

City of Oakland

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



Meeting Agenda - FINAL

Thursday, December 8, 2022

10:30 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

***Rules & Legislation Committee**

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/85644242981> at the noticed meeting time.
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(for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free)

Meeting ID: 856 4424 2981

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

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

COMMITTEE MEMBERSHIP:

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

Roll Call / Call To Order

**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 NO DRAFT MINUTES FOR APPROVAL**3 New Scheduling Items**

- 3.1** Subject: Contract For The Digital Arts And Culinary Academy Improvements Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Award A Construction Contract For A Not-To-Exceed Amount of One Million, Eight Hundred Thirty-Six Thousand Dollars (\$1,836,000.00) to Bay Construction Company, The Lowest Responsive And Responsible Bidder For The Digital Arts And Culinary Academy Improvements Project Number 1004851, In Accordance With The Project Plans, Specifications And Contractor's Bid; And (2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[22-0909](#)

Legislative History

11/17/22	*Rules & Legislation Committee	Rescheduled to the *Rules & Legislation Committee
<i>This item was not scheduled, and was deferred to the December 1, 2022 Rules And Legislation Committee for scheduling.</i>		

- 3.2** Subject: Ordinance Amending Ordinance No. 13647 C.M.S.
From: Workplace And Employment Standards Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13647, Which Amended Certification Requirements In Oakland's Local And Small Local Business Enterprise (L/SLBE) Program, To Revise And Correct Certification Requirements
[22-0648](#)

Attachments:[View Report](#)[View Attachment A](#)[View Legislation](#)[View Supplemental Report and Attachment A - 11/8/2022](#)[View Supplemental Legislation 11/10/2022](#)**Legislative History**

7/19/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>As a direct result of the failed motion, from the July 19, 2022 Special City Council Meeting, item regarding "Ordinance Amending Ordinance No. 13647" was terminated, therefore eliminating the main motion to continue the item.</i>	
	<i>A motion was made by Pro Tempore Thao, seconded by Councilmember Gallo to schedule a new item (22-0648) "Ordinance To Amend Ordinance No. 13647 C.M.S" to the July 26, 2022 Special City Council Meeting.</i>	
	<i>The motion passed with a vote of 6 Ayes: Gallo, Kalb, Reid, Taylor, Thao, Fortunato Bas; 2 Excused: Fife, Kaplan</i>	
7/26/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	No Action Taken
	<i>A motion was made by Vice Mayor Kaplan seconded by Councilmember Gallo to direct staff to meet with stakeholders who've raised complaints and expressed concerns, as well correspond with the City of San Francisco about a reciprocal program; once staff have undertaken both efforts, request staff to revise and return to Council. The motion passed with the following: 5 Ayes: Fife, Gallo, Kaplan, Thao, Bas; 2 No: Kalb, Reid; 1 Excused: Taylor</i>	
11/3/22	*Rules & Legislation Committee	Scheduled to the *Special Community & Economic Development Committee
11/15/22	*Special 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
	<i>The Special Community & Economic Development Committee approved staff's recommendations to be Forwarded to the December 6, 2022, City Council Agenda on Consent:</i>	
11/17/22	*Rules & Legislation Committee	Rescheduled to the *Rules & Legislation Committee
	<i>This item was not scheduled, and was deferred to the December 1, 2022 Rules And Legislation Committee for scheduling.</i>	

3.3 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](#)

Legislative History

11/17/22	*Rules & Legislation Committee	Scheduled to the *Special Life Enrichment Committee
	<i>This item was scheduled to the November 28, 2022 Special Life Enrichment Committee.</i>	

11/28/22

*Special Life Enrichment
CommitteeReceived and Forwarded to the Special
Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City
Council

- 3.4** Subject: Public Bank East Bay Viability Study
From: Councilmember Fife
Recommendation: TITLE CHANGE

[OLD TITLE]

Adopt A Resolution (1) Accepting The Public Bank East Bay Viability Study; (2) Acknowledging The City Of Oakland As One Of Founding Members Of The Public Bank East Bay As Part Of The Application For A Public Banking Charter; And (3) Designating Councilmember Fife As Oakland's Representative On The Public Bank's Board Of Directors

[NEW TITLE]

Adopt The Following Pieces Of Legislation:

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

Legislative History

11/17/22

*Rules & Legislation
CommitteeScheduled to the *Special Finance &
Management Committee

- 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; On The December 13, 2022 Finance And Management Committee Agenda
[22-0986](#)

Sponsors: Fife

- 3.5** 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

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 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; On The December 20, 2022 City Council Agenda On Consent

[22-0970](#)

Sponsors: Finance Department

- 3.6** 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; On The December 20, 2022 City Council Agenda On Consent

[22-0979](#)

Sponsors: Human Services Department

- 3.7** 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; On The December 20, 2022 City Council Agenda On Non-Consent

[22-0980](#)

Sponsors: Housing And Community Development Department

- 3.8** 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; On The December 20, 2022 City Council Agenda On Consent
[22-0983](#)
- 3.9** 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; On The December 20, 2022 City Council Agenda On Non-Consent
[22-0985](#)
- 3.10** Subject: League Of California Cities Travel Reimbursement For Councilmembers-Elect Janani Ramachandran And Kevin Jenkins
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; On The December 20, 2022 City Council Agenda On Consent
[22-0987](#)

- 3.11** Subject: Oakland Hydrogen Hub
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution: (1) Supporting The Alliance For Renewable Clean Hydrogen Energy Systems (ARCHES) And Its Mission To Accelerate Hydrogen's Contribution To Decarbonizing The Economy In California; (2) Highlighting Oakland's Leadership In Hydrogen Adoption And Requesting That Oakland Be Considered As A Location For A Potential Statewide Clean Hydrogen Hub To Accelerate Hydrogen's Contribution To Decarbonizing The Economy; (3) Declaring The City's Intent To Enter Into A Memorandum Of Commitment (MOC) (Attached Hereto As Exhibit A) To Join ARCHES; And (4) Authorizing The City Administrator To Execute The MOC And To Negotiate And Execute A More Formal Agreement With ARCHES H2 LLC On The City's Behalf; On The December 20, 2022 City Council Agenda On Consent
[22-0988](#)
- 3.12** 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; On The December 20, 2022 City Council Agenda On Consent
[22-0989](#)
- 3.13** Subject: Report On 501(C)(3) Non-Profit Service Providers
From: Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator On All 501(C)(3) Non-Profit Service Providers The City Of Oakland Has Contracted With In Fiscal Years 2019, 2020, 2021, And 2022 For Homelessness And Public Safety Related Services, Including The Names Of The Organizations, The Contract Amount, The Nature Of The Work, How Many Contracts Each Organization Received During This Period, And Whether The Organization Provides Other Services To The City And What Those Services Are; On The January 23, 2023 Finance And Management Committee Agenda
[22-0984](#)

- 3.14** Subject: FY 2021 Assistance to Firefighters Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Enter Into An Agreement With The U.S. Department Of Homeland Security's Federal Emergency Management Agency (FEMA) To Accept The Fiscal Year 2021 Assistance To Firefighters Grant (AFG) Funds In The Amount Of Three Hundred Sixty Thousand One Hundred And Eighty-One Dollars And Eighty-One Cents (\$360,181.81); And (2) Appropriate And Administer Said Funds For The Fire Department Personnel To Receive Specialized Testing For Potentially Lifesaving Cancer And Wellness Screenings; And (3) Expend Assistance To Firefighter Funds In Accordance With The City Of Oakland's Purchasing Requirements And Programs/Policies; And (4) Allocating Matching Funds In The Amount Of Thirty-Six Thousand Eighteen Dollars And Nineteen Cents (\$36,018.19); On The January 23, 2023 Public Safety Committee Agenda [22-0981](#)
- 3.15** Subject: Oakland 2045 General Plan Update: 2023-2031 Housing Element Adoption
From: Planning And Building Department
Recommendation: Adopt A Resolution, (1) Adopting The 2023-2031 Housing Element As A General Plan Amendment To The Oakland General Plan; And (2) Determining That The Adoption Of The 2023-2031 Housing Element Is Exempt From The California Environmental Quality Act (CEQA) Pursuant To Each As An Independent Basis (A) CEQA Guidelines Sections 15061(B)(3), (B) CEQA Guidelines Section 15283 And California Government Code Section 65584(G), (C) CEQA Guidelines Section 15262 And California Public Resources Code Sections 21102 And 21150, And (D) CEQA Guidelines Section 15308.; On The January 24, 2023 Community & Economic Development Committee And On The February 7, 2023 City Council Agenda As A Public Hearing [22-0982](#)

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[22-0940](#)

Attachments:

[December 12, 2022 Special Public Works Committee Draft Agenda](#)
[December 12, 2022 Public Safety Committee Agenda](#)
[December 12, 2022 Life Enrichment Committee Agenda](#)
[December 13, 2022 Special Finance & Management Committee Draft Agenda](#)
[December 13, 2022 Community And Economic Development Committee Agenda](#)
[December 15, 2022 Rules and Legislation Committee Agenda](#)
[Finance And Management Committee Pending List](#)
[Public Works Committee Pending List](#)
[Community And Economic Committee Development Pending List](#)
[Life Enrichment Committee Pending List](#)
[Education Partnership Committee Pending List](#)
[Public Safety Committee Pending List](#)
[Rules And Legislation Committee Pending List](#)
[December 20, 2022 City Council Draft Agenda](#)
[December 22, 2022 RULES CANCELLED](#)

5 Determinations Of Closed Session

Open Forum

Adjournment

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM 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.**