

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 - FINAL

Tuesday, February 7, 2023

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/87194214554> 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: 871 9421 4554

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 submit any written comments via email To Cityclerk@oaklandca.gov• 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 Kevin Jenkins, District 6; President Pro Tempore Dan Kalb, District 1; Councilmember Rebecca Kaplan, At Large; Councilmember Janani Ramachandran, District 4; Councilmember Treva Reid, District 7; 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 EXCEPT PUBLIC HEARINGS 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
[23-0032](#)

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
[23-0033](#)

Attachments: [View Legislation](#)

2.3 Subject: Declaration Of A Local Emergency On Homelessness
From: Councilmember 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
[23-0034](#)

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
[23-0035](#)

Attachments: [View Legislation](#)

2.5 Subject: In Celebration Of Black History And Heritage Month
From: Councilmember Fife
Recommendation: Adopt A Resolution In Celebration Of Black History Month In February
2023 By Honoring Black Change-Makers In The City Of Oakland Working Towards A
Transformative Future That Seeks To Dismantle Oppressive Systems And Advance True
Liberation, Safety, And Opportunities In Our Community
[22-1003](#)

Attachments: [View Legislation](#)

Legislative History

12/15/22 *Rules & Legislation
Committee

As A Ceremonial.

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

- 2.6** Subject: Approve OPD's Policies In Accordance With California Government Code § 7070 Et Seq. (AKA "AB 481") And OMC Chapter 9.6
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) Departmental Rifles; (2) Chemical Agents; (3) Unmanned Aerial Systems; (4) Noise-Flash Diversion Devices (Flash Bangs); (5) Riot Helmets; (6) Specialty Impact Munitions; (7) Armored Vehicles; (8) Chemical Agents; And (9) Remote Controlled Ground Systems (Robots) And Pole Cameras
[22-0776](#)

Attachments:

[View Report](#)

[View Attachment A - DGO K-7 Military Equipment Policy](#)

[View Attachment B - DGO K-06 Rifles](#)

[View Attachment C - Patrol Rifle Impact Report](#)

[View Attachment D - TB III-H Specialty Impact Munitions](#)

[View Attachment E - SIM Impact Report](#)

[View Attachment F - TB III-P.04 - Armored Vehicles Mil Equip](#)

[View Attachment G - Armored Vehicles Impact Report](#)

[View Attachment H - TB III-G 16 Crowd control](#)

[View Attachment I - Riot Helmets Impact Report](#)

[View Attachment J - TB V-F.02 Chemical Agents 2022](#)

[View Attachment K - Chem Agent Impact Report](#)

[View Attachment L - DGO I25 Unmanned aerial systems](#)

[View Attachment M - UAS Drone Controlled Equipment Impact Report](#)

[View Attachment N - DGO I26 Robots](#)

[View Attachment O - Robots and Pole Cameras Controlled Equipment Impact R](#)

[View Attachment P - TB III-P.05 - Noise Flash Diversion Devices](#)

[View Attachment Q - Flash Bang Impact Report](#)

[View Legislation](#)

[View Exhibit A - DGO K-7 Military Equipment Policy](#)

[View Exhibit B - DGO K-06 Rifles](#)

[View Exhibit C - TB III-H Specialty Impact Munitions](#)

[View Exhibit D - TB III-P.04 - Armored Vehicles Mil Equip](#)

[View Exhibit E - TB III-G 16 Crowd control](#)

[View Exhibit F - TB V-F.02 Chemical Agents](#)

[View Exhibit G - DGO I25 Unmanned aerial systems](#)

[View Exhibit H - TB III-P.05 - Noise Flash Diversion Devices](#)

[View Exhibit I - DGO I26 Robots](#)

[View Revised Legislation 12/1/2022](#)

[View Supplemental Report 12/1/2022](#)

[View Amended Legislation 1/26/2023](#)

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

INTRODUCTION (First Reading) WAS PASSED ON JANUARY 17, 2023; 8 AYES.

Legislative History

9/29/22

*Rules & Legislation
Committee

Withdrawn with No New Date

10/6/22	*Rules & Legislation Committee <i>On Non-Consent</i> <i>A title change was read into record</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/18/22	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>On Non-Consent</i>	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/1/22	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>A motion was made by Councilmember Gallo, seconded by Councilmember Taylor to adopt the item.</i> <i>A substitute motion was made by Councilmember Kalb, seconded by Council President Bas to continue this item to the December 6, 2022 City Council Meeting and a request for the Police Commission to review proposed amendments from the community before December 6, 2022. The motion passed with the following vote: 4 Ayes: Kalb, Kaplan, Thao, Bas; 2 NO: Gallo, Taylor; 2 Excused: Fife, Reid</i> <i>As a direct result of the substitute motion, the original motion failed.</i>	Continued 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	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
12/15/22	*Rules & Legislation Committee <i>This item was withdrawn from the December 20, 2022 City Council agenda and rescheduled to the January 17, 2023 City Council Agenda on Non Consent at the December 15, 2022 Rules And Legislation Committee.</i>	Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

1/17/23 * Concurrent Meeting of the
Oakland Redevelopment
Successor Agency and the
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 Council President Fortunato Bas, seconded by
Councilmember Gallo to approve the ordinance as amended on introduction.
The Motion passed with a vote of 8 Ayes. The Ordinance was approved and
scheduled for Final Passage on February 7, 2023, with the following
amendments:*

*Of the Legislation, from the Title striking, DEPARTMENTAL RIFLES;
CHEMICAL AGENTS; SPECIALTY IMPACT MUNITIONS; and REMOTE
CONTROLLED GROUND SYSTEMS (ROBOTS) AND POLE CAMERAS*

*On Page 3, of SECTION 2. striking, Department General Order K-7: Military
Equipment Funding, Acquisition and Use Policy (Exhibit A);
Department General Order K-6: Department Rifles (Exhibit B);
Training Bulletin III-H: Specialty Impact Munitions (Exhibit C);
Training Bulletin V-F.2: Chemical agents (Exhibit F);*

On Page 3, striking SECTION 3.

2.7 Subject: Oakland Hydrogen Hub
From: Councilmember Kaplan And President Pro Tempore Kalb
Recommendation: Adopt A Resolution: 1) Supporting The Alliance For Renewable Clean
Hydrogen Energy Systems (ARCHES) And Its Mission To Accelerate Green 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 Green Hydrogen Hub To Accelerate Hydrogen's
Contribution To Decarbonizing The Economy Using Electrolysis Powered By Renewable
Energy; 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
[TITLE CHANGE]
[22-0988](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Exhibit A](#)
[View Revised Report 1/26/2023](#)
[View Revised Legislation 1/26/2023](#)
[View Revised Exhibit A 1/26/2023](#)

Legislative History

12/15/22	*Rules & Legislation Committee <i>This item was withdrawn from the December 20, 2022 City Council agenda with no new date at the December 15, 2022 Rules And Legislation Committee.</i>	Withdrawn with No New Date
1/19/23	*Rules & Legislation Committee <i>Scheduled to Consent and President Pro Tempore Kalb was added as Co-Author</i> <i>Rule 24 was noted - Reason for bypassing committee</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/26/23	*Rules & Legislation Committee <i>On Consent</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

2.8 Subject: Carolyn Levy V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Carolyn Levy V. City Of Oakland, And Does 1-100
Inclusive, Alameda Superior Court Case No. RG18913570, City Attorney File No. 32579,
In The Amount Of Two Hundred Thousand Dollars And No Cents (\$200,000.00)
(Department Of Transportation - Dangerous Condition Of Public Property)
[23-0022](#)

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

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

Legislative History

1/19/23	*Rules & Legislation Committee <i>Scheduled to Consent</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 2.9** Subject: Hoa Nguyen, Et Al. V. Lilia Vargasdoralla, Et al
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Hoa Nguyen; Michelle Nguyen; John Nguyen, By And Through His Father And Guardian, Hoa Nguyen; And Ellie Nguyen, By And Through Her Mother And Guardian, Trang Nguyen V. Lilia Vargasdoralla; Oakland Unified School District; City Of Oakland, State Of California, And Does 1 Through 100, Inclusive, Alameda County Superior Court Case No. RG20079412, City Attorney's File No. 34068, In The Amount Of One Hundred Seventy Thousand Dollars And Zero Cents (\$170,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)
[23-0048](#)

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

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

- 2.10** Subject: MACRO Operations And The Advisory Board Update
From: The Public Safety Committee
Recommendation: Receive An Informational Report On The Progress Of MACRO Including The Most Recently Published Information On The City Of Oakland Website And Include Additional Information On Geographic Breakdown, Language Breakdown And Hiring Timelines
[23-0046](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Supplemental Report - 2/2/2023](#)

Legislative History

1/23/23	*Public Safety Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

On Consent

Pursuant to Rule 24, a statement was made on record as to the item bypassing committee.

2.11 Subject: Authorizing The Travel And Reimbursement Of Councilmember Noel Gallo
From: Councilmember Gallo
Recommendation: Adopt A Resolution Authorizing The Travel And Reimbursement Of
Necessary Expenses For Councilmember Noel Gallo's Travel To Washington DC And
Attendance At The National League Of Cities' Congressional City Conference From
March 23, 2023 Through March 29, 2023, In The Amount Of \$4,250.00 For Registration
Fees, Hotel, Air Fare And Per Diem From The Council Contingency Fund
[23-0051](#)

Attachments: [View Legislation](#)

Legislative History

1/26/23 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council
*Pursuant to Rule 24, a statement was made on record as to the item bypassing
committee.*

On Consent

2.12 Subject: Appointments To Alameda County Transportation Commission
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Reappointing Councilmember Rebecca Kaplan
And Appointing Councilmember Carroll Fife (To Replace Former Councilmember Sheng
Thao) To The Alameda County Transportation Commission, And Reappointing President
Pro Tempore Dan Kalb To Serve As Alternate To The Alameda County Transportation
Commission ("ACTC") Commencing February 8, 2023
[23-0052](#)

Attachments: [View Legislation](#)

Legislative History

1/26/23 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

On Consent

2.13 Subject: Regional Early Action Planning 2.0 Grant
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For,
Accept, And Appropriate \$10,000,000 In Funds From The State Of California Department
Of Housing And Community Development's Regional Early Action Planning 2.0 Higher
Impact Transformative Allocation To Support Transit Oriented Development At The West
Oakland BART Station
[23-0053](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

1/26/23 *Rules & Legislation
Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council
*Pursuant to Rule 24, a statement was made on record as to the item bypassing
committee.*

On Consent

2.14 Subject: Alameda County Waste Management Authority Appointments
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Reappointing Councilmember Dan Kalb As A
Member Of The Alameda County Waste Management Authority (ACWMA) Board And
Appointing Councilmember Treva Reid (To Replace Rebecca Kaplan) As An Alternate
Member Of The ACWMA
[23-0054](#)

Attachments: [View Legislation](#)

Legislative History

1/26/23 *Rules & Legislation
Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

On Consent

2.15 Subject: East Bay Economic Development Alliance Appointments
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Appointing Councilmember Treva Reid (To
Replace Former Councilmember Loren Taylor) To The Executive Committee Of The East
Bay Economic Development Alliance And Appointing Councilmember Noel Gallo (To
Replace Councilmember Treva Reid) As Alternate Member Of The Executive Committee
Of The East Bay Economic Development Alliance For A Two-Year Term Commencing
July 1, 2022 And Ending June 30, 2024
[TITLE CHANGE]
[23-0055](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation - 2/2/2023](#)

Legislative History

1/26/23 *Rules & Legislation
Committee Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

On Consent

2/2/23 *Rules & Legislation
Committee Approved the Recommendation of Staff, and
Forward to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

Title Change Read Into Record Was Approved

2.16 Subject: Appointments To The Association Of Bay Area Governments Executive Board
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Reappointing Councilmembers Nikki Fortunato Bas And Carroll Fife And Appointing Councilmember Treva Reid (To Replace Former Councilmember Loren Taylor) As Delegates To Represent The City Of Oakland To The Association Of Bay Area Governments (ABAG) Executive Board And Appointing Councilmember Janani Ramachandran (To Replace Councilmember Dan Kalb) As An Alternate For The Term Beginning July 1, 2022 And Ending June 30, 2024

[23-0056](#)

Attachments: [View Legislation](#)

Legislative History

1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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On Consent

2.17 Subject: Youth Ventures JPA Appointments
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Appointing Mayor Sheng Thao (To Replace Former Mayor Libby Schaaf), Reappointing Council President Nikki Fortunato Bas, And Appointing Councilmember Kevin Jenkins (To Replace Former Councilmember Sheng Thao) To The Board Of Trustees Of The Youth Ventures Joint Powers Authority To Complete The Remainder Of The Four-Year Term Ending March 1, 2025

[23-0057](#)

Attachments: [View Legislation](#)

Legislative History

1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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On Consent

2.18 Subject: Motorola Solutions Mobile Radios Agreements
From: Information Technology Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Negotiate And Execute An Agreement With Motorola Solutions, Inc. In A Total Amount Not To Exceed Two Million Two Hundred Ninety Thousand Three Hundred Sixty Eight Dollars (\$2,290,368) For The Purchase Of Two Hundred Twenty (220) Mobile Radios And Associated Equipment, Programming, Testing, Installation And Professional Services For The Oakland Fire Department; And (2) Waiving The City's Advertising, Bidding, Request For Proposal (RFP) And Local Business/Small Local Business Utilization Requirements [22-1007](#)

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

Legislative History

12/15/22	*Rules & Legislation Committee <i>A Title change was read into record.</i>	Scheduled to the *Finance & Management Committee
1/23/23	*Finance & Management Committee <i>The Committee made a motion to forward the item to the February 7, 2023 City Council Agenda on Consent.</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/26/23	*Rules & Legislation Committee <i>On Consent</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

2.19 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 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); (2) Appropriate And Administer Said Funds For Fire Department Personnel To Receive Specialized Cancer Screenings; (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)

[22-0981](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

12/15/22	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
1/23/23	*Public Safety Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Committee approved the recommendation of staff and forwarded it to the February 7, 2023 City Council Agenda on Consent</i>
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On Consent</i>

2.20 Subject: Fiscal Year 2022-23 Creative Economies Of Belonging Grants
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Awarding Grants To Seventeen (17) Oakland-Based Nonprofit Organizations Providing Arts And Cultural Services In Oakland For Fiscal Year 2022-2023 Through "The Creative Economies Of Belonging: Jobs, Network, And Catalysts" Grant Opportunity, In A Total Amount Not To Exceed Four Hundred Fifty Thousand Five Hundred Dollars (\$450,500)

[22-0998](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Report - 2/2/2023](#)

Legislative History

12/15/22	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
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1/23/23 *Life Enrichment 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 Gallo, seconded by Councilmember Ramachandran, to approve staff recommendations and forward this item to the February 7 2023, City Council Agenda on Consent, to include additional information in the Supplemental from Creative Economies Of Belonging Grants. The additional information should detail with the organizations possible where they serve residents throughout the City of Oakland, to include the following:

-Particularly for the organizations that are listed as serving schools and programs city-wide where east Oakland is not specifically listed, where those programs could take place, and more of the outcome and opportunities to get students and families involved.

-To ensure that everyone has the broadest reach possible, clarity on how we are outreaching and engaging to the organizations and teachers impacted in areas of east and west Oakland, and how they are contacted. In addition, where support is needed, to ensure there is more engagement and participation for consideration for specifically, east and west Oakland based, and/or clearly stated organizations and teachers.

As well, more specific in the area where the art presentations are being delivered through.

The motion passed with a vote of 4 Ayes

1/26/23 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

On Consent

2.21 Subject: AC-OCAP Annual Report And 2023 CSBG Resolutions
From: Human Services Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution: (1) Accepting Anti-Poverty Community Services Block Grant (CSBG) In The Amount Of One Million, Two Hundred, Ninety-Four Thousand, Two Hundred Thirty-Four Dollars (\$1,294,234) Awarded By The California Department Of Community Services (CSD) And Development For The January 1, 2023 Through December 31, 2023 Program Year (2023 CSBG Program Year); (2) Authorizing The City Administrator To Accept And Appropriate Any Additional Grant Funds From CSD For The Same Purpose Within The 2023 CSBG Program Year, Without Returning To Council; 3. Authorizing The Use Of General Purpose Funds To Pay The Human Services Department Central Services Overhead Charges For 2023 CSBG Programs In The Amount Of One Hundred Fifty-One Thousand, Nine Hundred Fifty-Six Dollars (\$151,956); And

[23-0025](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

1/23/23	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Councilmember Gallo motioned, Councilmember Reid seconded to approve staff recommendations, and forward to the February 7, 2023 City Council Agenda on Consent. The motion passed with a vote of 4 Ayes</i>
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On Consent</i>

2) A Resolution: (1) Authorizing The City Administrator To Negotiate And Enter Into Grant Agreements With Anti-Poverty Service Providers For The Alameda County-Oakland Community Action Partnership (AC-OCAP) 2023 CSBG Program Year With The Service Providers And In The Amounts Listed In The Table In This Resolution; And (2) Authorizing The City Administrator To Amend The Agreements And Enter Into Amended Agreements To Increase The Amount And Extend The Term If Additional CSBG Funding Becomes Available During The 2023-2025 Three-Year Funding Cycle Without Returning To Council; And (3) Authorizing The City Administrator To Negotiate And Enter Into Professional Services Agreements For Advertising Services With Clear Channel, CBS Outdoors, Bart And AC Transit To Support The Programs; And Waiving, To The Extent Necessary, The Competitive RFP/Q Process In The Best Interests Of The City For A Total Amount Not To Exceed \$40,000

[23-0026](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

1/23/23	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Councilmember Gallo motioned, Councilmember Reid seconded to approve staff recommendations, and forward to the February 7, 2023 City Council Agenda on Consent. The motion passed with a vote of 4 Ayes</i>
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On Consent</i>

2.22 Subject: East Bay Greenway Segment II Project Construction Contract Award
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Gruendl Inc. DBA Ray's Electric, For The East Bay Greenway Segment II Project, Project No. 1005033, The Lowest, Responsible And Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Four Million Two Hundred Eighty-Two Thousand One Hundred Twenty-Five Dollars And Twenty Cents (\$4,282,125.20); Authorizing The City Administrator To Amend The Maintenance Agreement With The Bay Area Rapid Transit (BART); And Adopting Appropriate California Environmental Quality Act (CEQA) Findings [22-1000](#)

Sponsors: Transportation Department

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

Legislative History

12/15/22	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
1/24/23	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Committee approved staffs recommendation to be forwarded to the February 7, 2023 City Council agenda on Consent</i>
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On Consent</i>

2.23 Subject: Summary Vacation Of A Portion Of Public Right Of Way Known As Yerba Buena Ave
From: Transportation Department
Recommendation: Adopt A Resolution Summarily Vacating A Portion Of Public Right Of Way Known As Yerba Buena Avenue, Between Beach Street And Mandela Parkway, To The Fee Owner, East Bay Municipal Utility District, And Adopting Appropriate California Environmental Quality Act Findings [22-0231](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation 1/26/2023](#)

Legislative History

3/24/22	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>On Consent.</i>	
1/24/23	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>The Committee approved staffs recommendation to be forwarded to the February 7, 2023 City Council agenda on Consent</i>	
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>On Consent</i>	

2.24 Subject: Major Encroachment Permit At 525 12th Street
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major
Encroachment Permit ENMJ22055, To Allow A Subsurface Transformer Room And
Structural Elements To Encroach Into The Public Right-Of-Way At 525 12th Street; And
Adopting California Environmental Quality Act Findings
[23-0008](#)

Attachments: [View Report](#)
[View Legisaltion](#)
[View Exhibit B](#)
[View Supplemental Legislation 1/26/2023](#)

Legislative History

1/24/23	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>The Committee approved staffs recommendation to be forwarded to the February 7, 2023 City Council agenda on Consent</i>	
1/26/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>On Consent</i>	

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

3.1 Subject: FY2022-23 Master Fee Schedule
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance No. 13698 C.M.S. (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By The City Of Oakland
[22-0914](#)

Attachments: [View Report](#)
[View Legislation and Exhibits](#)
[View Supplemental Legislation 1/26/2023](#)
[View Supplemental Report - 2/3/2023](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON FEBRUARY 21, 2023.

Legislative History

11/17/22	*Rules & Legislation Committee <i>Staff withdrew this item and return to the committee for scheduling at a later date.</i>	No Action Taken
12/15/22	*Rules & Legislation Committee <i>A Title change for the subject and recommendation was read into record.</i>	Scheduled to the *Finance & Management Committee
1/23/23	*Finance & Management Committee <i>The Committee made a motion to forward this item to the February 7, 2023 City Council agenda as a Public Hearing, with the request for the following information to be included in a supplemental;</i> <i>-inquiries on the Oakland Fire department increase;</i> <i>-OPD trainee cost;</i> <i>-Human Services agenda production cost deletion & its impacts;</i> <i>-City Administrators municipal IDs;</i> <i>-Discount on facilities rentals for local non profits;</i> <i>-Fire inspection fees recovery costs city wide; and</i> <i>-the City Attorneys 5% deletion cost recovery</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/26/23	*Rules & Legislation Committee <i>As A Public Hearing</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS
[23-0079](#)

Attachments: [February 2, 2023 CLOSED SESSION REPORT OUT OF FINAL ACTION - Ma \(](#)
[February 2, 2023 CLOSED SESSION REPORT OUT OF FINAL ACTION - Ren](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JANUARY 9,
JANUARY 11, JANUARY 12, JANUARY 17, AND JANUARY 27, 2023
[23-0036](#)

Attachments: [January 9, 2023 Draft Minutes](#)
[January 11, 2023 Draft Minutes](#)
[January 12, 2023 Draft Minutes](#)
[January 17, 2023 Draft Minutes](#)
[January 27, 2023 Draft Minutes](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 6 Subject: 2023 State And Federal Legislative Agenda and 2022 Summary
From: Mayor Thao And Council President Fortunato Bas
Recommendation: Receive An Informational Report On The Proposed 2023 State And
Federal Legislative Agenda And Summary Of 2022 State And Federal Legislative Efforts
[23-0019](#)

Attachments: [View Overview Of The 2022 Legislative Session](#)
[View Draft 2023 State And Federal Legislative Agenda](#)
[View Supplemental Memo - 1/27/2023](#)
[View Supplemental Townsend Memo - 1/27/2023](#)

Legislative History

1/26/23	*Rules & Legislation Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*The Committee approved to receive and forward this informational report to
the February 7, 2023 City Council Agenda, On Non-Consent, and to provide a
Supplemental Report that includes the Rules And Legislation Committee's
discussion regarding the draft and funding sources from 2022 from state and
federal partners.*

- 7 Subject: Resolution Amending And Restating The Council's Rules Of Procedure
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Amending And Restating The Council's Rules Of Procedure In Their Entirety To, Among Other Things: 1) Rescind The Council's Temporary Rules Of Procedure For The Conduct Of Meetings During The State Of Emergency Related To The Covid-19 Pandemic; 2) Change The Times For Commencing And Ending Regular Council Meetings To Minimize Late-Night Meetings And Increase Public Access And Participation; 3) Help Ensure That New Items Have Been Properly Vetted Before They Are Submitted For Scheduling, To Increase Efficiency; 4) Utilize Gender-Inclusive Language In Accordance With The City's Values And Policy; And 5) Make Non-Substantive, Technical Edits To Make The Council's Rules Of Procedure Easier To Navigate And Understand

[22-1001](#)

Attachments:

[View Report](#)

[View Legislation](#)

[View Redline Legislation](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Supplemental Memo 1/26/2023](#)

[View Supplemental Legislation 1/26/2023](#)

[View Supplemental REDLINED Legislation 1/26/2023](#)

[View Supplemental Presentation 1/26/2023](#)

Legislative History

12/15/22

*Rules & Legislation
Committee

Scheduled to the *Rules & Legislation
Committee

1/19/23

*Rules & Legislation
Committee

Approved the Recommendation of Staff, and
Forward to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

*The Committee approved the recommendation of staff as amended, and
requested the item be forwarded to the February 7, 2023 City Council Agenda
on Non-Consent as follows:*

*Rule 23: Rules and Legislation Committee Jurisdiction - Adding The Committee
May Assign City Proposed Bailed Measures To A Subject Matter Committee As
An Informational Report For Vetting and Input But Retains The Authority To
Determine Whether Or Not To Forward Such Propositions To The Council*

*Rule 26. A.:Procedue for Placing Items on A Agenda - Striking the word Should
and adding the words Shall Make Every Effort To Thoroughly Investigate
Policy Issues Prior to Submitting Proposals To Committee Or The Council For
Action.*

*Rule 29: Tie Breaking Votes By The Mayor - Adding language to further define
legal requirements of recusal and not being present*

*Adding: effective date of March 1, 2023 and provide more clarity on the
electronic speaker card process*

8 Subject: Winter Relief Funding FY 22-23
From: Human Services Department
Recommendation: Adopt A Resolution: (1) Accepting And Appropriating Up To One Hundred Forty Thousand Dollars (\$140,000) From Alameda County For The North County Winter Relief Efforts, And Authorizing Agreement For Receipt Of Said Funds;

(2) Authorizing Amendment Of The Grant Agreement With East Oakland Community Project To Increase The Amount By Fifty-Five Thousand Seven Hundred Fifty-Eight Dollars (\$55,758) For The Provision Of Winter Shelter Beds;

(3) Authorizing Amendment Of The Grant Agreement With Operation Dignity To Increase The Amount By Thirty Thousand Dollars (\$30,000) For Winter Supplies And Hotel Vouchers For Vulnerable Homeless People;

(4) Authorizing Amendment Of The Grant Agreement With St. Mary's Center To Increase The Amount By One Hundred Thousand Dollars (\$100,000) For The Provision Of Street Based Housing Navigation Services And Hotel Vouchers For Seniors During Winter Months;

(5) Authorizing Amendment Of The Grant Agreement With The Society Of Saint Vincent De Paul Of Alameda County To Increase The Amount By Forty Thousand Dollars (\$40,000) For The Provision Of Additional Shelter Beds And Increased Services During Winter Months; And

(6) Authorizing The City Administrator To Accept And Appropriate Any Additional Funds Awarded By Alameda County For The Provision Of Fiscal Year 2022-23 North County Winter Relief Efforts And To Amend The Above-Mentioned Grant Agreements To Increase The Amounts Using Any Additional Funds

[23-0024](#)

Attachments:

[View Report](#)

[View Legislation](#)

[View Supplemental Legislation - 1/24/2023](#)

[View Supplemental Red Line Legislation - 1/24/2023](#)

[View Supplemental Report -2/2/2023](#)

Legislative History

1/23/23 *Life Enrichment Committee Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Cocouncilmember Gallo made a motion to approve staff recommendations. The motion failed due to lack of a second.

A substitute motion was made by Chairperson Fife to approve as amended the recommendations of staff and forward to the February 7, 2023 City Council agenda, on non-consent. Councilmember Reid seconded. The substitute motion passed with 3 Ayes; 1 No - Gallo

The Committee approved the motion to forward to Council an alternative recommendation to bifurcate the Resolution to accept the \$140,000 funds from Alameda County and authorize agreement for receipt of said funds, subject to future Council authorization of appropriation of the funds, and recommending that staff return with information about the service providers' performance.

More information about the service providers performance in the Supplemental Report should include:

- More insight on where the performance targets, for each of the partners listed,*
- How we are measuring how to fund these organizations,*
- How many blankets were distributed;; how many individuals (with demographics) were served;; details on how many products were provided during this winter storm;; how many accepted shelters in the previous storm?*
- More qualitative data regarding Saint Vincent de Paul, if they're requesting additional funding, for the next storm, what strategies they would want to employ to occupy double the amount of beds of capacity that they're serving right now;;*
- Specifically, how black residents of the city are being served, in their service area(s)?*

In addition, Alameda County's response to the bifurcation

1/26/23 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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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