City Of Oakland And Its Residents In Her Role With The Office Of The City Clerk And Wishing Her Continued Success In Her Future Endeavors; On The April 18, 2023 City Council Agenda On Consent
[23-0215](#)
- 3.11** 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 2022-2023 (Round Two), In A Total Amount Not To Exceed Six Hundred Thousand Dollars (\$600,000); On The April 25, 2023 Life Enrichment Committee Agenda
[23-0212](#)
- 3.12** Subject: Brooklyn Basin Marina Expansion Project
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Certifying The Brooklyn Basin Marina Expansion Project Supplemental Environmental Impact Report (SEIR) And Making Certain Findings Concerning Environmental Impacts, Mitigation Measures, And Alternatives, And Adopting A Mitigation Monitoring And Reporting Program (MMRP), All In Accordance With The California Environmental Quality Act;
[23-0206](#)

2) A Resolution Approving Text Amendment 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 Making Appropriate California Environmental Quality Act Findings;

[23-0208](#)

3) An Ordinance Approving Zoning Text Amendment To Increase The Maximum Average Density And Modify The Parking Requirements In The Oak To Ninth (D-OTN) Zone; And Making Appropriate California Environmental Quality Act Findings;

[23-0209](#)

4) 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; And

[23-0210](#)

5) A Resolution Revising The Preliminary Development Plan (PDP) For The Brooklyn Basin (Formerly The Oak-To-Ninth Mixed Use Development) Project; And Making Appropriate California Environmental Quality Act Findings; On The April 25, 2023 Community And Economic Development Agenda And On The May 2, 2023 City Council Agenda As A Public Hearing

[23-0211](#)

- 3.13** Subject: FY 2023 Quarterly Overtime Report From The Oakland Fire Department
From: Oakland Fire Department
Recommendation: Receive An Informational Report From The Oakland Fire Department On The Use Of Overtime During The First And Second Quarter Of Fiscal Year 2023, That Includes Additional Information On Overtime Policy, Use, And Accountability; On The May 9, 2023 Finance And Management Committee Agenda And On The May 16, 2023 City Council Agenda On Consent

[23-0218](#)

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings

[23-0115](#)

Attachments:

- [March 28, 2023 Finance And Management Committee Agenda](#)
- [CANCELLED March 28, 2023 Public Works Committee Meeting](#)
- [March 28, 2023 Community And Economic Development Committee Agenda](#)
- [CANCELLED MARCH 28, 2023 Life Enrichment Committee Meeting](#)
- [March 28, 2023 Public Safety Committee Agenda](#)
- [March 30, 2023 Rules And Legislation Committee Agenda](#)
- [Finance And Management Pending List](#)
- [Public Works And Transportation Pending List](#)
- [Community And Economic Development Pending List](#)
- [Life Enrichment Pending List](#)
- [Education Partnership Committee Pending List](#)
- [Public Safety Pending List](#)
- [Rules And Legislation Pending List](#)
- [CANCELLED April 4, 2023 City Council Agenda](#)
- [CANCELLED April 6, 2023 Rules And Legislation Committee Meeting](#)

5 Determinations Of Closed Session

Open Forum

Adjournment

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.

Oakland's Mask Mandate For Everyone Ages 6 And Older Inside City Facilities: The City Will Continue To Make Masks Available To Patrons Of Our Buildings That May Not Arrive With One.

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 8:30AM TO 5:00PM

*** In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.**