

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, January 11, 2024

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>

The Public May Observe And/Or Participate In This Meeting Many Ways.

OBSERVE:

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- 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.
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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:

- 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 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 Submit An Electronic Speaker Card, Members Of The Public Must (1) Visit The City Of Oakland Meeting Calendar Website At: <https://oakland.legistar.com/Calendar.aspx> (2) Click the hyperlink labeled 'eComment' in the far right column of the meeting you wish to participate in, (You Will Be Redirected To The Specific Meeting Webpage); And (3) Register To 'Sign In To Speak' For Each Agenda Item(s) You Wish To Speak to.

***To Be Recognized To Speak Via ZOOM, Electronic Speaker Cards Must Be Submitted and Received Before The City Clerk Reads the Item Into the Record.**

- 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.](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:** 1) approval of Council minutes, and 2) any action or informational item placed on a Council agenda for a Regular Meeting or Special Meeting (i) as a Consent Item by the Rules and Legislation Committee, (ii) pursuant to Rule 28, or (iii) that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval by the members who are present: Consent Item shall not include: 1) any item having a high level of public interest or controversy as determined by the Standing Committee Chair, or the Rules and Legislation Committee, or pursuant to Rule 28; 2) any item that requires a public hearing or that otherwise is ineligible by law as a Consent Item.

• **Non-Consent Item shall mean, for the purposes of a City Council agenda for a Regular Meeting or Special Meeting, 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 a Standing Committee Chair, the Rules and Legislation Committee, or pursuant to Rule 28; or 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

1 Roll Call / Call To Order

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*

- 2 Approval Of The Draft Minutes From The Committee Meetings Of December 7, 2023 And December 14, 2023

[23-0971](#)

Attachments: [View December 7, 2023 Draft Minutes](#)
[View December 14, 2023 Draft Minutes](#)

3 New Scheduling Items

- 3.1 Subject: Lynne McDonald, Et Al. 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 Lynne McDonald And David Barr V. City Of Oakland, Contra Costa County, And Does 1 Through 50, Alameda County Superior Court Case No. RG18931020, City Attorney File No. 32944, In The Amount Of Six Million Five Hundred Thousand Dollars And Zero Cents (\$6,500,000.00) (Department Of Transportation - Dangerous Condition Of Public Property); On The January 16, 2024 City Council Agenda On Consent

[24-0020](#)

Sponsors: Office Of The City Attorney

- 3.2 Subject: Citywide Grant Management Software - Amplifund
From: Finance Department
Recommendation: Adopt A Resolution: (1) Awarding A Professional Services Agreement To Streamlink Software Inc. To Provide Citywide Grant Management Software For A Term Of Four Years In An Amount Not To Exceed \$800,000; And (2) Authorizing An Amendment To The Contract To Extend For Two Additional Years In An Amount Not To Exceed \$120,000 For Each Year; And (3) Waiving The Competitive Multiple Step Proposal Solicitation Process, And The Local And Small Local Business Enterprise Program Requirements; On The January 23, 2024 Finance And Management Committee Agenda

[24-0017](#)

Sponsors: Finance Department

- 3.3** Subject: Loan For 12th Street Remainder Parcel
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Appropriating \$4,000,000 From A Ground Rent Loan Payment; Authorizing A \$4,000,000 Loan To East 12th Street Housing, L.P. Funded By The Ground Rent Loan Payment For The Development Of 91 Units Of Affordable Housing On A Portion Of The 12th Street Remainder Property Located At East 12th Street And 2nd Avenue; And Adopting California Environmental Quality Act Findings; On The January 23, 2024 Community And Economic Development Committee Agenda [24-0018](#)

Sponsors: Economic & Workforce Development Department

- 3.4** Subject: Trybe, Inc. License Agreement For Use Of The Clinton Square Park Community Center For Community Programming
From: Council President Fortunato Bas
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A License Agreement With Trybe, Inc., A California Nonprofit Organization For Year-Round Community Programming On The Clinton Square Community Center Effective March 1, 2024 Until February 28, 2025 At A Rate Of Zero Dollars (\$0.00) Per Year; (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; On The January 23, 2024 Life Enrichment Committee Agenda [24-0021](#)

Sponsors: Fortunato Bas

- 3.5** Subject: 2024 State And Federal Legislative Agenda And Summary Of 2023 State And Federal Legislative Achievements
From: Council President Fortunato Bas And Mayor Thao
Recommendation: Receive An Informational Report On The Proposed 2024 State And Federal Legislative Agenda And Summary Of 2023 State And Federal Legislative Achievements; On The January 25, 2024 Rules And Legislation Committee Agenda [24-0022](#)

Sponsors: Fortunato Bas and Office Of The Mayor

RECOMMENDATIONS FROM THE CANCELLED JANUARY 9, 2024 FINANCE AND MANAGEMENT COMMITTEE

3.6 Subject: Status Of Measure KK Projects And Expenditures Update For The Quarter Ending June 30, 2023
 From: Finance Department
 Recommendation: Receive An Informational Report On Measure KK Projects And Expenditures Update For The Quarter That Ended On June 30, 2023
[23-0817](#)

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

Legislative History

10/19/23	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
11/14/23	*Finance & Management Committee <i>1 Speaker Spoke On This Item</i>	Continued to the *Finance & Management Committee

The Committee approved to continue this item to the January 9, 2024 Finance And Management Committee Meeting with request for the following to be included in the supplemental:

Clarification of Attachment D to identify which facilities still in the design phase, the amount of funding that they currently have versus what is needed. Also, which projects may be stalled due to lack of funds. For example: Which of the projects have more than 75 % of the funding already identified through another source?

11/30/23	*Rules & Legislation Committee	Continued to the *Finance & Management Committee
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3.7 Subject: Fiscal Year 2022-23 Fourth Quarter (Q4) And FY 2023-24 First Quarter (Q1) Revenue And Expenditures (R&E) Report
 From: Finance Department
 Recommendation: Receive An Informational Report On Fiscal Year (FY) 2022-23 Fourth Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds, And Fiscal Year (FY) 2023-24 First Quarter Revenue And Expenditure (R&E) Year-End Projections For The General Purpose Fund (GPF, 1010) And Select Funds
[23-0919](#)

Sponsors: Finance Department

- Attachments:** [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Appendix AA](#)
[View Appendix BB](#)

Legislative History

11/9/23	*Rules & Legislation Committee	Scheduled to the *Special Finance & Management Committee
11/27/23	*Special Finance & Management Committee <i>1 Speaker Spoke On This Item</i>	Continued to the *Finance & Management Committee

The Committee Approved To Continue This Item To The January 9, 2024 Finance And Management Committee Meeting With Direction And Request For The Following To Be Included In The Supplemental Report:

- *Beyond Finance And Revenue, To The Administration, To The Workforce Team, To The City Economic Team, Looking At What We Are Doing, & What More Can We Do To Support Local Businesses In Oakland? Including The TOT Category; Hotels And Short-Term Rentals*
- *What Steps/How Can We Help Encourage People To Shop, Do Business, and Buy Property In Oakland?*
- *Look Into Small Remainder Parcels Of Real Estate That The City Owns Under 5,000 square feet, How To Make The Properties Available For People To Acquire? Including The Raiders Facility*
- *The Variety Of Possible Uses Of Non General Purpose Funds - Special Funds In Table 12, As well as Ways To Deal With The Balance*
- *Provide A Broader Update On Revenue Including A Broader Revenue Generation Plan*
- *Status Of State Or Federal Reimbursements*
- *False Alarm Reduction Program, And How We Can Potentially Contain That Cost*

11/30/23	*Rules & Legislation Committee	Continued to the *Finance & Management Committee
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RECOMMENDATIONS FROM THE CANCELLED JANUARY 9, 2024 AND PUBLIC WORKS AND TRANSPORTATION COMMITTEE

3.8 Subject: Vacate A Portion Of Sewer Easement At 2359 Harrison Street
From: Transportation Department
Recommendation: Adopt A Resolution Vacating A Portion Of The Public Sewer Easement At 2359 Harrison Street To The Property Owner, NASH - Holland 24th And Waverly Investors, LLC, And Adopting Appropriate California Environmental Quality Act Findings
[23-0047](#)

Sponsors: Transportation Department

Attachments: [View Report](#)
[View Legislation](#)
[View Report - 12/27/2023](#)
[View Legislation And Exhibits A And B - 12/27/2023](#)

Legislative History

1/26/23	*Rules & Legislation Committee <i>As a Public Hearing</i>	Scheduled to the *Public Works Committee
2/9/23	*Rules & Legislation Committee	Withdrawn with No New Date
12/14/23	*Rules & Legislation Committee	Scheduled to the * Public Works And Transportation Committee

3.9 Subject: Major Encroachment Permit At 532 16th Street
From: Department Of Transportation
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit ENMJ23056 To Adcock Joyner Preservation, LP, To Allow Portions Of Basement And Sidewalk Vaults To Encroach Into The Public Right-Of-Way Along 16th Street And San Pablo Avenue, Adjacent To 532 16th Street, And Adopting Appropriate California Environmental Quality Act Findings
[23-0988](#)

Sponsors: Transportation Department

Attachments: [View Report](#)
[View Legislation And Exhibits A And B](#)
[View Supplemental Legislation And Exhibits A And B - January 5, 2024](#)

Legislative History

12/14/23	*Rules & Legislation Committee	Scheduled to the * Public Works And Transportation Committee
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3.10 Subject: Acceptance Of Portable Air Filters From The Bay Area Air Quality Management District (BAAQMD)
 From: Office Of The City Administrator
 Recommendation: Adopt A Resolution Accepting Air Filtration Equipment Valued In An Amount Not To Exceed \$125,000 From The Bay Area Air Quality Management District (BAAQMD) To Provide Respite From Wildfire Smoke; And Accepting Additional Equipment And Funding That Becomes Available From BAAQMD Through December 31, 2027 In An Amount Not To Exceed \$625,000; And Authorizing The City Administrator To Execute An Agreement With BAAQMD To Receive Said Equipment And Funding
[23-0996](#)

Sponsors: Office Of The City Administrator

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

RECOMMENDATIONS FROM THE JANUARY 9, 2024 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

3.11 Subject: Amendments To Sound Amplification Equipment Ordinance
 From: Office Of The City Administrator And Councilmember Reid
 Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 12.56 (Sound Amplification Equipment) To Allow The City Of Oakland To Issue Up To Ten Permits Per Calendar Year For Amplified Sound Until Eleven O'clock (11:00) P.M. In The Oakland Coliseum For A Three-Year Pilot Period (2024-2026); And Adopting Appropriate California Environmental Quality Act Findings
[23-0581](#)

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

Legislative History

6/29/23	*Rules & Legislation Committee <i>Title Change read into record approved</i>	Scheduled to the *Community & Economic Development Committee
7/13/23	*Rules & Legislation Committee <i>A Title Change was accepted</i>	Scheduled to the *Community & Economic Development Committee
12/7/23	*Rules & Legislation Committee <i>A Title Change Was Accepted</i>	Scheduled to the *Community & Economic Development Committee

1/9/24	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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0 Speakers Spoke On This Item

The CED Committee Approved The Recommendations Of Staff And To Forward This Item To The January 16, 2024 City Council Agenda On Consent

3.12 Subject: Accept And Appropriate Funding For Low-Income Home Electrification Consistent With The Equitable Climate Action Plan
 From: Office Of The City Administrator
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Funding For Low-Income Residential Electrification Projects And Related Activities Totaling \$99,974.48 From The International Council For Local Environmental Initiatives (ICLEI) And Habitat For Humanity East Bay Silicon Valley To Further The City's Climate, Electrification, And Resilience Goals; And Making Appropriate California Environmental Quality Act Findings

[23-0990](#)

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

12/14/23	*Rules & Legislation Committee <i>A Title Change Was Accepted</i>	Scheduled to the *Community & Economic Development Committee
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1/9/24	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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0 Speakers Spoke On This Item

The CED Committee Approved The Recommendations Of Staff And To Forward This Item To The January 16, 2024 City Council Agenda On Consent

3.13 Subject: FY 2023-24 Quarter 1 Update On Code Enforcement Activities
 From: Planning And Building Department
 Recommendation: Receive An Informational Report Regarding The Fiscal Year 2023-24 Quarter 1 Update On The Planning And Building Department's Code Enforcement Activities

[23-0861](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

[View Supplemental Report - 12/27/2023](#)

[View Supplemental Attachment A - 12/27/2023](#)

Legislative History

11/9/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
1/9/24	*Community & Economic Development Committee <i>0 Speakers Spoke On This Item</i>	Received and Filed

RECOMMENDATIONS FROM THE CANCELLED JANUARY 9, 2024 PUBLIC SAFETY COMMITTEE

3.14 Subject: 2023-2025 BSCC Officer Wellness And Mental Health Grant
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate The Fiscal Years 2023-2025 Board Of State And Community Corrections Officer Wellness And Mental Health Grant Program Funds In The Amount Of Four Hundred Eighty-Three Thousand Thirty-Two Dollars And Eighty-Seven Cents (\$483,032.87) To Enhance Mental Health And Overall Wellness Of Oakland Police Officers
[23-0965](#)

Sponsors: Oakland Police Department

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

Legislative History

11/30/23	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
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3.15 Subject: Informational Report On MACRO Program Operations
 From: Oakland Fire Department
 Recommendation: Receive An Informational Report On The Progress Of The City Of Oakland's Mobile Assistance Community Responders Of Oakland ("MACRO") Program
[23-0907](#)

Sponsors: Oakland Fire Department and

Attachments: [View Report](#)

Legislative History

11/9/23	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
11/30/23	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the *Public Safety Committee

4 Review Of Draft Agendas, Pending Lists, City Council And Committee Meetings And Oral Report Out Of The Closed Session Agenda

[23-0972](#)

Attachments:

[January 16, 2023 City Council Agenda](#)

[January 18, 2023 Rules And Legislation Agenda](#)

[Finance And Management Pending List](#)

[Public Works And Transportation Pending List](#)

[Community And Economic Development Pending List](#)

[Life Enrichment Pending List](#)

[Education Partnership Pending List](#)

[Public Safety Pending List](#)

[Rules And Legislation Pending List](#)

[DRAFT January 23, 2024 Finance And Management Agenda](#)

[DRAFT January 23, 2024 Public Works ANd Transportation Agenda](#)

[DRAFT January 23, 2024 Community And Economic Development Agenda](#)

[DRAFT January 23, 2024 Life Enrichment Agenda](#)

[DRAFT January 23, 2024 Public Safety Agenda](#)

[DRAFT January 25, 2024 Rules And Legislation Agenda](#)

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.

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 8:30AM 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.**