

City of Oakland

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



CITY OF OAKLAND

Meeting Agenda - SUPPLEMENTAL

Thursday, March 9, 2023

10:30 AM

City Council Chamber, 3rd Floor

***Rules & Legislation Committee**

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.
- 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: 856 4424 2981

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

PUBLIC COMMENT ON EACH ACTION ITEM WILL BE TAKEN. ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK VIA TELECONFERENCE (ZOOM) OR IN PERSON MUST FILL OUT A SPEAKER CARD FOR EACH ITEM. MEMBERS OF THE PUBLIC WISHING TO SPEAK VIA TELECONFERENCE MUST PROVIDE THEIR ZOOM PROFILE NAME (WHICH AT THE SPEAKER'S DISCRETION MAY BE THEIR LEGAL NAME OR OTHER INFORMATION TO IDENTIFY THEM) OR PHONE NUMBER ON THEIR SPEAKER CARD TO ALLOW THE CLERK'S OFFICE TO RECOGNIZE THEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK.

COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:

- **THE E-COMMENT FUNCTION IS CURRENTLY UNAVAILABLE.** Please Email Requests For A Electronic Speaker Card And Written Comments To Cityclerk@Oaklandca.Gov. E-Comments must be submitted at least 24 hours Prior To The Meeting Time And They Will Be Delivered To Council Members.
- To Comment In Person, Members Of The Public Wishing To Speak Must Submit A Separate Speaker Card For Each Item On The Agenda They Wish To Discuss To The City Clerk Before Being Recognized By The Presiding Officer. Due To The Network Outage, Electronic Speaker Cards Are Not Being Accepted At This Time.

• **Once You Have Submitted Your Electronic Speaker Card - To comment by Zoom video conference, your Zoom Profile Name will be Acknowledged 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

DEFINITION OF TERMS:

• **Action Item: shall mean any resolution, ordinance, public hearing, motion or recommendation requiring official vote and approval of the City Council to be effective.**

• **Informational Item: shall mean an agenda item consisting only of an informational report that does not require or permit Council action.**

• **Consent Item: shall mean, for the purposes of the City Council agenda, any action or informational item that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval, except: 1) any item having a high level of public interest or controversy as determined by the Rules and Legislation Committee; 2) any action item that the Rules and Legislation Committee has placed on the Consent Calendar in accordance with Rule 26; or 3), any item that requires a public hearing or that is otherwise ineligible by law as a Consent Item.**

• **Non-Consent Item: shall mean, for the purposes of the City Council agenda, any action or informational item that: 1) a Standing Committee has forwarded to the full Council without unanimous recommendation for approval; 2) has a high level of public interest or controversy as determined by the Rules and Legislation Committee or: 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.**

COMMITTEE MEMBERSHIP:

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

1 Roll Call / Call To Order

2 Approval Of The Draft Minutes From The Committee Meeting Of February 23, 2023

[23-0110](#)

Attachments: [View Report](#)

3 New Scheduling Items

3.1 Subject: Informational Report From Assemblymember Mia Bonta

From: Council President Bas

Recommendation: Receive An Informational Report From Assemblymember Mia Bonta For State Assembly Legislative Update For The City Of Oakland; On The March 21, 2023 City Council Agenda As A Ceremonial

[23-0175](#)

3.2 Subject: Resolution Supporting AB 1690

From: Office Of The Mayor

Recommendation: Adopt A Resolution Supporting Assembly Bill 1690 (Kalra), The CalCare Act, That Would State The Intent Of The Legislature To Enact Legislation That Would Establish A Comprehensive Universal Single-Payer Health Care Coverage Program And A Health Care Cost Control System For The Benefit Of All Residents Of The State: On The March 21, 2023 City Council Agenda On Consent

[23-0165](#)

3.3 Subject: Masks In City Facilities Extension

From: Councilmember Kaplan

Recommendation: Adopt A Resolution Extending Resolution No. 89542 C.M.S. To July 1, 2023, Which Established 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; On The March 21, 2023 City Council Agenda On Consent

[23-0171](#)

3.4 Subject: Alameda-Contra Costa Transit District Inter-Agency Liaison Committee Appointment

From: Council President Bas

Recommendation: Adopt A Resolution Appointing Councilmember Kevin Jenkins To Replace Councilmember Loren Taylor On The Alameda-Contra Costa Transit District (Ac Transit) Inter-Agency Liaison Committee; On The March 21, 2023 City Council Agenda On Consent

[23-0178](#)

- 3.5** Subject: Oakland International Airport Noise Forum Appointment
From: Council President Bas
Recommendation: Adopt A Resolution Appointing Councilmember Janani Ramachandran To The Oakland International Airport Community Noise Management Forum For A Two Year Term Beginning April 20, 2023; On The March 21, 2023 City Council Agenda On Consent
[23-0173](#)
- 3.6** Subject: OPD Controlled Equipment Policies K-6, K-7, And I-26
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 General Order K-7 (Military Equipment Funding, Acquisition, And Use Policy); (2) Departmental General Order K 6 (Department Rifles); And (3) And Departmental General Order I-26 (Regarding Robots And Remote Controlled Ground Systems); On The March 21, 2023 City Council Agenda On Consent
[23-0182](#)
- 3.7** Subject: Resolution In Support Of AB 930
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of Ab 930, The Reinvestment In Infrastructure For A Sustainable And Equitable California (RISE) Act Of 2023, Which Permits Two Or More Local Governments To Jointly Form A Rise District To Unlock Tax Increment Financing For Infrastructure And Equitable Development; On The March 21, 2023 City Council Agenda On Consent
[23-0183](#)
- 3.8** Subject: OPD Controlled Equipment Policies: Chemical Agents And Specialty Impact Munitions
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. Training Bulletin V-F.2 (Chemical Agents); And 2. Training Bulletin III-H (Specialty Impact Munitions); On The March 21, 2023 City Council Agenda On Consent
[23-0185](#)

- 3.9** Subject: Honoring The Ukrainian Resistance Of Russia's Invasion
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Reaffirming Oakland's Commitment To The Principles Of Democracy And Self Governance, And Condemning The Continued Russian Invasion Of Ukraine; On The March 21, 2023 City Council Agenda On Consent [23-0180](#)
- 3.10** Subject: FY 2023-2025 Council And Councilmember Budget Priorities
From: Council President Bas
Recommendation: Receive An Information Report And Recommendation On FY 2023-2025 Council And Councilmember Budget Priorities; On The March 21, 2023 City Council Agenda On Non-Consent [23-0181](#)
- 3.11** Subject: Governor's Office Of Business And Economic Development And Local Jurisdiction Assistance Grants For Cannabis Program
From: Economic & Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Authorizing The City Administrator To: (1) Apply For And Accept One Million Nine Hundred And Ninety-Six Thousand Four Hundred And Eighty-Seven Dollars And Fifty Cents (\$1,996,487.50) In State Of California, Governor's Office Of Business And Economic Development (Go-Biz) Equity Act Grant Funds;
 - (2) Appropriate The Go-Biz Grant Funds By: (A) Providing Grants And/Or No-Interest Loans In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant Or Loan For Cannabis Equity Applicants And Licensees, To Be Determined And Without Return To Council, For Businesses' Start-Up And Ongoing Costs In A Cumulative Amount Not To Exceed One-Million Seven Hundred And Ninety-Six Thousand Eight Hundred And Thirty-Eight Dollars And Seventy-Five Cents (\$1,796,838.75); And (B) Funding Administration Of The Cannabis Equity Program In An Amount Not To Exceed One Hundred And Ninety-Nine Thousand, Six Hundred And Forty-Eight Dollars And Seventy-Five Cents (\$199,648.75); And
 - (3) Increase The Amount Of The Existing Three-Year Professional Services Agreement With 4front Partners To Administer Cannabis Equity Grant And Loan Programs By Seventy-Eight Thousand Nine Hundred And Seventy-Nine Dollars And Seventy-Five Cents (\$78,979.75); And
 - (4) Waive The Request For Proposals/Qualifications Process For The Amended Professional Services Agreement With 4front Partners; And [23-0169](#)

2) A Resolution Amending Resolution No. 89064 C.M.S., Which Among Other Things Authorized The City Administrator To Award Grants For Business Security Purposes To Provisionally Licensed Cannabis Applicants In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant, By Authorizing The City Administrator To:

(1) Reallocate Any Available Local Jurisdiction Assistance Grant Program Funds In The Form Of Grants For The Purpose Of Bringing The Business Facilities Of Provisionally Licensed Cannabis Applicants Into Compliance With Building, Fire, And Health Code Requirements;

(2) Award Said Grants In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant To Provisionally Licensed Cannabis Applicants To Be Determined And Without Return To Council In A Cumulative Amount Not To Exceed Four Million Five-Hundred Thousand Dollars (\$4,500,000); On The March 28, 2023 Community And Economic Development Committee Agenda

[23-0170](#)

3.12 Subject: OPD MOU With ATF For National Integrated Ballistic Info Network Enforcement Support System Software Use

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee, On Behalf Of The City Of Oakland Through The Oakland Police Department (OPD) To Enter Into A Memorandum Of Understanding (MOU) With The Bureau Of Alcohol, Tobacco, Firearms And Explosives (ATF) For Enhanced Data Access To The National Integrated Ballistic Information Network (NIBIN) Through Use Of NIBIN Enforcement Support System (NESS) Software; On The March 28, 2023 Public Safety Committee Agenda

[23-0040](#)

Sponsors: Oakland Police Department

3.13 Subject: MACRO Program Informational Report

From: Oakland Fire Department

Recommendation: Receive An Informational Report On The Progress Of The City Of Oakland's Mobile Assistance Community Responders Of Oakland ("MACRO") Pilot Program; On The March 28, 2023 Public Safety Committee Agenda

[23-0172](#)

3.14 Subject: Annual Comprehensive Financial Report and Management Letter

From: Finance Department

Recommendation: Receive The Annual Comprehensive Financial Report (ACFR) And The Auditor's Required Communication To City Council (Management Letter) For The Year Ended June 30, 2022; On The April 11, 2023 Finance And Management Committee Agenda

[23-0164](#)

- 3.15** Subject: City Administrator Contract Authority Report, FY 2021-22
From: Finance Department
Recommendation: Receive The Informational Report On All Purchases And Contracts Authorized By The City Administrator Or Designee, Within The City Administrator's Contract Authority During Fiscal Year 2021-22, In Accordance With The Oakland Municipal Code Section 2.04.020; On The April 11, 2023 Finance And Management Committee Agenda
[23-0167](#)
- 3.16** Subject: Acceptance Of Portable Air Filters Valued At \$265,539 From The Bay Area Air Quality Management District (BAAQMD)
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City To Accept Portable Air Filters Valued At \$265,539 From The Bay Area Air Quality Management District (BAAQMD) To Provide Respite From Wildfire Smoke; On The April 11, 2023 Public Works And Transportation Committee Agenda
[23-0163](#)
- 3.17** Subject: 2023 City Of Oakland Emergency Operations Plan
Form: Oakland Fire Department
Recommendation: Adopt A Resolution To Adopt The 2023 City Of Oakland Emergency Operations Plan; On The April 11, 2023, Public Safety Committee Agenda
[23-0168](#)
- 3.18** Subject: Resolution Honoring James Vann
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Honoring James Vann For More Than 35 Years Of Advocacy On Behalf Of Oakland Tenants; Recognizing The Profound Impact James Vann Has Had On The Lives Of Oakland Tenants; And Recognizing James Vann As A Champion For The People Of Oakland; On The April 18, 2023 City Council Agenda As A Ceremonial
[23-0184](#)
- 3.19** Subject: Informational Report - Custom Goods Air Quality Plan
From: Planning And Building Department
Recommendation: Receive An Informational Report On The Operational Air Quality Plan From Tenant Custom Goods Currently Operating At The Former Oakland Army Base; On The April 25, 2023 Community And Economic Development Committee Agenda
[23-0162](#)

3.20 Subject: Barcelona Parcel Exclusive Negotiation Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into An Exclusive Negotiation Agreement With Eagle Environmental Construction & Development Or Its Affiliate, For A Term Of Twenty-Four Months, With One Six-Month Administrative Extension, For The Potential Sale or Lease Disposition And Development Of the Property Located On Barcelona Street Adjacent To The Oak Knoll Project In The Oakland Hills East of I-580 Near the Oakland Zoo; And Adopting California Environmental Quality Act Findings; On The April 25, 2023 Community And Economic Development Agenda
[23-0166](#)

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[23-0111](#)

- Attachments:**
- [March 14, 2023 Finance And Management Committee Agenda](#)
 - [March 14, 2023 Public Works And Transportation Committee Agenda](#)
 - [March 14, 2023 Community And Economic Development Committee Agenda](#)
 - [March 14, 2023 Life Enrichment Committee Agenda](#)
 - [March 14, 2023 Public Safety Committee Agenda](#)
 - [CANCELLED March 16, 2023 Rules And Legislation Committee Meeting](#)
 - [Finance And Management Pending List](#)
 - [Public Works And Transportation Pending List](#)
 - [Community And Economic Development Pending List](#)
 - [Life Enrichment Pending List](#)
 - [Education Partnership Committee Pending List](#)
 - [Public Safety Pending List](#)
 - [Rules And Legislation Pending List](#)
 - [Draft March 21, 2023 City Council Agenda](#)
 - [Draft March 23, 2023 Rules And Legislation Committee Agenda](#)

5 Determinations Of Closed Session

6 Subject: Appointments To The Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Deseana Williams As A Tenant Representative, Charles Oshinuga As An Undesignated Representative, Demitri Taylor As A Landlord Representative, And Marcos Escobar As An Alternate Undesignated Representative To The Housing, Residential Rent And Relocation Board

[23-0132](#)

Attachments: [View Report](#)
[View Application And Resume](#)
[View Legislation](#)

OPEN FORUM / PUBLIC COMMENTS

Adjournment

Americans With Disabilities Act

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Oakland's Mask Mandate For Everyone Ages 6 And Older Inside City Facilities: The City Will Continue To Make Masks Available To Patrons Of Our Buildings That May Not Arrive With One.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

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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**