

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, May 18, 2023

10:30 AM

City Council Chamber, 3rd Floor

***Rules & Legislation Committee**

*Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612*

City of Oakland Website: <http://www.oaklandca.gov>

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 WILL BE TAKEN ON EACH ACTION ITEM . ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK MUST FILL OUT A SPEAKER CARD FOR EACH ITEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:

- **THE E-COMMENT FUNCTION IS CURRENTLY UNAVAILABLE. Please Email Written Comments To Cityclerk@Oaklandca.Gov. Written Comments Must Be Submitted At Least 24 Hours Prior To The Meeting Time To Be Delivered To Committee Members.**
- **To Comment In Person, Members Of The Public Must Submit A Separate Speaker Card For Each Item On The Agenda To The City Clerk Before The Item Is Called.**
- **To Comment Via Zoom, Members Of The Public Must Submit An Electronic Speakers Card By Emailing Cityclerk@Oaklandca.Gov. The Email Should Include The Name And Date Of The Meeting, The Agenda Number, & Zoom Profile Name (Which**

At The Speakers Discretion May Be Their Legal Name Or Other Information To Identify Them) Or Phone Number.

• Once You Have Submitted Your Electronic Speaker Card - To Comment Via Zoom , Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Being Taken On A Eligible Agenda Item At The Presiding Officers Discretion. 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, Upon Submitting An Electronic Speakers Card, 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 NO DRAFT MINUTES FOR APPROVAL

3 New Scheduling Items

- 3.1** Subject: Resolution In Support Of California Senate Bill 673 (Bradford)
From: Councilmember Reid
Recommendation: Adopt A Resolution In Support Of California Senate Bill 673 (Bradford) Which Would Establish An “Ebony Alert” To Help Locate Missing Black Youth And Black Women; On The May 30, 2023 Special City Council Agenda On Consent
[23-0425](#)
- 3.2** Subject: Just Cause Amendment Requiring Actual Injury For Breach Of Lease Evictions
From: Councilmember Jenkins And Council President Fortunato Bas
Recommendation: Adopt An Ordinance Amending The Just Cause For Eviction Ordinance (Oakland Municipal Code 8.22.360) To Require Landlords To Demonstrate Substantial Actual Injury Before Evicting Tenants For Breach Of Lease; On The June 6, 2023 City Council Agenda On Non-Consent
[23-0436](#)
- 3.3** Subject: Resolution In Support Of California State Senate Bill 50 (Bradford)
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution In Support Of California State Senate Bill 50 (Bradford) That Would Limit Racial Profiling By Prohibiting A Peace Officer From Initiating A Motor Vehicle Or Bicycle Stop For A Low-Level Infraction, Unless There Is A Separate, Independent Safety-Related Basis To Initiate The Stop; On The June 6, 2023 City Council Agenda On Consent
[23-0430](#)
- 3.4** Subject: Oakland Drinks Water Month
From: Councilmember Reid
Recommendation: Adopt A Resolution Declaring The Month Of June As “Oakland Drinks Water” Month; On The June 6, 2023 City Council Agenda On Consent
[23-0426](#)

- 3.5** Subject: PEG Funding Apportionment 2023-2023
From: Office Of The City Clerk / KTOP
Recommendation: Adopt A Resolution: (1) Appropriating Approximately \$2.4 Million (A 5-Year Estimated Total) In Public Education Government (PEG) Fee Funds For FY 2023-2024 Through The End Of FY 2027-2028 For The Capital Expenses Of Public, Education And Government (PEG) Cable Television Channels Operating In The City Of Oakland; And (2) Authorizing Apportionment Of Equal Shares Of The PEG Funds To (KTOP), The Oakland Unified School District (KDOL), And The Peralta Community College District (PeraltaTV) For Their PEG Channel Cable And Video Television Facilities, Subject To Equal Reapportionment In Fiscal Years When There Are More Or Fewer PEG Channels Operating In Oakland; And (3) Authorizing The City Administrator To Execute Or Amend Memoranda Of Understanding To Effectuate The Distribution Of Said Funds; On The June 13, 2023 Finance And Management Committee Agenda [23-0433](#)
- 3.6** Subject: FY 2023-24 Appropriations Limit
From: Finance Department
Recommendation: Adopt A Resolution Establishing An Appropriations Limit For Fiscal Year 2023-24 Pursuant To Article XIII B Of The California Constitution; On The June 13, 2023 Finance And Management Committee Agenda [23-0434](#)
- 3.7** Subject: Salary Ordinance Amendment for City Attorney and City Auditor
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary For City Attorney And City Auditor; On The June 13, 2023, Finance And Management Committee Agenda [23-0428](#)

- 3.8** Subject: Master Site License Agreement With East Bay Community Energy For The Installation Of Electric Vehicle Fast Charging Infrastructure At Multiple Municipal Parking Facilities
From: Transportation Department
Recommendation: Adopt An Ordinance Authorizing The Following Actions: (1) Authorizing The City Administrator To Negotiate And Execute With East Bay Community Energy (EBCE), A Not-For-Profit Joint Powers Authority (JPA), A Master Site License Agreement To Install And Operate Electric Vehicle Fast Charging Infrastructure For A Commercial Operation Term Of Fifteen (15) Years Each Not To Exceed July 30, 2040, At A Rate Of Zero Dollars (\$0.00) Per Year And Subject To Potential Early Termination Damages For The Following Municipal Facilities: A. Piedmont Lot Located At 4050 Howe Street; B. Diamond Lot Located At 3400 Dimond Avenue; And C. Grand Avenue Lot Located At 3270 Grand Avenue; (2) Authorizing The City Administrator To Negotiate And Execute With EBCE A Site License Agreement For The City Center West Garage Located At 1250 Martin Luther King Junior Way Pursuant To Resolution No. 88855 C.M.S.; (3) Making Findings That The Licenses For A Below Fair Market Value Are In The Best Interest Of The City; (4) Declaring Such Municipal Facilities As Exempt Surplus Land Under The State Surplus Land Act; (5) Waiving Requirements Of The City's Local Employment Program And Apprenticeship Program; And (6) Making Appropriate California Environmental Quality Act Findings; On The June 13, 2023 Public Works And Transportation Committee Agenda
[23-0429](#)
- 3.9** Subject: Disparities In Contracting Study Update
From: Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator On The Status Of The Disparities In Contracting Study Being Conducted By Mason Tillman Associates (MTA) Pursuant To Resolution 89058 C.M.S, Including MTA's Findings To Date Regarding Disparities In The City's Professional Services, Procurement, And Construction Contracting Activities And A Timeline On When The Final Report Would Be Presented To The City Council; On The June 13, 2023 Life Enrichment Committee Agenda
[23-0432](#)
- 3.10** Subject: OPD NSA Informational Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report From OPD On OPD's Progress Toward Compliance With The Negotiated Settlement Agreement (NSA) In The Case Of Delphine Allen, Et Al., V. City Of Oakland, Et Al.; On The June 13, 2023 Public Safety Committee Agenda
[23-0422](#)

- 3.11** Subject: DVP Data Management System Contract Amendment
From: Department Of Violence Prevention
Recommendation: Adopt A Resolution To: Amend City Council Resolution No. 89380 To Increase The Amount Of A Contract With Bonterra, Inc. For The Term Of August 1, 2022, To June 30, 2027, To Fund Fifty Additional User Accounts For The Department Of Violence Prevention's Data Management System, For An Additional Contract Amount Not To Exceed Ninety-One Thousand Five Hundred Forty-One Dollars (\$91,541) And A Total Contract Amount Not To Exceed Six Hundred Twenty-Four Thousand Five Hundred Ninety-Seven Dollars (\$624,597); On The June 13, 2023 Public Safety Committee Agenda
[23-0424](#)
- 3.12** Subject: FY 2021-22 Annual Report On Grants, Gifts, And Donations Up To \$50,000
From: Finance Department
Recommendation: Receive An Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts, And Donations Of \$50,000 Or Less For The Period Of July 1, 2021 Through June 30, 2022; On The June 27, 2023 Finance And Management Committee Agenda
[23-0421](#)
- 3.13** Subject: Cash Management Report For Quarter Ended December 31, 2022
Form: Finance Department
Recommendation: Receive The Informational Cash Management Report For The Quarter Ended December 31, 2022; On The June 27, 2023 Finance And Management Committee Agenda
[23-0427](#)
- 3.14** Subject: Progress To Date On Implementing The 2030 Equitable Climate Action Plan.
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Regarding Progress To Date On Implementing The 2030 Equitable Climate Action Plan; On The June 27, 2023 Community And Economic Development Committee Agenda
[23-0423](#)
- 3.15** Subject: Celebrating Oakland Pride 2023
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Celebrating The Lesbian, Gay, Bisexual, Transgender, And Queer+ (LGBTQ+) Community, Recognizing Oakland Pride/Pridefest 2023 Hosted On September 9-10, 2023, And Honoring The Diverse Leadership Of The LGBTQ+ Community In Oakland; On The September 19, 2023 City Council Agenda As A Ceremonial
[23-0431](#)

4 Review Of Draft Agendas And Review Of Pending Lists For Council Committee Meetings

[23-0365](#)

Attachments:

[May 23, 2023 Finance And Management Committee Agenda](#)

[May 23, 2023 Public Works And Transportation Committee Agenda](#)

[May 23, 2023 Community And Economic Development Committee Agenda](#)

[May 23, 2023 Life Enrichment Committee Agenda](#)

[May 23, 2023 Public Safety Committee Agenda](#)

[May 25, 2023 Rules And Legislation Committee Agenda](#)

[Finance And Management Committee Pending List](#)

[Public Works And Transportation Committee Pending List](#)

[Community And Economic Development Committee Pending List](#)

[Education Partnership Committee Pending List](#)

[Life Enrichment Committee Pending List](#)

[Public Safety Committee Pending List](#)

[Rules And Legislation Committee Pending List](#)

[Draft May 30, 2023 Special Concurrent Meeting Of The ORSA And City Council](#)

[Draft June 1, 2023, Rules And Legislation Committee Agenda](#)

5 Determinations Of Closed Session

Open Forum

Adjournment

Americans With Disabilities Act

If you need special assistance, including translation services to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Relay Service:711

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.**