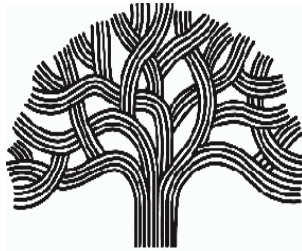


City of Oakland

*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, December 9, 2021

10:30 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

***Rules & Legislation Committee**

Pursuant to the Governor's Executive Order N-29-20, all members of the City Council as well as the City Administrator, City Attorney and City Clerk will join the meeting via phone/video conference and no teleconference locations are required

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/87529531780> 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: 875 2953 1780

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 five (5) minutes 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:

COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

- 2 Approval Of The Draft Minutes From The Committee Meeting Of November 18, 2021

[21-0844](#)

Attachments: [View Report](#)

3 New Scheduling Items

- 3.1 Subject: FY2020-21 Q4 And FY2021-22 Q1 Revenue And Expenditure Report (R&E)
From: Finance Department
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2020-21 Fourth Quarter And FY 2021-22 First Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds; On The December 13, 2021 Special Finance And Management Committee Agenda
[21-0916](#)

3.2 Subject: HHAP 2 And HHAP 2 Funding And Homekey Program
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating Round 2 Homeless Housing, Assistance, And Prevention Program ("HHAP 2") Grant Funds In An Amount Not To Exceed Nine Million, Three Hundred Eleven Thousand, Five Hundred Sixty-Eight Dollars (\$9,311,568) Awarded To The City Of Oakland For The Provision Of Emergency Homeless Interventions; And

(2) Authorizing The City Administrator (Or Designee) To Take All Steps Necessary To Apply For And Receive Round 3 Homeless Housing, Assistance, And Prevention Program ("HHAP 3") Grant Funds Allocated To The City Of Oakland; And

(3) Accepting And Appropriating HHAP 3 Grant Funds In The Amount Of Twenty-Four Million, Sixty-Six Thousand, Eight Hundred Twenty-Two Dollars And Fifty-Two Cents Allocated To The City Of Oakland For The Provision Of Emergency Homeless Interventions; And

(4) Allocating Up To Ten Million Dollars (\$10,000,000) Of HHAP Grant Funds To Provide Long-Term Operating Funds For Homekey Program Extremely Low Income Permanent Housing Sites; On The December 13, 2021 Special Life Enrichment Committee Agenda [21-0919](#)

3.3 Subject: Youth Guaranteed Income Pilot
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Authorizing The Use Of Up To One Million, Six Hundred Eighty-Nine Thousand, Nine Hundred Twenty-Five Dollars (\$1,689,925) Of Homeless Housing And Assistance Program Grant Funds Awarded To Oakland By The State Of California For The Oakland's Homeless Youth Guaranteed Income Pilot Program; And

(2) Awarding A Professional Service Agreement In An Amount Not To Exceed Four Hundred Ten Thousand, Six Hundred Sixty-Five Dollars (\$410,665) To Young Women's Freedom Center For The Provision Of Homeless Youth Guaranteed Income Planning, Recruitment, And Supportive Services From January 1, 2022 Through June 30, 2024; And

(3) Waiving The Competitive Bidding Process And Awarding A Professional Service Agreement In An Amount Not To Exceed One Million, Two Hundred Seventy-Nine Thousand, Two Hundred Sixty Dollars (\$1,279,260) FII-National, Doing Business As, Uptgether, To Administer The Direct Cash Assistance To Be Provided To Homeless Youth Participating In The Guaranteed Income Program From January 1, 2022 Through June 30, 2024; And

(4) Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With The University Of Chicago, Chapin Hall Policy Research Center To Include Oakland's Homeless Youth Guaranteed Income Pilot Program In A National Research Study Through June 30, 2024; And

(5) Accepting A Gift Of In-Kind Services From Point Source Youth To Support Oakland's Homeless Youth Guaranteed Income Pilot Program Valued At Three Hundred Seventy-Five Thousand Dollars (\$375,000) And Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With Point Source Youth For The Provision Of Said In-Kind Services Through June 30, 2024; On The December 13, 2021 Special Life Enrichment Committee Agenda

[21-0934](#)

3.4 Subject: 2022 5-Year Paving Plan
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Establishing A Five Year Prioritization Plan For The City Of Oakland's Complete Streets Paving Program (2022-2027) And Adopting California Environmental Quality Act ("CEQA") Exemption Findings; And

[21-0903](#)

2) A Resolution Authorizing The City Administrator To Award All Paving and Concrete Construction Contracts That Follow All City Advertising and Competitive Bidding Requirements And Are Awarded In Direct Service Of Delivering The 2022 Five Year Prioritization Plan In A Amount Not to Exceed Seventy-Five Millions Dollars, Without Return To City Council; On The December 14, 2021 Special Public Works Committee Agenda
[21-0904](#)

3.5 Subject: Illegal Dumping Surveillance Camera Program
From: Oakland Public Works
Recommendation: Receive An Informational Report On The Status Of The Use Of Cameras To Monitor Illegal Dumping Hot Spots Throughout The City Of Oakland; On The December 14, 2021 Special Public Works Agenda
[21-0929](#)

3.6 Subject: Ghost Gun Ordinance
From: Councilmembers Kalb, Gallo And Vice Mayor Kaplan
Recommendation: Adopt An Ordinance Amending Chapter 9.36 "Weapons" To Require Privately Made Firearms, Commonly Referred To As "Ghost Guns," To Comply With State Law, Prohibit Nonexempt Persons From Possessing, Selling, Offering For Sale, Transferring, Purchasing, Transporting, Receiving Or Manufacuturing An Unfinished Firearm Frame Or Receiver That Has Not Been Imprinted With A Serial Number And Prohibiting Nonexempt Persons From Possessing, Manufacturing Or Assembling A Privately Made Firearm That Has Not Been Imprinted With A Serial Number; On The December 14, 2021 Special Public Safety Committee
[21-0922](#)

3.7 Subject: Assistance For Businesses Impacted By Armed Robberies
From: Vice Mayor Kaplan, Councilmember Fife, Gallo, And Pro Tem Thao
Recommendation: Adopt A Resolution To Direct The City Administrator To Assist Impacted Businesses Who Have Been Harmed By Armed Robberies By (1) Researching Whether City-Issued Loans To Impacted Businesses Can Be Deferred Or Waived And Returning To Council For Authorizations As Needed, (2) Researching Options For Tax Rebates For Impacted Businesses And Reporting Back To Council On Options, (3) Researching Whether The City Can Provide Funding Through The City's Façade Improvement/Tenant Improvement Programs To Help Businesses Rebuild And Install Security Doors/Gates And Related Infrastructure And Returning To Council For Authorizations As Needed, And (4) Researching Whether Funds Granted To The City Of Oakland From The State Of California To Support Cannabis Businesses And East Oakland Businesses Can Be Used To Help Impacted Businesses With Recovery And Returning To Council For Authorizations As Needed; On The December 14, 2021 Special Public Safety Committee Meeting
[21-0917](#)

- 3.8** Subject: County Support For Gun Violence Reduction
From: Councilmember Taylor
Recommendation: Adopt A Resolution Calling For The County Of Alameda To Support Oakland's Gun Violence Reduction Efforts By: 1) Strengthening Workforce Development Programs Focused On Justice-Involved Oakland Residents, 2) Substantially Increasing Investments Into Reentry Support Services for Oakland's Returning Citizens, 3) Conducting An Equity Analysis On Case Charging And Case Closure Data By City, For Cases Presented To The District Attorney, And Develop A Plan For Addressing Any Inequity That May Lead To Adverse Public Safety Outcomes, And 4) Collaborating With The City Of Oakland's Department Of Violence Prevention To Strengthen Violence Interruption In Jails To Complement Violence Interruption Efforts In The Community; On The December 21, 2021 City Council Agenda On Non-Consent
[21-0921](#)
- 3.9** Subject: Honoring Oakland's Homicide Victims
From: Councilmember Taylor
Recommendation: Adopt A Resolution In Remembrance And Honoring The Lives Lost Due To Homicide In The City Of Oakland In 2021 And Calling For Community Healing And Cooperation To Collectively Address The Root Causes Of Violence And Crime; On The December 21, 2021 City Council Agenda On Non Consent
[21-0935](#)
- 3.10** Subject: Ordinance Amending Ordinance No. 13654 C.M.S. (Which Adopted The Fiscal Year 2021-22 Master Fee Schedule)
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 13654 C.M.S. (Which Adopted The Fiscal Year 2021-22 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland Referenced Herein; On The December 21, 2021 City Council Agenda As A Public Hearing
[21-0900](#)
- 3.11** Subject: IAFF MOU Amendment With Aircraft Rescue Fire Fighters Services
From: Human Resources Management Department
Recommendation: Adopt A Resolution Approving An Amendment To The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters, Local 55 (IAFF MOU), Increasing The Fire Protection And Aircraft Rescue Firefighting Services (ARFF) Specialty Pay By An Additional 4% Retroactively Effective As Of The First Full Pay Period In July 2021 And Conditioned Upon The Agreement By The Port Of Oakland To Provide Full Reimbursement To The City For ARFF Pay; On The December 21, 2021 City Council Agenda On Consent
[21-0902](#)

3.12 Subject: Acceptance Of SAMHSA ReCAST Grant
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating A Grant Awarded By The United States Substance Abuse And Mental Health Services Administration (SAMHSA) In The Amount Of Five Million Dollars (\$5,000,000) To Be Disbursed In Equal Payments Of One Million Dollars (\$1,000,000) Annually For Five Years For The Resiliency In Communities After Stress And Trauma (ReCAST) Program From September 29, 2021 Through September 30, 2026;
And

(2) Approving 1.00 Full Time Equivalent Project Manager I And .50 Full Time Equivalent Administrative Assistant II Positions In The Human Services Department From September 29, 2021 to September 30, 2026 For Required Program Implementation; And

(3) Awarding Grant Agreements To Various Non-Profit And Public Agencies To Provide Trauma Informed Behavioral Health Services To High-Risk Youth And Their Families Impacted By Violence And Systemic Racism From October 1, 2021 Through September 30, 2022; And

(4) Waiving Request For Proposal/Qualifications Requirements And Awarding Professional Service Agreements To Resource Development Associates In An Amount Not To Exceed Fifty Thousand Dollars (\$50,000) And Bright Research Group In An Amount Not To Exceed One Hundred, Twenty-Five Thousand Dollars (\$125,000) For One-Year Terms From September 29, 2021 Through September 30, 2022 To Provide Services Necessary To Fulfill The Requirements Of The ReCAST Grant; On The December 21, 2021 City Council Agenda On Consent

[21-0927](#)

3.13 Subject: AC-OCAP 2022 CSBG State Contract Resolution
From: Human Services Department
Recommendation: Adopt A Resolution:

(1) Accepting Anti-Poverty Community Services Block Grant (CSBG) In The Amount Of One Million Three Hundred Ninety-One Thousand Five Hundred Sixty-Nine Dollars (\$1,391,569) Awarded By The California Department Of Community Services And Development For The 2022 Program Year; And

(2) Amending Resolution No. 88717 C.M.S., Which Adopted The Fiscal Year 2022-23 Policy Budget, To Decrease The Appropriation By Four Thousand Five Hundred Eighty-Nine Dollars (\$4,589) In CSBG Grant Funds As Awarded By The California Department Of Community Services And Development For The 2022 Program Year; And

(3) Authorizing The City Administrator To Accept And Appropriate Any Additional CSBG Funds Awarded By The California Department Of Community Services And Development For The 2022 Program Year, Without Returning To Council; And

(4) Authorizing The City Administrator To Amend Existing Agreements To Increase The Amount And Extend The Term As Permitted By The California Department Of Community Services And Development, Without Returning To Council; On The December 21, 2021 City Council Agenda On Consent

[21-0924](#)

3.14 Subject: Bay View Industrial Services Contract Extension and Expansion
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Extend An Existing Agreement With Bay View Industrial Services (Also Known As Bay View Environmental Services) To Provide Emergency And Non-Emergency Responses To Hazardous Materials Collected At The City's Approved Transfer And Storage Station And Waste Abandoned In The City's Public Right Of Way Through February 2024; (2) Expand The City's Current Agreement And Scope Of Work To Include The On Scene Mitigation And Or Removal Of Physical Hazards, Biohazard, And Contaminants Which May Risk The Safety Of The General Public; And (3) Increase The Total Amount Of The Agreement To An Amount Not To Exceed Five Hundred Fifteen Thousand Dollars (\$515,000) With The Option To Extend For An Additional Year And Increase The Contract Amount For Additional Services, Without Returning To Council, Based On Availability Of Project Funds; On The December 21, 2021 City Council Agenda On Consent

[21-0925](#)

- 3.15** Subject: Professional Services Agreements For On-Call Landscape Architects
From: Oakland Public Works Department
Recommendation: Adopt A Resolution To Award And Execute A Series Of Professional Services Agreements For On-Call Landscape Architectural Services For A Period Of Four (4) Years With The Following Firms: (1) Bay Tree; (2) Bottomley Associates; (3) Community Design And Architecture; (4) Dillingham Associates; (5) Jett.; (6) Keller Mitchell; (7) Kimley Horn; (8) Mantle; (9) Merrill Morris Partners; (10) Meyer Studio Land Architects; (11) NCE; (12) PGA Design; (13) RHAA Landscape Architects; (14) Terrain Studio; (15) UDLA And (16) WRT, Each For An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00); On The December 21, 2021 City Council Agenda On Consent
[21-0899](#)
- 3.16** Subject: Skyline Boulevard Evacuation Corridor Fire Prevention Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate (1) Six Hundred Thousand Dollars (\$600,000) From The California Department Of Forestry And Fire Protection (CAL FIRE) Fuel Reduction Program, And (2) Two Hundred Twenty Four Thousand (\$224,000) From The CAL FIRE Fire Prevention Grants Program, For A Total Of Eight Hundred And Twenty-Four Thousand Dollars (\$824,000) For The Completion Of The Skyline Boulevard Evacuation Corridor Project Involving The Removal Of Dead And Hazardous Trees Along Skyline Boulevard, And The Planting Of One Hundred Fifty (150) Trees As Shaded Fuel Breaks; On The December 21, 2021 City Council Agenda On Consent
[21-0901](#)
- 3.17** Subject: Hamilton Apartments Loan Extension
From: Housing And Community Development Development
Recommendation: Adopt A Resolution Amending Two Affordable Housing Loans Authorized By Redevelopment Agency Resolution Nos. 91-38 C.M.S., 95-09 C.M.S., And 97-73 C.M.S. To 2101 Telegraph Avenue Associates, An Affiliate Of Mercy Housing, Inc., For The Hamilton Apartments Project At 2101 Telegraph Avenue To (1) Extend The Term Of The Loans And Regulatory Agreement By Fifty-Five Years; (2) Reduce The Interest Rate Of The Loans From Six Percent To Three Percent Simple Interest; And (3) Update The Repayment Terms And Other Provisions To Be Consistent With Current City Policies; On The December 21, 2021 City Council Agenda On Consent
[21-0926](#)

3.18 Subject: First Substantial Amendment To The 2021-2022 Annual Action Plan
From: Housing And Community Development Department
Recommendation: Adopt A Resolution:

(1) Accepting And Appropriating HOME Investment Partnership (HOME) Grant Funds In The Amount Of Eleven Million Three Hundred Twenty-Five Thousand Nine Hundred Forty-One Dollars (\$11,325,941) Awarded To The City Of Oakland By The U.S. Department Of Housing & Urban Development Under The American Rescue Plan (ARP) Act To Provide Housing, Rental Assistance, Shelter And Other Support Services To Persons Who Are Homeless Or At Risk Of Homelessness, And Other Vulnerable Populations; And

(2) Authorizing The City Administrator To Prepare And Submit To The United States Department Of Housing & Urban Development A HOME-ARP Allocation Plan As Part Of The City's First Substantial Amendment To Its Fiscal Year (FY) 2021-22 Consolidated Annual Action Plan; And

(3) Authorizing The City Administrator To Award HOME Program Agreements For Eligible Activities As Set Forth In Exhibit A, Attached Hereto, And The City's HOME-ARP Allocation Plan Submitted As Part Of Its Amended FY 2021-22 Consolidated Annual Action Plan Subject To Compliance With Any Applicable Competitive Bidding Requirements, Without Returning To Council: On The December 21, 2021 City Council Agenda As Public Hearing
[21-0930](#)

3.19 Subject: 1707 Wood Street Exclusive Negotiation Agreement Extension
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Amending Resolution No. 87795 C.M.S. To Authorize An Amendment To The Exclusive Negotiation Agreement (ENA) With Midpen Housing Corporation And Habitat For Humanity East Bay / Silicon Valley, Inc., For The Development Of Affordable Housing At The City-Owned Real Property Located At 1707 Wood Street, To Extend The Term By Eighteen Months, With Two Administrative Options To Extend The Term An Additional Six Months And Up To Eighteen Months; On The December 21, 2021 City Council Agenda On Consent
[21-0906](#)

3.20 Subject: Amend Professional Services Agreements With City Data Services
 From: Housing And Community Development Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Terms Of Five Professional Services Agreements With Increases To The Amounts Of Three Professional Services Agreements To The Following Consultants Who Will Provide Critically Needed Services To The Housing And Community Development Department And Waive The Request For Proposals/Qualifications Process: (1) City Data Services, Extending The Term From December 15, 2021 To December 31, 2024 With An Option To Renew For Two Additional One-Year Terms And Expanding The Scope Of Work And Increasing The Amount Of The Agreement From \$43,100 To An Amount Not To Exceed \$177,180; And (2) Katharine Gale, Extending The Term From December 31, 2021 To June 30, 2022 And Increasing The Amount Of The Agreement From \$41,040 To An Amount Not To Exceed \$50,000; And (3) Amy Hiestand Consultant, LLC Extending The Term From December 31, 2021 To December 31, 2022 And Increasing The Amount Of The Agreement From \$99,999 To An Amount Not To Exceed \$150,000; And (4) Kenneth Jones, Extending The Term From December 31, 2021 To December 31, 2022; And (5) Urban Homesteading Assistance Board, Extending The Term From April 5, 2021 To December 31, 2022; On The December 21, 2021 City Council Agenda On Consent [21-0928](#)

3.21 Subject: Appeal Of 1396 5th Street Project
 From: Planning And Building Department
 Recommendation: TITLE CHANGE

Adopt One Of The Following Three Options:

1) A Resolution Denying The Appeal By East Bay Residents For Responsible Development And Thus Upholding The Planning Commission’s Environmental Determination And Approval Of A Proposal To Construct 222 Dwelling Units On The Existing Vacant Lot Located At 1396 5th Street, Oakland CA (Project Case No. PLN 20-101); Or [21-0806](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved as a Public Hearing and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This Public Hearing was withdrawn & rescheduled to the December 21, 2021 City Council Agenda</i>

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Deny The Appeal With Additional Conditions; Or [21-0808](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved as a Public Hearing and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This Public Hearing was withdrawn & rescheduled to the December 21, 2021 City Council Agenda</i>

[OLD TITLE]

3) A Motion To Direct Staff To Prepare A Resolution For Future City Consideration To Uphold The Appeal

[NEW TITLE]

3) A Resolution Upholding The Appeal By East Bay Residents For Responsible Development And Thus Vacating The Planning Commission’s Environmental Determination And Approval Of A Proposal To Construct 222 Dwelling Units On A Vacant Site Located At 1396 5th Street, Oakland CA (Project Case No. PLN20-101), And Remanding To Planning Commission For Consideration Of Revised Environmental Analysis; Previously Schedule To The December 21, 2021 City Council Agenda As A Public Hearing [21-0809](#)

Legislative History

10/28/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Approved as a Public Hearing and the Title Change read into record</i>
11/4/21	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>This Public Hearing was withdrawn & rescheduled to the December 21, 2021 City Council Agenda</i>

- 3.22** Subject: Tribal Agreement For Dr. Kenneth Anderson Senior Housing Project
From: Planning & Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Tribal Cultural Resources Treatment And Monitoring Agreement Pursuant To Senate Bill 35 (2017) With The Confederated Villages Of Lisjan Regarding The Avoidance Of Any Adverse Effects On Tribal Cultural Resources As A Result Of The Dr. Kenneth Anderson Affordable Senior Housing Project Located At 1003 E. 15th Street; On The December 21, 2021 City Council Agenda On Consent
[21-0915](#)
- 3.23** Subject: License Agreement With Woven Multimedia For Nonexclusive Right To Documentary Film "I'm Oakland"
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing A License Agreement With Sabereh Mohammadkashi DBA Woven Multimedia For The Nonexclusive Right To Use The Documentary Short Film "I'm Oakland" Produced For The City As Part Of The Cultural Strategist-In-Government Program; On The December 21, 2021 City Council Agenda On Consent
[21-0914](#)
- 3.24** Subject: Gateway Bank, F.S.B. V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Gateway Bank, F.S.B. V. City Of Oakland And Does 1 - 10, Inclusive, Alameda County Superior Court Case No. RG21098594, City Attorney's File No. 33856, In The Amount Of Three Hundred-Seven Thousand And Three Hundred-Seventy Dollars And Eight Cents (\$307,370.08) (Department Of Public Works - Failed Sewer Main); On The December 21, 2021 City Council Agenda On Consent
[21-0933](#)

Recommendations From Committees:

Recommendations From The Special Public Works Committee:

3.25 Subject: Report On Waste Management’s Contractual Obligations To The City Of Oakland
 From: Councilmember Gallo And President Pro Tempore Thao
 Recommendation: Receive A Report On Waste Management’s Contractual Obligations To The City Of Oakland, Including Information On Thirty (30) Day Pick-Ups, Street Cans, And The Number Of Businesses Operating In Oakland Without A Waste Management Contract
[21-0720](#)

- Attachments:** [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Report Attachment D](#)

Legislative History

9/30/21	*Rules & Legislation Committee <i>The Rules Committee Referred this item to October 7, 2021 Rules And Legislation Committee for scheduling</i>	Scheduled to the *Rules & Legislation Committee
10/7/21	*Rules & Legislation Committee <i>The Rules And Legislation Committee Approved this item be scheduled to the November 29, 2021 Public Works Committee Agenda</i>	Scheduled to the *Special Public Works Committee
	<i>President Pro Tempore Thao requested to be added as a Co-Sponsor</i>	
11/29/21	*Special Public Works Committee	Received and Filed

3.26 Subject: Report On The School Crossing Guards Program
 From: Councilmember Gallo And President Pro Tempore Thao
 Recommendation: Receive A Report On The School Crossing Guards Program, Including Information On Which OUSD Schools Have Guards, And How Many At Each School, As Well As The Number Of Guards Hired To-Date And The Number Needed To Be Hired To Fill Authorized Budgeted Levels
[21-0721](#)

- Attachments:** [View Report](#)

Legislative History

9/30/21	*Rules & Legislation Committee <i>The Rules Committee Referred this item to October 7, 2021 Rules And Legislation Committee for scheduling</i>	Scheduled to the *Rules & Legislation Committee
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10/7/21	*Rules & Legislation Committee <i>The Rules And Legislation Committee Approved this item be scheduled to the November 29, 2021 Public Works Committee Agenda</i>	Scheduled to the *Special Public Works Committee <i>President Pro Tempore Thao requested to be added as a Co-Sponsor</i>
11/29/21	*Special Public Works Committee	Received and Filed

Recommendations From The Special Community & Economic Development Committee:

3.27 Subject: Report On Save And Downtown Streets Team Programs
 From: Councilmember Fife
 Recommendation: Receive An Informational Report From The Human Services Department On Implementation, Performance, And Outcomes Of The Soldiers Against Violence Everywhere (Save) And Downtown Streets Team’s Workforce Development And Employment Training Programs Serving Unhoused Individuals
[21-0584](#)

Attachments: [View Report](#)
[View Supplemental Report 11/18/2021](#)

Legislative History

7/22/21	*Rules & Legislation Committee <i>This Item was Approved for October 26, 2021, Community & Economic Development Committee</i>	Scheduled to the *Community & Economic Development Committee
10/26/21	*Community & Economic Development Committee <i>The committee continued this item to the November 30, 2021 Special Community and Economic Development Committee</i>	Continued to the *Special Community & Economic Development Committee
10/28/21	*Rules & Legislation Committee	Continued to the *Special Community & Economic Development Committee
11/30/21	*Special Community & Economic Development Committee	Received and Filed

3.28 Subject: Density Bonus Ordinance Update
 From: Planning And Building Department
 Recommendation: Adopt An Ordinance, As Recommended By The Planning Commission, Amending The Oakland Planning Code To Update Chapter 17.107 Density Bonus And Incentive Procedure
[21-0739](#)

- Attachments:**
- [View Report](#)
 - [View Legislation And Exhibit A](#)
 - [View Supplemental Presentation 10/29/2021](#)
 - [View Supplemental Report 11/22/2021 - Kalb](#)

Legislative History

10/7/21	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>Approved as a Public Hearing</i>
11/2/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	* Withdrawn and Rescheduled
		<i>Upon the reading of Item 3.4 by the City Clerk, the Public Hearing was opened at 3:46 p.m.</i>
		<i>5 individuals spoke on this item.</i>
		<i>Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to close the Public Hearing, And</i>
		<i>Rescheduled this item to the Special Community And Economic Development Committee for further review and discussion and then forward to the Planning Commission; And</i>
		<i>hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas</i>

11/30/21

*Special Community & Economic Development Committee

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

The Committee forwarded an alternate recommendation to the first Council meeting in January 2022, that includes the following;

DENSITY BONUS Ordinance (proposed amendments) -17.107.045:

• In Section 17.107.045(A), need to specify that 'any other form of rent or price control' explicitly includes California's anti-rent gouging protections under Civil Code § 1947,12 and Oakland's Rent Adjustment Ordinance.

** Same Square Footage for Demolished Units - All replacement units to replacement demolished units must include the same square footage as the demolished units. (This is an amendment to section 17.107.045(C)(4), to ensure that a developer doesn't demolish a large affordable unit and replace it with a smaller one with the same number of bedrooms.)*

** Presume that Demolished Affordable Units Had Low Income Households- The definition of protected units that developers must replace with affordable housing if they demolish them shall include units occupied by a low-income household in the past five years, where if the income of a household is not known, K shall be rebuttably presumed that a very low-income or extremely low income household occupied the unit. (This is an amendment to section 17.107.045(CM1) & (CX2).)*

** Tenants Can Opt for Rent-Controlled Units to Replace Demolished Units - The affordable replacement units must be at 30% AMI as well unless the tenant opts to return to a rent-controlled replacement unit at the same rent as a demolished rent-controlled unit. (This is an amendment to section 17.107.045(C).) In Section 17.107.045(D), need top. create a process for ensuring that tenants displaced due to demolition for the purpose of developing new housing have received relocation assistance under the Uniform Relocation Ordinance.*

**Hold the moderate Oakland income rental projects to the same approval standards as moderate income for sales projects;*

**Oakland should allow low income units to qualify not only an income of 80%AMI but also a rent level of 80%AMI*

3.29 Subject: Amendments To Oakland Planning Code Related To Accessory Dwelling Units
From: Planning & Building Department

Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To: 1) Revise Regulations For Accessory Dwelling Units (ADUs) And Junior Accessory Dwelling Units (JADUs) To Comply With State Law; 2) Amend The S-9 Zoning Overlay Zone That Identifies Areas In The City Where ADUs Are Restricted To One Internal Conversion ADU Or JADU Per Residential Lot; 3) Provide An Exception Mechanism For Allowing Attached And Detached ADUs In The S-9 Zoning Overlay Zone; 4) Provide Additional Wildfire Building Protections In S-9 Zoning Overlay Zone; 5) Make Conforming Changes In Various Sections Of The Oakland Planning Code Related To ADUs; And 6) Make Appropriate California Environmental Quality Act (CEQA) Findings

[21-0829](#)

Attachments:

- [View Report](#)
- [View Attachment A](#)
- [View Attachment B](#)
- [View Attachment C](#)
- [View Attachment D](#)
- [View Attachment E](#)
- [View Attachment F](#)
- [View Legislation](#)
- [View Exhibit A](#)
- [View Exhibit B](#)

Legislative History

11/4/21	*Rules & Legislation Committee <i>This item is scheduled to the Special Community and Economic Development Committee of November 30, 2021, and as a Public Hearing at the December 21, 2021 City Council meeting.</i>	Scheduled to the *Special Community & Economic Development Committee
11/30/21	*Special Community & Economic Development Committee <i>The Committee Approved this Item to be heard as a Public Hearing on December 7th</i>	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

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

[21-0880](#)

Attachments:

[December 13, 2021 Draft Special Life Enrichment Agenda](#)

[December 13, 2021 Draft Special Finance and Management Agenda](#)

[December 14, 2021 Draft Public Works Agenda](#)

[December 14, 2021 Draft Public Safety Agenda](#)

[December 16, 2021 Previously Distributed Rules and Legislation Agenda](#)

[Finance Pending List](#)

[Public Works Pending List](#)

[Community And Economic Development Pending List](#)

[Life Enrichment Committee Pending List](#)

[Education Partnership Committee Pending](#)

[Public Safety Pending](#)

[Rules and Legislation Comte Pending List](#)

[December 21,21,2021 Draft City Council Agenda](#)

[December 23, 2021 Draft Rules And Legislation](#)

5 Determinations Of Closed Session

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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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.**