



# City of Oakland

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

## Meeting Minutes - DRAFT Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

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Tuesday, December 21, 2021

9:30 AM

Virtual Tele - Conference Via Zoom

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

***The Concurrent Meeting of the Special Oakland City Council was held on the above date, the meeting was convened at 9:32 AM.***

### **ROLL CALL / CITY COUNCIL**

*Councilmember Gallo was not present at the time of Roll Call. His attendance was noted at 9:48 A.M.*

**Present** 8 - Sheng Thao, Loren Taylor, Nikki Fortunato Bas, Rebecca Kaplan, Noel Gallo, Dan Kalb, Carroll Fife, and Treva Reid

### **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**

*54 speakers spoke during public comment.*

### **2 CONSENT CALENDAR (CC) ITEMS:**

#### ***Approval of the Consent Agenda***

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

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

- 2.1** Subject: Celebrating Sandra Taylor For Over 28 Years Of Service  
From: Councilmember Reid  
Recommendation: Adopt A Resolution Celebrating Sandra Taylor For Over 28 Years Of Dedicated And Distinguished Service To The City Of Oakland  
[21-0942](#)

**Attachments:** [View Legislation](#)  
[88943 CMS](#)

**This City Resolution was Adopted.**

- 2.2** Subject: Resolution Recognizing Cynthia Perkins  
From: Council President Fortunatos Bas  
Recommendation: Adopt A Resolution Recognizing Cynthia Perkins For Providing 30 Years Of Dedicated And Committed Service To The City Of Oakland And Congratulating Her Upon Her Retirement  
[21-0946](#)

**Attachments:** [View Legislation](#)  
[88944 CMS](#)

**This City Resolution was Adopted.**

- 2.3** Subject: Institute Common Sense Covid-19 Safety Measures In Division Of Juvenile Justice Facilities  
From: Councilmember Reid And Council President Fortunato Bas  
Recommendation: Adopt A Resolution Urging The Governors Office To Institute Common Sense Covid-19 Safety Measures In Division Of Juvenile Justice Facilities As A Result Of A Recent Covid-19 Outbreak And Take All The Necessary Actions That Prioritizes Transparency, Common Sense Public Health Measures, And Population Reduction To Stop The Spread Of Covid-19 In Division Of Juvenile Justice Facilitie  
[21-0954](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88945 CMS](#)

**This City Resolution was Adopted.**

- 2.4** Subject: Bay View Industrial Services Contract Expansion  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Waiving Request For Proposal/Qualification Requirements And Awarding A Professional Services Contract To Bayview Industrial Services, Inc. (Also Known As Bay View Environmental Services, Inc.) For On-Call Emergency And Nonemergency Collection, Removal And Disposal Of Hazardous Materials For A Two-Year Term In An Amount Not To Exceed Four Hundred Eighty Thousand Dollars (\$480,000), With An Option To Renew The Agreement For An Additional One-Year Term In An Amount Not To Exceed Two Hundred Forty Thousand Dollars (\$240,000) For A Total Contract Amount Not To Exceed Seven Hundred Twenty Thousand Dollars (\$720,000)

[21-0947](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88946 CMS](#)

**This City Resolution was Adopted.**

- 2.5** Subject: Fruitvale Alive! Gap Closure Project Construction Contract Award  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Redwick Construction For The Active Transportation Program (ATP) Fruitvale Alive! Gap Closure Project, Project No. 1000724, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Nine Million Six Hundred Fifty-Three Thousand Four Hundred And Six Dollars (\$9,653,406.00); Authorizing The Construction Of The Fruitvale Alive! Gap Closure Project; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

[21-0943](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Report - Attachment C](#)  
[View Report - Attachment D](#)  
[View Report - Attachment E](#)  
[View Legislation](#)  
[88947 CMS](#)

**This City Resolution was Adopted.**

**COMMENCING AS SOON AS REASONABLY PRACTICABLE, THE NON - CONSENT  
CALENDAR PORTION OF THE AGENDA:**

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

*There are no Public Hearings On this agenda.*

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

*There is no report out from closed session.*

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

- 6** Subject: Enabling Ordinance For Measure R - Newspaper Of Record  
From: Vice Mayor Kaplan  
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Add  
Chapter 1.06 To Title 1, General Provisions, To Establish The Requirements For An  
Official Newspaper And The Procedures For The City Council To Designate One Or  
More Official Newspapers In Accordance With Charter Section 1205  
[21-0833](#)

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

**A motion was made by Rebecca Kaplan, 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 1/18/2022. The motion carried by the following vote:**

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

**10** Subject: Managed Safe RV Sites And Sanitation  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution To Improve Community Health By Providing For Managed Sites For RVS, Tiny Homes/Pallet Shelters And Sanitation, By (1) Authorizing The Use Of 796 66th Avenue As A Managed Safe RV Site And Sanitation; (2) Seek Authorization From Game Changers LLC For The Use Of 2201-2601 Wood Street For Tiny Homes/Pallet Shelters And Sanitation; (3) Seek Authorization From The State To Use The CalTrans Parcel At The Interstate 880 At High Street As A Managed Safe RV Site And Sanitation; (4) To Direct Staff To Develop A Sliding Fee Scale For Use At City-Managed RV Sites And Return To Council With Such Amendments To The Master Fee Schedule As Needed To Implement It; (5) To Adopt A Budget Amendment To The Biennial Budget For Fiscal Years 2021-2023 To Allocate Funding For Capital, Start Up And Operational Costs For Parcels Located At 796 66th Avenue And 2201-2601 Wood Street, As Shown In Exhibit 1; And (6) To Direct The Administration And Oakland's Lobbyist, To Pursue Additional Funds, Including From Alameda County, State, And Federal Sources For These Purposes

[21-0879](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Exhibit 1](#)  
[View Report - Revised](#)  
[View Legislation - Revised](#)  
[View Report - Exhibit 1 Revised](#)  
[View Supplement Report - Kaplan 12/17/2021](#)  
[View Supplemental Exhibit 1 - Kaplan 12/17/2021](#)  
[View Supplemental Legislation - Kaplan 12/17/2021](#)  
[88948 CMS](#)

***The Council amended the legislation to strike the \$1,000,000 funding allocation for 2201-2601 Wood Street, listed under line item #4 in the exhibit, and removed the CalTrans Parcel site option at interstate 880.***

**A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter be Adopted as Amended. The motion carried by the following vote:**

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

**Absent:** 1 - Thao

**NO VOTE:** 0

9 Subject: HHAP 2 And 3 Funds  
From: Human Services Department  
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating Round 2 Homeless Housing, Assistance, And Prevention Program ("HHAP 2") Grant Funds In An Amount Not To Exceed Nine Million, Three Hundred Eleven Thousand, Five Hundred Sixty-Eight Dollars (\$9,311,568) Awarded To The City Of Oakland For The Provision Of Emergency Homeless Interventions;

(2) Authorizing The City Administrator (Or Designee) To Take All Steps Necessary To Apply For And Receive Round 3 Homeless Housing, Assistance, And Prevention Program ("HHAP 3") Grant Funds Allocated To The City Of Oakland;

(3) Accepting And Appropriating HHAP 3 Grant Funds In The Amount Of Twenty-Four Million, Sixty-Six Thousand, Eight Hundred Twenty-Two Dollars And Fifty-Two Cents (\$24,066,822.52) Allocated To The City Of Oakland For The Provision Of Emergency Homeless Interventions; And

(4) Allocating Up To Ten Million Dollars (\$10,000,000) Of HHAP Grant Funds To Provide Long-Term Operating Funds For Homekey Program Extremely Low-Income Permanent Housing Sites

[21-0919](#)

**Attachments:** [View Report And Attachments](#)  
[View Legislation](#)  
[View Supplemental Report - 12/17/2021](#)  
[88949 CMS](#)

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

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

**Absent:** 1 - Thao

**NO VOTE:** 0

- 5 Subject: Proof Of Vaccination Emergency Ordinance  
From: Councilmember Kalb  
Recommendation: Adopt An Emergency Ordinance Adding Oakland Municipal Code Chapter 8.68 To Require Proof Of A Covid-19 Vaccination For Patrons At The Following Indoor Public Locations: (1) Establishments Or Events Where Food Or Drink Is Served Including Restaurants, Bars, Coffee Houses, Clubs, And Banquet Halls; (2) Entertainment Venues, Theaters, Concert Venues, Museums, And Recreation Facilities; (3) Gyms, Fitness Centers And Yoga Studios; (4) Senior Adult Care Facilities And City Senior Center Programs; (5) Dental Offices; (6) Public Libraries; (7) City Hall; And (8) Large Indoor Events At City And Privately-Owned Facilities  
[21-0877](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Supplemental Legislation - Kalb 12/17/2021](#)  
[View Supplemental Report - 12/17/2021](#)  
[13669 CMS](#)

**Councilmember Kalm made a motion, seconded by President Pro Tem Thao-, to adopt the Emergency Ordinance, as amended on Item 5. The amendments include the following language;**

**-"Add whereas clause: WHEREAS, some public health officials have opined that attending a private meeting with fewer than 50 persons, such as a seminar or workshop where food or drink is provided incidental to the meeting, presents less of a risk of the spread of COVID-19 than a Patron eating and/or drinking in a public indoor setting such as restaurant or other establishment subject to this ordinance that includes a sit-down meal, due to the limited eating or drinking that occurs at such private meeting(s), the potential removal of masks for brief periods of time and the small size of the meeting"; and**

**-"Modify sections (C) 1 under definitions: A "covered location" does not include a private meeting of fewer than 50 people food or drink is provided incidental to the meeting as a workshop or seminar."; and**

**-"In 8.68.070 add: And further direct the city administrator to pursue opening additional free public vaccination sites-including drop in availability, and report back to Council by January 18, 2022 on the status."**

**And hearing no objections, the motion passed by with the following vote:  
8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas**

**Council President Fortunato Bas made a motion, seconded by Councilmember Gallo, to include a friendly amendment including the following;**

**-Striking "(5) Dental Offices; (6) Public Libraries" from the title of the legislation and all language referring to Dental Offices and Public Libraries throughout the legislation and Notice And Digest;**

**- Striking letter "N. Public Library means a library open to the public operated by the City." from page 6,**

**-Striking from Section 8.68.030(A) the language "In order to provide adequate time for Dental Offices to inform patients of this requirement, the advisory notice for Dental Offices shall inform Patrons that beginning on March 1, 2022, Proof of Vaccination is required to enter any Indoor Portion of such office for a dental appointment.";**

**-Striking from Section 8.68.030(B) the language "Beginning March 1, 2022, Dental Offices shall require each Patron twelve (12) years or older to provide Proof of Vaccination.";**

**-Striking from Section 8.68.030(B)(2) the language "A Patron of a Dental Office who does not qualify for an exemption provided above may still be allowed to enter such location in the event they are having a dental emergency requiring immediate care as determined by any licensed dentist in that Dental Office. A Dental Office also may allow proof of recent negative COVID-19 test in lieu of proof of vaccination for their Patrons regardless of qualifying medical exemption."; and**

**-Striking from Section 8.68.040(B) the language "For Patrons aged eighteen (18) years and older entering a Public Library, City Personnel must cross check the Patron's Proof of Vaccination with the Patron's Oakland Public Library Membership Card or a Photo Identification."**

**And hearing no objections, the motion passed by with the following vote: 7 Ayes: Fife, Gallo, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 1 No: Kalb**

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

**Aye: 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid**

**NO VOTE: 0**



- 11 Subject: No-Layoffs And Appreciation For City Of Oakland Workers  
From: Vice Mayor Kaplan, Pro Tem Pore Thao, President Fortunato Bas And Councilmember Fife  
Recommendation: Adopt A Resolution Appreciating City Of Oakland Workers For Their Hard Work And Dedication To The City And Its Residents; And As An Extension Of This Appreciation, The Council Does Not Support Layoffs Of Any City Employees  
[21-0953](#)

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

**A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that this matter be Withdrawn and Rescheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 1/18/2022. The motion carried by the following vote:**

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

- 12 Subject: Budget Amendments - Reallocate OPD PIO And Add Police Patrols  
From: Vice Mayor Kaplan And Councilmember Fife  
Recommendation: Adopt A Resolution Amending Resolution 88717 C.M.S. To Amend The Fiscal Year 2021-2023 Adopted Biennial Budget To Reallocate Funds From Public Relations/PIO Purposes To Go To East Oakland Police Patrol, As Shown In Exhibit 1 [TITLE CHANGE]  
[21-0952](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Report - Exhibit 1](#)  
[View Supplemental Report - 1/6/2022](#)  
[View Supplemental Legislation - 1/6/2022](#)  
[View Supplemental Exhibit 1 - 1/6/2022](#)

**A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that this matter be Withdrawn and Rescheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 1/18/2022. The motion carried by the following vote:**

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

- 13** Subject: FY2020-21 Q4 And FY2021-22 Q1 Revenue And Expenditure Report (R&E)  
From: Finance Department  
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2020-21 Fourth Quarter And FY 2021-22 First Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds [21-0916](#)

**Attachments:** [View Report](#)  
[View Supplemental Report - 12/17/2021](#)  
[View Supplemental Attachment C - 12/17/2021](#)

**A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that this matter be \* Withdrawn and Rescheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 1/18/2022. The motion carried by the following vote:**

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

- 14** Subject: Informational Report On The Status On Authorized Grants  
From: Vice Mayor Kaplan  
Recommendation: Receive An Informational Report From The City Administrator On The Status Of Council-Authorized Grants And The Process For Issuance Of 'Grants, Including: For Each Grant Approved By Council In 2021, Whether All Or Part Or None Of Funds Have Been Issued, Status Of Any Remaining Steps To Be Taken And Funds To Be Issued [21-0695](#)

**Attachments:** [View Report](#)  
[View Report Attachment A](#)  
[View Supplemental Attachment A - 12/17/2021](#)

**A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that this matter be \* Withdrawn and Rescheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 1/18/2022. The motion carried by the following vote:**

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

7 Subject: 2021 Homekey Recommendation  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution:

(1) Authorizing The City Administrator To Jointly Apply For, Accept, And Enter Into Standard Agreements As A Local Agency Partner For, Funds In An Amount Not To Exceed \$120 Million From The California Department Of Housing And Community Development's Homekey Program;

(2) Allocating City Matching Funds In A Total Amount Not To Exceed \$9,000,000, And Authorizing Affordable Housing Development Grants From Homekey And City Matching Funds For The Following Homekey Projects: Kingdom Builders Transitional Housing (2317 International Boulevard), The Phoenix (801 Pine Street), Piedmont Place (55 Macarthur Boulevard), Coliseum Way (4801 Coliseum Way), 8400 Edes Avenue, And Bay Area Community Services (BACS) Project Reclamation; And

(3) Authorizing Homeless Housing, Assistance, And Prevention Program Grants In A Total Amount Not To Exceed \$10,000,000 To Provide Long-Term Operating Funds For The Piedmont Place And Coliseum Way Homekey Projects; And

(4) Waiving City Requirements For Local And Small Local Business Enterprise (L/SLBE) Program, Local Employment Program, And Oakland Apprenticeship Program  
[21-0950](#)

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

[View Report - Attachment A](#)

[View Legislation](#)

[View Presentation](#)

[88950 CMS](#)

***Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, to adopt the resolution as amended on Item 7, striking the "BACS Bay Area Community Services Project Reclamation" site, and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas***

**A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

**Council President Fortunato Bas Relinquished The Chair At 3:57 Pm And Vice Mayor Kaplan Presided As Chairperson.**

8 Subject: AC-OCAP 2022 CSBG State Contract Resolution  
From: Human Services Department  
Recommendation: Adopt A Resolution:

(1) Accepting Anti-Poverty Community Services Block Grant (CSBG) In The Amount Of One Million, Three Hundred, Ninety-One Thousand, Five Hundred Sixty-Nine Dollars (\$1,391,569) Awarded By The California Department Of Community Services And Development For The January 1, 2022 Through December 31, 2022 Program Year (“2022 CSBG Program Year”);

(2) Amending Resolution No. 88717 C.M.S., Which Adopted The Fiscal Year 2021-23 Biennial Budget, To Decrease The Amount Of CSBG Funds Appropriated For The 2022 CSBG Program Year By Four Thousand, Five Hundred Eighty-Nine Dollars (\$4,589);

(3) Authorizing The City Administrator Or Designee To Accept And Appropriate Any Additional CSBG Funds Awarded By The California Department Of Community Services And Development For The 2022 CSBG Program Year, Without Returning To Council;

(4) Authorizing The City Administrator Or Designee To Amend Existing CSBG Agreements To Increase The Amount And Extend The Term As Authorized By Any Additional CSBG Award During 2022 CSBG Program Year, Without Returning To Council; And

(5) Authorizing The Use Of General Purpose Funds To Pay The Human Services Department Central Services Overhead Charges For 2022 CSBG Programs In The Amount Of One Hundred Forty-Four Thousand, Seven Hundred Seventy-Seven Dollars (\$144,777)

[21-0924](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88951 CMS](#)

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

**Aye:** 8 - Thao, Taylor, Fortunato Bas, Kaplan, Gallo, Kalb, Fife, and Reid

**NO VOTE:** 0

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

*7 speakers spoke during Open Forum.*

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 2:30 P.M., Unless Extended By Majority Vote Of  
The Council)**

*There being no further business, and upon the motion duly made, the Council  
adjourned the meeting at 4:22 p.m.*

**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**

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**Telecommunications Relay Service: 711**

**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.**

**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.**