

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

Tuesday, December 20, 2022

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 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/82432316883> 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: 824 3231 6883

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>.
- 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):

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

[22-0975](#)

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

[22-0976](#)

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
[22-0977](#)

Attachments: [View Legislation](#)

- 2.4** Subject: Teleconference Meetings Of The City Council
From: Office Of The City Administrator
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
[22-0978](#)

Attachments: [View Legislation](#)

2.5 The Item regarding "Women, Life Freedom" was removed from this agenda and rescheduled to the January 31, 2023 Special City Council Meeting, at the December 15, 2022 Rules And Legislation Committee Meeting

- 2.6** Subject: IKE Digital Kiosk Franchise
From: Transportation Department
Recommendation: Adopt An Ordinance: (A) Granting A Non-Exclusive Franchise To Ike
Smart City LLC For Digital Advertising Kiosks With Wayfinding Capabilities Within The
Public Right-Of-Way Contingent Upon Execution Of A Franchise Agreement; (B)
Authorizing The City Administrator Negotiate And Execute A Franchise Agreement With
Ike Smart City LLC; And (C) Adopting Appropriate California Environmental Quality Act
Findings;
[22-0921](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF
THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022, 6 AYES; 2
EXCUSED: BAS, FIFE*

Legislative History

11/17/22

*Rules & Legislation
Committee

Public Hearing

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

12/6/22

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

Approved On Introduction and Scheduled for
Final Passage to the * Concurrent Meeting
of the Oakland Redevelopment Successor
Agency and the City Council

At 2:28 p.m. Councilmember Kalb motioned, seconded by Vice Mayor Kaplan to open the public hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

3 individuals spoke

At 3:07 p.m. a motion was made by Councilmember Kalb, seconded by Vice Mayor Kaplan to close the public hearing and approve the item on introduction and schedule for Final Passage on the December 20, 2022 City Council Agenda. The motion passed with a vote of 5 Ayes; 2 Excused: Bas, Fife; 1 Absent: Thao, with the following additional elements as direction to the City Administrator:

The final franchise agreement shall include a bonding requirement that ensures these kiosks can be removed without cost to the city should IKE go bankrupt or otherwise leave the City of Oakland;

- In addition to the prohibitions on advertising already in the draft agreement, the prohibition of specific types of advertising shall include no advertising of guns or ammunition, no advertising by fossil fuel companies, and no advertising for or against any candidate for elective office, no advertising paid for by an elected official, no advertising for or against any ballot measure, and no advertising that contains hate speech or sexually explicit content.*

(existing language: All Kiosk slides shall not display any advertisements that: (a) are contrary to any law, ordinance, rule or regulation of the City of Oakland, including the City Sign Code, or the State of California, (b) that promotes or advertises tobacco products, (c) promotes or advertises adult bookstores, adult cinemas or adult live entertainment venues, or (d) promotes a candidate for public office.)

- Striking the following sentence, "Grantee may elect to install additional Kiosks in excess of fifty (50) upon mutual agreement of Grantee and the City Administrator". thereby retaining Council authority to add or not add additional kiosks beyond 50.*

- IKE, in consultation with the city and city councilmember offices, shall conduct community engagement—including meetings in which the public is invited to attend—before finalizing the selection of sites of the kiosks. IKE shall consult with merchant associations, ethnic chambers of commerce, AC Transit, and established neighborhood groups when considering specific locations for kiosks. Further, Grantee shall coordinate with AC Transit on transit content on the kiosks.*

(existing language: Grantee shall consult with business improvement districts within the City of Oakland in making its determination on the most suitable locations for the Kiosks within each business improvement district.)

After discussion with OakDOT staff, Major encroachment permits would come to the Council in batches of 8-10 at a time.

*Ensure that none of the kiosks are installed on purely residential streets. Add duplexes and triplexes to the following sentence:
(existing language: In no event may Kiosks be located in front of single-family residences or K-12 schools.)*

- 2.7** Subject: Amended Lease Agreement With The Dr. Huey P. Newton Foundation
From: Councilmember Fife
Recommendation: Adopt An Ordinance (A) Authorizing The City Administrator To Negotiate And Execute An Amendment To The Lease Agreement With The Dr. Huey P. Newton Foundation For The Space Located At 150 Frank H. Ogawa Plaza, Suite 1C (Lionel J. Wilson Building) To (1) Extend The Term Of The Lease For Three Years With One Two-Year Option To Renew; And (2) Waive Oakland Municipal Code (OMC) Section 2.42.230 To Reduce Rent Below \$1.25 Per Square Foot And Setting Lease Payments To \$1,963.82 Per Month Due To Cultural And Social Benefits To The Community Pursuant To OMC Section 2.42.110; And (B) Adopting California Environmental Quality Act Findings [22-0887](#)

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

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022,.

Legislative History

11/3/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>Non-Consent</i>	
12/6/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

A motion was made by Councilmember Fife, seconded by Vice Mayor Kaplan to adopt the ordinance on Introduction, and schedule for Final Passage on the December 20,2022, City Council Agenda. The motion passed with a vote of 7 Ayes; 1 Excused: Bas

2.8 Subject: Salary Ordinance Amendment Including New Minimum Wage Rates
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To: (A) Add The Full-Time Classification Of Manager, Training And Organizational Development; The Full-Time Classification Of Special Activity Permit Inspector, Supervising; The Full-Time Classification Oracle Database Administrator; And (B) Amend The Title And Representation Unit Of The Full-Time Classification Of Planner V To Manager, Planning; The Full-Time Classification Of Recycling Specialist, Senior To Recycling Program Specialist III; The Title Of The Full-Time Classification Of Solid Waste/Recycling Program Supervisor To Manager, Recycling Program; And (C) Amend The Representation Unit Of The Full-Time Classification Of Manager, Zoning; And (D) Amend The Salary Of The Part-Time Classifications Of Senior Aide And Temporary Contract Services Employee To Ensure Compliance With The City Of Oakland's Minimum Wage

[22-0829](#)

Attachments:

[View Report](#)

[View Legislation](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022,

Legislative History

10/13/22	*Rules & Legislation Committee	Scheduled to the *Special Finance & Management Committee
11/15/22	* Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Finance and Management Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>The Special Concurrent Meeting of ORSA and Finance and Management Committee approved staffs recommendations to be Forwarded to the December 6, 2022 City Council Agenda on Consent</i>
11/17/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>On Consent.</i>
12/6/22	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 2.9** Subject: Piedmont Library Lease Agreement
From: Oakland Public Library
Recommendation: Adopt An Ordinance: (A) Authorizing The City Administrator To Negotiate And Execute: (1) A 50-Year Joint Occupancy And Lease Agreement With Oakland Unified School District For Property Located At 86 Echo Avenue, With Two 5-Year Administrative Options To Extend And Rent Of \$4,000 Per Month Increasing 10 Percent Every 5 Years During The Term For Constructing And Operating A Public Library, Subject To Appropriation Of Funds Necessary For Construction; And (2) A Joint Use Cooperative Agreement With The District For The New Library; And (3) An Extension Of The Existing Joint-Use Lease Agreement With The District For The Existing Piedmont Avenue Branch Library Located At 80 Echo Avenue Until Completion Of The New Library; And (B) Adopting California Environmental Quality Act Findings
[22-0817](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Report Exhibit A](#)
[View Supplemental Report 11/4/2022](#)
[View Supplemental Report Attachment A 11/4/2022](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022

Legislative History

10/13/22	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
10/27/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

This item was placed on the agenda by the October 27, 2022 Rules and Legislation Committee.

This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.

On Non Consent.

11/1/22	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	* Withdrawn and Rescheduled to the *Special Life Enrichment Committee
11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Life Enrichment Committee
11/28/22	*Special Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

12/6/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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2.10 Subject: Local Amendments To 2022 California Model Building Construction Code
From: Planning And Building Department
Recommendation: Adopt An Ordinance (1) Repealing The Oakland Amendments To The 2019 Edition Of The California Model Building Construction Codes, (2) Adopting Local Amendments To The 2022 Edition Of The California Model Building Construction Codes, (3) Amending Oakland Municipal Code Chapter 15.04 To Comply With Changes To State Law, And (4) Adopting California Environmental Quality Act Exemption Findings [22-0893](#)

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

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022,

Legislative History

11/3/22	*Rules & Legislation Committee <i>Approved a Title Change</i>	Scheduled to the *Special Community & Economic Development Committee
11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Community & Economic Development Committee
11/29/22	*Special Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>The Special Community & Economic Development Committee approved staff's recommendations to be Forwarded to the December 6, 2022, Special City Council Agenda on Consent</i>
12/6/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 2.11** Subject: Business Tax Due Date Change From January Second To March First
From: Council President Bas
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To
Change The Due Date For Business Tax Declarations And Payments Under Chapter 5.04
From January Second To March First
[22-0973](#)

Attachments: [View Legislation](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022,

Legislative History

12/6/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.12** Subject: Ordinance Updating The Oakland Building Maintenance Code.
From: Planning And Building Department
Recommendation: Adopt An Ordinance Amending The Oakland Building Maintenance Code (Oakland Municipal Code 15.08) To (1) Conform To The 2022 California Building Standards; (2) Establish Lead Hazard Abatement Standards; And (3) Provide Standards For Delayed Enforcement For Accessory Dwelling Units And Joint Live Work Quarters Where Correction Of Violations Is Not Necessary For Health And Safety; And Adopting California Environmental Quality Act Exemption Findings
[22-0894](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Legislation 12/8/2022](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022,

Legislative History

11/3/22	*Rules & Legislation Committee <i>Approved a Title Change</i>	Scheduled to the *Special Community & Economic Development Committee
11/29/22	*Special Community & Economic Development Committee <i>The Special Community & Economic Development Committee approved staff's recommendations to be Forwarded to the December 6, 2022, Special City Council Agenda on Consent</i>	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

12/6/22

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

Approved As Amended On Introduction and
Scheduled for Final Passage to the *
Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the
City Council

A motion was made by Councilmember Gallo, seconded b Councilmember Kalb to approve the ordinance as amended on introduction and scheduled for final passage on December 20, 2022. The motion passed with a vote of 7 Ayes; 1 Excused: Bas with the following amendments:

Of the legislation, on page 11, Subsection R, to read, All structures shall be maintained free of visible mold due to moisture intrusion from rising of moisture from the ground, action of rain, exposed tops of walls, condensation, defective roof covering, inadequate slopes of roofs, or other construction defects.

On Page 14, item (11) to read, Dampness of habitable rooms due to building deficiencies (such as lack of moisture barrier on concrete slab);

On Page 15, Subsection E, to read, Hazardous Plumbing. Plumbing which was installed in violation of code requirements in effect at the time of installation; or plumbing not installed in accordance with generally accepted construction practices in areas where no codes were in effect; or which has not been maintained in good condition; or which is not free of cross-connections or siphonage between fixtures, shall be considered Substandard and a Public Nuisance.

On page 17, Section 15.08.520 - Definitions., In the first sentence, removing the term 'to a child'

On Page 18, third paragraph, "Lead Hazards" to read, includes deteriorated lead-based paint, lead-contaminated dust, and lead-contaminated soil, and also includes disturbing lead-based paint or lead contaminated soil without containment, or any other nuisance which may resulting in persistent and quantifiable lead exposure.

On Page 18, the last paragraph to read, "Presumed lead-based paint" means paint or surface coating affixed to a component in or on a structure constructed prior to January 1, 1978. All paint on buildings built before 1978 is presumed to be lead-based paint unless it has been tested in accordance with state law and has been shown to not be lead-based paint.

On Page 19, 15.08.540 - Inspection, to read as, A. If, upon visual inspection, the Building Official is persuaded that lead hazards are present, including but not limited to deteriorated lead-based or presumed lead-based paint, or the disturbance of lead-based paint without containment, the Building Official shall issue an order requiring the property owner to retain a third-party State of California certified Lead Risk Assessor to inspect and produce an lead risk assessment report.

B. The Building Official may also issue a Stop Work Order to prevent the further disturbance of lead-based or presumed lead-based paint without containment.

On page 21, subsection 15.08.710 – Purpose. in the first sentence adding a ',' after the word Government

Code

On page 21, subsection 15.08.720 – Application for Delay of Enforcement, first paragraph A., adding a ',' after 2020

On page 22, subsection 15.08.760 title to read – Delay of Enforcement Applies Only to Building Standards.

On page 22, in the title of SECTION 7, adding 'to the Oakland Building Maintenance Code'

On page 22, subsection 15.08.810 – Purpose and Scope; to read as, The Purpose of this Article is to allow for a delay of enforcement actions, for a period of no more than five years, for Joint Live Work Quarters created or altered without the benefit of permits prior to January 1, 2020, if corrections of violations are not necessary to protect health and safety. This Article shall only apply to Joint Live Work Quarters that voluntarily apply for a Delay of Enforcement with the Planning and Building Department. This Article shall remain in effect only until January 1, 2030, and as of that date is repealed.

On page 23, first paragraph A; striking numeric 5, adding the word five

On page 23, second paragraph B, second sentence, adding 'unpermitted change'

On page 23, paragraph 2, to read, A licensed civil or structural engineer shall inspect the building and submit a formal written report to the Owner, Tenants, and Department of Planning and Building certifying that the following minimum life safety requirements are met:

2.13 Subject: Amendments To The Oakland Fire Code, Chapter 15.12
From: Oakland Fire Department
Recommendation: Adopt An Ordinance: (1) Repealing Current Oakland Municipal Code Chapter 15.12, The Oakland Fire Code; (2) Making Findings To Substantiate Modifications To California Building Codes And Standards Due To Local Climatic, Geological Or Topographical Conditions; (3) Adopting And Making Local Amendments To The 2022 Edition Of The California Model Building Code, California Code Of Regulations Title 24, Part 9 (Also Referred To As The "California Fire Code"); (4) Recodifying Said Code As Oakland Municipal Code Chapter 15.12, The Oakland Fire Code; And (5) Adopting California Environmental Quality Act Exemption Findings [22-0900](#)

Attachments: [View Report](#)
[View Legislation and Exhibit A](#)
[View Report Notice and Digest](#)
[View Supplemental Legislation - 12/15/2022](#)
[View Supplemental Exhibit A - 12/15/2022](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 6, 2022

Legislative History

11/3/22	*Rules & Legislation Committee	Scheduled to the *Special Community & Economic Development Committee
11/29/22	*Special Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

The Special Community & Economic Development Committee approved staff's recommendations to be Forwarded to the December 6, 2022, Special City Council Agenda on Non-Consent

12/6/22 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Approved As Amended On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

A motion was made by Vice Mayor Kaplan, seconded by Councilmember Gallo to approve the item on Introduction as amended and schedule for Final Passage to the December 20, 2022, City Council Meeting. The motion passed with a vote of 5 Ayes; 3 Excused: Fife, Taylor, Thao, with the following amendments:

Of Attachment A, On Page 26, striking the following paragraph: Add: 1207.7.11.11 For ESS systems installed in the High Fire Severity Zone - see fire suppression requirements in chapter 49.

On Page 33, striking the following paragraph: Add: 4912.17.1, The Electrical Energy Storage system shall provide an automatic fire sprinkler system or an approved and tested portable extinguishing system

On Pages, 42-58, Striking APPENDIX D - FIRE APPARATUS ACCESS STANDARDS

2.14 Subject: League Of California Cities New Mayors And Council Members Academy
From: Council President Bas
Recommendation: Adopt A Resolution Authorizing Reimbursement For Councilmembers-Elect Janani Ramachandran And Kevin Jenkins' Costs Not To Exceed \$1,400 Per Councilmember From The Council Contingency Fund For Travel To Sacramento For Attendance At The League Of California Cities New Mayors And Council Members Academy From January 18, 2023 Through January 20, 2023

[22-0990](#)

Attachments: [View Legislation](#)

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

2.15 Subject: Oakland HHAP-4 Application
From: Human Services Department
Recommendation: Receive An Informational Report On The City's Homeless Housing Assistance And Prevention Program (HHAP-4) Application For State Funding

[22-0920](#)

Attachments: [View Report](#)

[View Supplemental Report - 12/16/2022](#)

[View Supplemental Report Attachment A - 12/16/2022](#)

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

Legislative History

11/17/22 *Rules & Legislation Committee Scheduled to the *Special Life Enrichment Committee

This item was scheduled to the November 28, 2022 Special Life Enrichment Committee.

11/28/22

*Special Life Enrichment
Committee

Received and Forwarded to the Special
Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City
Council

2.16 Subject: Sales And Use Tax And Property Tax Consulting And Auditing Services
Agreements

From: Finance Department

Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution 1) Authorizing The City Administrator To Amend The Professional
Services Agreement With HinderLiter, De Llamas And Associates For Sales And Use
Tax Data, Consulting, And Auditing Services To Extend The Term From January 2, 2023
Through January 1, 2024 And Increase The Compensation By An Amount Up To
\$125,000; 2) Authorizing An Option To Extend For One Additional Year Through January
1, 2025 In An Amount Not To Exceed \$125,000 For A Total Contract Amount Of \$490,000
Over The Five-Year Contract Term; And 3) Waiving The Local/Small Local Business
Enterprise (L/SLBE) Program Participation Requirement; And

[22-0969](#)

Sponsors: Finance Department

Attachments: [View Report](#)

[View Legislation](#)

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

2) A Resolution 1) Authorizing The City Administrator To Amend The Professional
Services Agreement With HDL Coren & Cone For Property Tax Data, Consulting, And
Auditing Services To Extend The Term From January 2, 2023 Through January 1, 2024
And Increase The Compensation In An Amount Not To Exceed \$30,000; 2) Authorizing An
Option To Extend For One Additional Year Through January 1, 2025 In An Amount Not To
Exceed \$30,000 For A Total Contract Amount Of \$300,000 Over The Five-Year Contract
Term; And 3) Waiving The Local/Small Local Business Enterprise (L/SLBE) Program
Participation Requirement

[22-0970](#)

Sponsors: Finance Department

Attachments: [View Report](#)

[View Legislation](#)

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

2.17 Subject: City Of Oakland Mental Health Resilience Project SAMHSA Grant
From: Human Services Department
Recommendation: Adopt A Resolution:

1. Accepting And Appropriating A Grant From The Department Of Health And Human Services (DHHS) Substance Abuse And Mental Health Services Administration (SAMHSA) In The Amount Of One Million Two Hundred Thirty Thousand Dollars (\$1,230,000) For The City Of Oakland: Mental Health Resilience Project From September 30, 2022 Through September 29, 2023; And

2. Approving 4.00 Full Time Equivalent Case Manager II Positions, 1.0 Full Time Equivalent Administrative Analyst I Position, 1.0 Full Time Equivalent Administrative Assistant II Position, And 0.50 Full Time Equivalent Management Intern I Position In The Human Services Department From September 30, 2022 To September 29, 2023 For Required Program Implementation

[22-0979](#)

Sponsors: Human Services Department

Attachments: [View Report](#)

[View Legislation](#)

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

2.18 Subject: FY 2023-2024 Direct Community Grants - Process Implementation Timeline
From: Finance Department
Recommendation: Receive An Informational Report From The City Administrator On The Fiscal Year 2023-2024 Direct Community Grants Process Implementation Timeline

[22-0983](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

2.19 The Item regarding the "Oakland Hydrogen Hub" was withdrawn from this agenda at the December 15, 2023 Rules And Legislation Committee Meeting

- 2.20** Subject: Recognizing And Supporting Holy Names University
From: Councilmember Fife And Vice Mayor Kaplan
Recommendation: Adopt A Resolution Recognizing The Enormous Importance Of Holy Names University To The Oakland Community And Urging The University's Administration To Work Collaboratively With Faculty, Staff, Students, Elected Officials, And Community Partners To Resolve The Issues Facing The Institution With The Goal And Intention Of Maintaining It As An Independent Institution

[22-0989](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation - 12/15/2022](#)

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

- 2.21** Subject: Community Cabin Program At 2601 Wood Street
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 89442 C.M.S., Which Authorized The Extension Of A Lease Amendment Between The City And Game Changer (Marine) LLC For 2201 And 2601 Wood Street, Oakland, Until June 30, 2024, With Three 1-Year Extensions, To Increase Rent From \$35,000 Per Year To An Amount Not To Exceed \$80,000 Per Year Effective January 1, 2022

[22-0991](#)

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

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

- 2.22** Subject: Sandra Parrott 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 Sandra Parrott V. City Of Oakland, And Does 1-25, Inclusive, Alameda County Superior Court Case No. RG20063194, City Attorney's File No. 33806, In The Amount Of Five Hundred Thousand Dollars And No Cents (\$500,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)

[22-0992](#)

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

Pursuant to Rule 28(D) of Resolution 89432 C.M.S., this item was added to this agenda.

2.23 Subject: Zelda B. Et Al. 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 Zelda B., A Minor, By And Through Brian A. Thomas, As Guardian Ad Litem, Cynthia M., A Minor, By And Through Racheal D. Colston, As Guardian Ad Litem, Brian A. Thomas In His Individual Capacity, Racheal D. Colston In Her Individual Capacity, Phyllis A. Thomas And Charles A. Thomas, Sr., V. City Of Oakland, Public Employee-Director Larichea Smith, Oakland Unified School District, And Does 1-10, United States District Court Case No. 4:21-Cv-07078-DMR, City Attorney File No. 34454, For A Total Sum Of Ninety Five Thousand Dollars And No Cents (\$95,000.00) To Be Paid To Plaintiffs And Their Attorneys Of Record (Parks, Recreation & Youth Development Department - Civil Rights)

[22-0993](#)

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

Pursuant to Rule 28(D) of Resolution 89432 C.M.S., this item was added to this agenda.

2.24 Subject: Mladjov 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 Lynn Mladjov And Vassil Mladjov V. City Of Oakland And Does 1 To 100, Alameda County Superior Court Case No. Rg20082462, City Attorney's File No. 34128, In The Amount Of Eighty Five Thousand Dollars And Zero Cents (\$85,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)

[22-0994](#)

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

Pursuant to Rule 28(D) of Resolution 89432 C.M.S., this item was added to this agenda.

2.25 Subject: In Re: Mallinckrodt Plc, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing The City Attorney To Join The California Mallinckrodt Statewide Abatement Agreement Regarding Distribution And Use Of Settlement Funds Pursuant To The People Of The State Of California, Acting By And Through Santa Clara County Counsel James R. Williams, Orange County District Attorney Tony Rackauckas, Los Angeles County Counsel Mary C. Wickham, And Oakland City Attorney Barbara J. Parker V. Purdue Pharma L.P.; Purdue Pharma Inc.; The Purdue Frederick Company, Inc.; Teva Pharmaceutical Industries, Ltd; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-Mcneil-Janssen Pharmaceuticals, Inc. N/K/A Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica, Inc. N/K/A Janssen, Orange County Superior Court Case No. 30-2014-00725287-Cu-Bt-Cxc; In Re National Prescription Opiate Litigation, MDL Master Docket No. 1:17-Md-2804; And In Re: Mallinckrodt Plc, Et Al., United States Bankruptcy Court, District Of Delaware, Case No. 20-12522, City Attorney File No. X04526 (Office Of The City Attorney - Public Nuisance, False Advertising, Unfair Competition)
[22-0995](#)

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

Pursuant to Rule 28(D) of Resolution 89432 C.M.S., this item was added to this agenda.

2.26 Subject: Shaun Williams Settlement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Shaun Williams, Sr., Shaun Williams Jr., Sparkle Williams, Sade Williams, A Minor, By And Through Her Guardian Ad Litem Danielle Dunham, Shyana Williams, A Minor, By And Through Her Guardian Ad Litem Danielle Dunham, Sincere Williams, A Minor, By And Through Her Guardian Ad Litem Danielle Dunham, Sire Williams, A Minor, By And Through Her Guardian Ad Litem Danielle Dunham, Sosa Williams, A Minor, By And Through Her Duardian Ad Litem Danielle Dunham V. City Of Oakland, Oakland Unified School District And Does 1-100 Inclusive; Alameda Superior Court Case No. Rg20080760, City Attorney File No. 34074, In The Amount Of Two Hundred And Fifty Thousand Dollars And No Cents (\$250,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)
[22-0996](#)

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

Pursuant to Rule 28(D) of Resolution 89432 C.M.S., this item was added to this agenda.

S2.27 Subject: Masking In City Facilities
From: Vice Mayor Kaplan And Councilmember Kalb
Recommendation: Adopt A Resolution Establishing A Policy Requiring All Employees, Patrons, And Visitors Entering City Facilities To Wear Face Masks To Mitigate The Spread Of Contagious Respiratory Illnesses Including COVID-19, Respiratory Syncytial Virus (RSV), And Influenza And Requiring The City To Provide Quality Masks (KN-95, N-95, OR KF-94) To Persons Entering City Facilities Who Do Not Have A Mask
[22-1008](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

12/15/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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An Urgency statement was made that there is a need to take immediate action which came to the attention of the local body after the 10 Day agenda was posted. A Motion was made by Councilmember Kalb, seconded by Councilmember Fife to accept the Urgency statement. The Motion passed with a vote of 3 Ayes 1 Excused President Pro Tem Thao.

Councilmember Kalb was added as a coauthor.

S2.28 Subject: Deployment Of Solar And Battery Energy Systems In Partnership With East Bay Community Energy (EBCE)
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Evaluate The Potential Deployment Of Solar And Battery Energy Systems At Critical Municipal Facilities In Partnership With East Bay Community Energy
[22-0915](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Public Works Committee
12/12/22	*Special Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

A motion was made by Councilmember Kalb, seconded by Councilmember Gallo to forward staff recommendations to the December 20, 2022, City Council Agenda on Consent. The motion passed with a vote of 3 Ayes.

12/15/22 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

S2.29 Subject: Report On The Cost Of Oakland's Homelessness Crisis
From: Councilmember Fife

Recommendation: Receive An Informational Report From The City Administrator On How Much Staff Time And Resources From The Following City Departments Are Dedicated To Providing Services Or Responding To Issues Associated With Oakland's Homelessness Crisis: The City Administrator's Office, Human Services Department, Housing And Community Development Department, Public Works Department, Fire Department, And Oakland Police Department; And Provide An Assessment Of How To Redirect Resources Towards Placing Chronically Unhoused Individuals In Supportive Housing
[22-0413](#)

Attachments: [View Report](#)

Legislative History

5/12/22 *Rules & Legislation Committee * Withdrawn and Rescheduled to the *Rules & Legislation Committee

5/19/22 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Non Consent

7/7/22 *Rules & Legislation Committee * Withdrawn and Rescheduled to the *Life Enrichment Committee

9/15/22 *Rules & Legislation Committee * Withdrawn and Rescheduled to the *Special Life Enrichment Committee

10/13/22 *Rules & Legislation Committee * Withdrawn and Rescheduled to the *Special Life Enrichment Committee

11/17/22 *Rules & Legislation Committee Scheduled to the *Life Enrichment Committee

12/12/22 *Life Enrichment Committee Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
A motion was made by Councilmember Fife , seconded by Vice Mayor Kaplan to receive and forward this informational report to the December 20, 2022, City Council Agenda on Consent. The motion passed with a vote of 4 Ayes.

12/15/22 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

S2.30 Subject: Semi-Annual Staffing Report December 2022
From: Human Resources Management Department
Recommendation: Receive A Semi-Annual Informational Report On City-Wide Staffing From The City Administrator Regarding (1) The Vacancy Rates Of All City Departments Through October 17, 2022, (2) The Vacancy Rates Of Regional Local Public Entities, (3) The Status Of Human Resources And Workforce Development Partnerships With Non-Profits To Recruit Oakland Residents For City Of Oakland Jobs, (4) The Analysis Of The City Workforce And Recruitment Conditions, And (5) The Budgeted Vacancy Rate For The Fiscal Year 2022/23.

[22-0919](#)

Attachments:

[View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Attachment D](#)

[View Attachment E](#)

Legislative History

11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Finance & Management Committee
12/13/22	*Special Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Special Finance & Management Committee approved staff's recommendations to be Forwarded to the December 20, 2022, City Council Agenda on Consent</i>
12/15/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.</i>

S2.31 Subject: CPUC LATA Grant Acceptance 2022
From: Information Technology Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Of Five Hundred Thousand Dollars (\$500,000.00) From The California Public Utilities Commission (CPUC), Local Agency Technical Assistance Program To Fully Reimburse The City's Costs Of A Last-Mile Broadband Connectivity Planning & Design Project For The Period Of November 2, 2022 To December 31, 2024

[22-0922](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Attachment A - 12/15/2022](#)

Legislative History

11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Finance & Management Committee
12/13/22	*Special Finance & Management Committee	Approved the Recommendation of Staff, and Forward <i>The Special Finance & Management Committee approved staff's recommendations to be Forwarded to the December 20, 2022, City Council Agenda on Consent</i>
12/15/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.</i>

S2.32 Subject: Revenue And Expenditure Report (R&E) FY 2021-22 Q4 And FY 2022-23 Q1
From: Finance Department
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2021-22 Fourth Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds, Fiscal Year (FY) 2022-23 First Quarter Revenue And Expenditure (R&E) Year-End Projections For The General Purpose Fund (GPF, 1010) And Select Funds, And A Two Year Revenue And Expenditure Projection For Fiscal Years 2023-24 And 2024-25

[22-0928](#)

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

Legislative History

11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Finance & Management Committee
12/13/22	*Special Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Special Finance & Management Committee approved staff's recommendations to be Forwarded to the December 20, 2022, City Council Agenda on Consent</i>
12/15/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.</i>

S2.33 Subject: Enhanced Infrastructure District Timeline And Procedural Recommendation
From: Finance Department
Recommendation: Receive An Informational Report From The City Administrator Outlining
The Timeline And Process For A Proposal To Establish An Enhanced Infrastructure
Financing District (EIFD) Exclusively For East Oakland, Exclusively For West Oakland,
And For East And West Oakland Combined
[22-0971](#)

Attachments: [View Report](#)

Legislative History

12/13/22	*Special Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Special Finance & Management Committee approved staff's recommendations to be Forwarded to the December 20, 2022, City Council Agenda on Consent</i>
12/15/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.</i>

S2.34 Subject: Proposition 64 Grant Contract Amendments
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Amending Resolution Number 88735 C.M.S., Which Among Other Things Authorized The Acceptance And Appropriation Of Nine-Hundred And Ninety-Seven Thousand Six Hundred And Ninety-Four Dollars (\$997,694) In State Of California Proposition 64 Public Health And Safety Grant Program Cohort Two Funds (Proposition 64 Grant) And The City's Funding Of Services To Support Oakland Cannabis Businesses And Address The Public Health Impacts Of Cannabis On Youth By: (A) Authorizing An Increase In Funding For The City's Existing Agreement With The Public Health Institute From One Hundred And Sixty-Three Thousand Three Hundred And Six Dollars (\$163,306) To Four-Hundred And Forty-Three Thousand Three Hundred And Six Dollars (\$443,306) For Additional Services To Be Provided Including Substance Use Preventative And Intervention Activities For Youth; (B) Authorizing An Increase In Funding For The City's Existing Agreement With LMB Creative Group, LLC From Fifty Thousand Dollars (\$50,000) To Eighty Thousand Dollars (\$80,000) To Ensure Sufficient Resources For Data Collection And Local Evaluation Reporting To Meet Proposition 64 Grant Requirements; (C) Authorizing An Increase In Funding For The City's Existing Agreement With Make Green Go From Seventy Thousand Dollars (\$70,000) To Seventy-Five Thousand Dollars (\$75,000) To Provide A Public Awareness Campaign For Support Of Equity-Owned Cannabis Businesses; And (D) Waiving The Request For Proposal/Qualification Requirements For The Proposed Contract Increases With The Public Health Institute, LMB Creative Group, LLC, And Make Green Go
[22-0966](#)

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

Legislative History

12/13/22 *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

The Community & Economic Development Committee approved staff's recommendations to be Forward to the December 20, 2022, City Council Agenda on Consent

12/15/22 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

3.1 Subject: Modernizing Commercial Loading
From: Transportation Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
PiecesOf Legislation;

1) An Ordinance Amending Ordinance No. 13654 C.M.S (Which Adopted The Fiscal Year
2022-23 Master Fee Schedule), As Amended, To Establish Fees For Commercial
Vehicle Loading Zone Permits And Adopting Appropriate California Environmental
Quality Act Findings; And

[22-0770](#)

Attachments:

[View Report](#)

[View Legislation](#)

[View Exhibit A 12/8/20222](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON JANUARY 17, 2023

Legislative History

9/29/22	*Rules & Legislation Committee	Scheduled to the *Special Public Works Committee
10/13/22	*Rules & Legislation Committee <i>Title Change</i>	Scheduled to the *Public Works Committee
10/24/22	*Special Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Councilmember Kalb made a motion, seconded by Pro Tem Thao, to approve
the recommendation of staff, and forward to the December 6, 2022 Regular City
Council agenda as a Public hearing, with the request to return back to the
committee at the end of the 1 year extension with a report on the programs
success.*

The motion passed with 3 Ayes 1 Absent Councilmember Taylor.

10/27/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On December 6, 2022 City Council Agenda as a Public Hearing.</i>
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12/6/22 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
At 2:20 p.m. Public Comment opened for this item

1 individual spoke

A motion was made by Vice Mayor Kaplan, seconded by Councilmember Gallo to continue this item to the December 20, 2022, City Council Meeting as a Public Hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

2) A Resolution (A) Waiving The Multi-Step Proposal Solicitation Requirement And Amending And Extending The Professional Services Agreement With Populus Technologies, Inc. ("Populus") For A Term Of One Year In An Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) For Mobility Management Software And For The Reimbursement Of Parking Transaction Fees Charged To Commercial Vehicle Loading Zone Permit Holders; (B) Appropriating Anticipated Revenues Of Up To \$235,00 Per Year And Corresponding Ongoing Expenses Of Up To \$235,00 Per Year For The Reimbursement Of Parking Payment Transaction Fees Charged To Commercial Loading Zone Permit Holders; And (C) Adopting Appropriate California Environmental Quality Act Findings

[22-0771](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

9/29/22	*Rules & Legislation Committee	Scheduled to the *Special Public Works Committee
10/13/22	*Rules & Legislation Committee <i>Title Change</i>	Scheduled to the *Public Works Committee
10/24/22	*Special Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Councilmember Kalb made a motion, seconded by Pro Tem Thao, to approve the recommendation of staff, and forward to the December 6, 2022 Regular City Council agenda as a Public hearing, with the request to return back to the committee at the end of the 1 year extension with a report on the programs success.

The motion passed with 3 Ayes 1 Absent Councilmember Taylor.

10/27/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On December 6, 2022 City Council Agenda as a Public Hearing.</i>
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12/6/22 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
A motion was made by Vice Mayor Kaplan, seconded by Councilmember Gallo to continue this item to the December 20, 2022, City Council Meeting as a Public Hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

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 November 1, 2022, November 9, 2022, November 29, 2022 Special City Council Meetings And December 6, 2022, City Council Meeting
[22-0974](#)

Attachments: [View Report - November 1, 2022 City Council Draft Minutes](#)
[View Report - November 9, 2022 City Council Draft Minutes](#)
[View Report - November 29, 2022 Special City Council CPAB SSOC Draft Minutes](#)
[View Report - November 29, 2022 Special City Council Draft Minutes \(6.00pm\)](#)
[View Report - December 6, 2022 City Council Draft Minutes](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 6 Subject: Certification Of The Election Results From The November 8, 2022 Election
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland General Municipal Election Held On Tuesday, November 8, 2022
[22-0912](#)

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

Legislative History

11/17/22 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
This item was scheduled to the December 20, 2022 City Council Agenda On Non Consent.

- 7 The Item regarding "'OPD's Policies In Accordance With CA Government Code 7070" was withdrawn from this agenda and rescheduled to the January 17, 2023 City Council Meeting at the December 15, 2022 Rules And Legislation Committee Meeting

- 8 Subject: OPD Policies For I-27 (LRAD) And I-28 (Mobile Command Centers)
From: Oakland Police Department
Recommendation: Adopt An Ordinance Approving Controlled Equipment Use Policies For The Oakland Police Department To Acquire And Use The Following Types Of “Militarized” Equipment In Conformance With Government Code Section 7070 And Oakland Municipal Code Chapter 9.65: (1) The Long Range Acoustic Device; And (2) Mobile Command Centers
[TITLE CHANGE]
[22-0885](#)

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

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON JANUARY 17, 2023

Legislative History

11/3/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>Non-Consent</i>	
12/6/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 9 Subject: Adding Chapter 10.74 To The OMC Imposing Fines And Penalties
From: Councilmember Gallo
Recommendation: Adopt An Ordinance Adding Chapter 10.74 To The Oakland Municipal
Code Imposing Fines And Penalties Against Organizers And Facilitators Of Sideshows
[TITLE CHANGE]
[22-0830](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report 12/1/2022](#)
[View Supplemental Report - 12/15/2022](#)
[View Supplemental Legislation - 12/15/2022](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON JANUARY 17, 2023

Pursuant to Rule 28 of Resolution 89432 C.M.S., a title change was approved

Legislative History

10/13/22	*Rules & Legislation Committee <i>A Title Change Accepted</i>	Scheduled to the *Special Public Safety Committee
11/14/22	*Special Public Safety Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*The Special Public Safety Committee approved staff's recommendations to be
Forward to the December 6, 2022, City Council Agenda on Non-Consent with
a supplemental report that includes the following:*

- 1. How will the ordinance be implemented without the use of a High-Speed
chase*
- 2. How do we define a promoter*
- 3. How is a bystander participant defined*
- 4. How will youth be engaged*
- 5. What is the age rang of the participants*
- 6. Will there be community service opportunities for those fined other than just
monetary penalties*
- 7. What percentage of Vehicles involved are stolen*
- 8. Can staffing for entail gathering be done by civilians and not sworn officers*
- 9. Are we pursuing additional state, federal, regional monies for traffic
calming*

11/17/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This item was scheduled to the December 6, 2022 City Council Agenda On Non Consent.</i>
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12/6/22 Special Concurrent Meeting Continued to the * Concurrent Meeting of the
of the Oakland Oakland Redevelopment Successor Agency
Redevelopment Successor and the City Council
Agency/City Council
*A motion was made by Councilmember Gallo to adopt this item, but failed due
to lack of a second.*

*A motion was made by Vice Mayor, seconded by Councilmember Reid to
continue this item to the December 20, 2022, City Council Meeting. The motion
passed with a vote of 5 Ayes; 3 Excused: Fife, Taylor, Thao*

- 10** Subject: Longfellow Corner Disposition & Development Agreement (DDA) Authorization
And Conveyance Of City-Owned Property
From: Housing & Community Development Department
Recommendation: Adopt An Ordinance (A) Authorizing The City Administrator To
Negotiate And Execute A Disposition And Development Agreement With Longfellow
Corner, L.P. (“Developer”) For The Development Of An Affordable Housing Project On
City Property Located At 3823-3829 Martin Luther King Jr. Way And Adjacent
Developer-Owned Property Located At 3801-3807; (B) Approving The Proposed
Conveyance Of The City-Owned Property To Developer For \$99; And (C) Adopting
Findings Under The California Environmental Quality Act
[22-0980](#)

Sponsors: Housing And Community Development Department

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

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON JANUARY 17, 2023

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

- 11** Subject: Professional Services Contract For Racial Impact Study
From: Councilmember Fife
Recommendation: Adopt A Resolution Awarding A Professional Services Contract To BluSummers, LLC To Conduct A Racial Impact Analysis For An Amount Not To Exceed \$150,000 Utilizing The Funds Allocated For That Purpose In The Fiscal Year 2022-23 Mid-Cycle Budget, Pursuant To Resolution No. 89283 C.M.S., To Study The On-Going Effects Of Public Policy Decisions And Actions Such As Redlining, Displacement Through Eminent Domain, Urban Renewal, And Gentrification On The Black Community In Oakland And To Assess Ways To Redress The Harms Caused Through A “Black New Deal”; Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process Pursuant To Oakland Municipal Code Section 2.04.051.B; And Waiving The Local/Small Local Business Enterprise (L/SLBE) Program Requirements
[22-0985](#)

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

Pursuant to Rule 28 of Resolution 89432 C.M.S., this item was added to this agenda.

- S12** Subject: Contracts For Heavy Equipment Repair Service
From: Public Works Department
Recommendation: Adopt A Resolution: (1) Awarding A Contract To Kelly’s Truck Repair, The Lowest Responsive And Responsible Bidder, To Provide Vehicle Diagnostic And Repair Services In The Amount Not-To-Exceed \$650,000 Per Year For A Two-Year Term, November 1, 2022 To October 30, 2024, With Two (2) Options To Extend The Agreement Annually, For Up To Two (2) One-Year Periods In An Amount Not-To-Exceed \$650,000 Per Year For A Total Not-To-Exceed Contract Amount Of \$2,600,000 Over A Four-Year Term; And (2) Waiving The Local Business/Small Local Business Enterprise Program Utilization Requirement
[22-0908](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - 12/16/2022](#)
[View Supplemental Report - 12/16/2022](#)

Legislative History

11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Public Works Committee
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12/12/22	*Special Public Works Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>A motion was made by Councilmember Kalb, seconded by Councilmember Gallo to forward staff recommendations as amended to the December 20, 2022, City Council Agenda on Non-Consent. The motion passed with a vote of 3 Ayes.</i> <i>The Committee approved to forward the item with staff recommendations with the following amendments, and directives:</i> <i>- Striking the two (2) one-year periods.</i> <i>- Returning with the following in the supplemental: A thorough written response of the specifics on what the outreach to Oakland based contractors entailed, also including the specific plan on how to reach out to local businesses that could provide either full contract support or a portion of it.</i>
12/15/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Non Consent.</i>

S13 Subject: Public Bank East Bay Viability Study
From: Councilmember Fife
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting The Public Bank East Bay Viability Study; And
[TITLE CHANGE]
[22-0931](#)

Attachments: [View Report](#)
[View Attachment](#)
[View Legislation](#)
[View Supplemental Presentation - 12/14/2022](#)

Legislative History

11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Finance & Management Committee
12/13/22	*Special Finance & Management Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Special Finance & Management Committee approved staff's recommendations to be Forwarded to the December 20, 2022, City Council Agenda on Non-Consent with a supplemental report that includes the Power Point presentation presented in committee</i>
12/15/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Non Consent.</i>

2) A Resolution Of Intention To Form The Public Bank East Bay With The City Of Oakland
As A Founding Member Along With The Cities Of Berkeley And Richmond
[TITLE CHANGE]

[22-0986](#)

Sponsors: Fife

Attachments: [View Legisaltion](#)

Legislative History

12/13/22 *Special Finance & Management Committee Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Special Finance & Management Committee approved staff's recommendations to be Forwarded to the December 20, 2022, City Council Agenda on Non-Consent with a supplemental report that includes the Power Point presentation presented in committee

12/15/22 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Non Consent.

OPEN FORUM / CITIZEN COMMENTS

ADJOURNMENT OF COUNCIL SESSION

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

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