

City of Oakland

Meeting Minutes - DRAFT

Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

Tuesday, March 15, 2022 11:00 AM Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Special Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency g was convened at 11 AM. Office of the City Clerk Oakland City Hall, 1 Frank H. Ogawa Plaza, Room 201 Oakland, California 94612

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/87017736493 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: 870 1773 6493

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

ROLL CALL / CITY COUNCIL

Excused 2 - Sheng Thao, and Noel Gallo

Present 6 - Loren Taylor, Nikki Fortunato Bas, Treva Reid, Dan Kalb, Carroll Fife, and Rebecca Kaplan

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

22 S

2 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

A motion was made by Taylor, seconded by Kalb, to approve the Consent Agenda. The motion carried by the following vote:

- Excused: 2 Thao, and Gallo
 - Aye: 6 Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

NO VOTE: 0

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 22-0136

Attachments: View Report

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 <u>22-0137</u>

Attachments: View Report

This City Resolution was Adopted.

Subject: Declaration Of A Local Emergency On Homelessness
 From: Vice Mayor 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
 22-0138

Attachments: View Report

This City Resolution was Adopted.

- 2.4 Subject: Teleconference Meetings Of The City Council
 - From: Office Of The City Administrator's

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 22-0139

Attachments: View Report

2.5 Subject: Cannabis Local Jurisdiction Assistance Grant From: Economic Workforce And Development Department Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To:

(1) Apply For And Accept Nine-Million Nine-Hundred And Five Thousand And Twenty Dollars (\$9,905,020) In State Of California Local Jurisdiction Assistance Grant Program Funds; And

(2) Appropriate The Local Jurisdiction Assistance Grant By: (A) Funding Staff In The Economic And Workforce Development, Planning And Building, And Fire Departments In The Amount Of Four Million Seven-Hundred And Ninety-Nine Thousand Seven Hundred And Nine Dollars (\$4,799,709); (B) Funding Permit Technology Systems In The Amount Of Four-Hundred And Thirty Thousand Dollars (\$430,000); (C) Award Grants To Support The Transition To Annual State Licenses For Cannabis Equity Applicants In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) Per Grant To Be Determined And Without Return To City Council In A Cumulative Amount Of One Million Seven Hundred And Twenty-Two Thousand Six-Hundred And Fifty-Five Dollars And Fifty Cents (\$1,722,655.50); (D) 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 To Be Determined And Without Return To City Council In A Cumulative Amount Of One Million Seven Hundred And Twenty-Two Thousand Six-Hundred And Fifty-Five Dollars And Fifty Cents (\$1,722,655.50); And (E) Allocating Funding In The Amount Of One Million Two Hundred And Thirty Thousand Dollars (\$1,230,000) For Consultants To Be Selected Through Competitive Request For Proposal Processes To Administer Grant Programs And Provide Technical And Legal Assistance To Cannabis Equity Applicants; And 22-0094

Attachments: View Report

View Legislation

2) An Ordinance Changing Permitting Requirements For Cannabis Businesses By: (1) Amending Oakland Municipal Code Sections 5.80.050 And 5.81.060 To Allow A Cannabis Business Permit Applicant Who Previously Met The Income And Oakland Residency Criteria To Qualify As An "Equity Applicant" To Receive Equity Assistance Program Services Up To Eight Years From The Date Such Applicant Was Verified As An Equity Applicant, Regardless Of The Applicant's Current Income Or Residency; And (2) Adopting CEQA Exemption Findings 22-0095

Attachments: View Report

View Legislation

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 4/19/2022

Subject: Oakland's Youth Summer Jobs Program
 From: Councilmember Fife, Pro Tem Thao, Vice Mayor Kaplan, And President Bas
 Recommendation: Adopt A Resolution Establishing Objectives To Scale Up And Make
 More Visible The City Of Oakland's Youth Summer Jobs Program By:

1. Seeking State Funding, Leveraging Private Sources, And Prioritizing Additional Allocations During The Mid-Cycle Budget Amendment Process To Support The Participation Of At Least Two Thousand (2000) Young People, And Expand Age Eligibility, To Create More Opportunity And Economic Security For Oakland's Youth And Families;

2. Better Integrating The Administration, Funding, Contracting, And Coordination Of The Program Among All Departments Involved, And Creating A Specific And Easily Accessible Website That Would Allow More Employers And Donors To Participate; And

3. Creating A Robust Outreach Plan To Help Popularize The Program And Reach The Most Under-Resourced And Underserved Communities, Including Outreach To Community-Based Organizations Doing Job Training And Job Matching; And

4. Expanding Opportunities Including Summer Jobs To Clean And Improve Our City, And Funding Blight Removal And Beautification Programs, And Expanding City Of Oakland Positions For Youth To Summer And Year-Round Work <u>22-0098</u>

Attachments: View Report

View Legislation

The item was Amended to include;

Bottom, of Page 3

"Where as, In order to accomplish the goal of the program[^] which seeks to prioritize services for Black, LatinX, Native American and Asian and Pacific Islander youth residing in West Oakland* East Oakland* San Antonio and Fruitvale, the City must ensure there is a robust outreach effort to disseminate information about the program and available positions through social media advertisements* physical mailers and postings* print and broadcast media outlets; and

This City Resolution be Adopted as Amended.

- Excused: 2 Thao, and Gallo
 - Aye: 6 Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

Subject: Honoring Coach Michael Peters
 From: Councilmember Fife
 Recommendation: Adopt A Resolution In Honor Of Michael Peters For His Contributions
 As A Recurring Championship Coach For The McClymonds Football Team; And
 Declaring March 1st As Coach Michael Peters Day In The City Of Oakland
 22-0120

Attachments: View Legislation

View Supplemental Legislation 3/10/2022

This City Resolution was Adopted.

2.8 Subject: Councilmember Kalb Travel Reimbursement Authorization From: Councilmember Kalb Recommendation: Adopt A Resolution Authorizing Councilmember Dan Kalb To Travel To And Participate In The Civic Well (Local Government Commission) California Policymakers Conference On March 17, 2022 Through March 20, 2022, And To Be Reimbursed For Necessary Expenses (Conference Registration, Hotel, Mileage) 22-0183

Attachments: View Legislation

This City Resolution was Adopted.

2.9 Subject: Acceptance Of The National Endowment For The Arts Grant From: Economic And Workforce Development Department Recommendation: Adopt A Resolution To: Accept And Appropriate Grant Funds From The National Endowment For The Arts In The Total Amount Of Five Hundred Thousand Dollars To Support "The Cultural Economies Of Belonging: Jobs, Network And Catalysts" Grant Opportunity For Oakland Cultural Organizations; And Authorize The City Administrator To Enter Into An Agreement With The National Endowment For The Arts To Receive Said Funds

<u>22-0109</u>

Attachments: View Report

View Legislation

2.10 Subject: Travel Authorization For Councilmember Gallo To National League Of Cities' From: Councilmember Gallo Recommendation: Adopt A Resolution Authorizing The Travel And Reimbursement Of Councilmember Noel Gallo's Travel To Washington DC For Attendance At The National League Of Cities' Congressional City Conference From March 11, 2022 Through March 19, 2022 In The Amount Of \$4,538.00 In Travel Costs From The Council Contingency Fund For Travel

<u>22-0113</u>

Attachments: View Legislation

This City Resolution was Adopted.

Subject: Honoring The McClymonds High School Football Team
 From: Councilmember Fife
 Recommendation: Adopt A Resolution Recognizing And Honoring The McClymonds High
 School Warriors Football Team For Winning The 2021 California Interscholastic
 Federation (CIF) State Division 3-A Championship
 22-0121

Attachments: View Legislation

This City Resolution was Adopted.

2.13 Subject: Youth Ventures Joint Powers Authority Appointment From: Council President Bas Recommendation: Adopt A Resolution Appointing City Administrator Ed Reiskin To The Board Of Trustees Of The Youth Ventures Joint Powers Authority To Replace And Complete The Term Of Chief Of Police LeRonne Armstrong 22-0123

Attachments: View Legislation

This City Resolution was Adopted.

Subject: Community Policing Advisory Board Appointment
 From: Office Of The Mayor
 Recommendation: Adopt Resolution Confirming The Mayor's Appointment Of Jennifer
 Zilliac As A Member Of The Community Policing Advisory Board
 22-0134

Attachments: View Report

2.15 Subject: Permanent Flex Streets Program

From: Economic Workforce And Development Department Recommendation: Adopt An An Ordinance Amending Chapter 8.62, Section 5.51.150, Section 12.08.250, And Section 17.07.060(C) Of The Oakland Municipal Code (OMC) To Create A Permanent Program For Restaurant, Retail, Café, Parklet, And Mobile Food Vending Uses Of Outdoor Private Spaces And Public Right-Of-Ways (Oakland Flex Streets Program) To Continue To Encourage Healthy Outdoor Use And Enjoyment Of Business; Direct City Administrator To Return With Ordinance Amending The Master Fee Schedule With A Flex Streets Application And Annual Permit Fee To Take Effect By July 1, 2023 For Each Component Of The Program, Including An Equity Fee Waiver Program For Flex Streets Program Applicants Who Meet Certain Equity Criteria; And Adopt Appropriate California Environmental Quality Act (CEQA) Findings 22-0055

Attachments: View Report

<u>View Legislation</u> <u>View Supplemental Report - 2/24/2022</u> <u>Vie Supplemental Report - 3/10/2022</u>

This Ordinance was Approved for Final Passage.

2.16 Subject: Berfield 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 Frank K. Berfield V. Frederick Wynn; Greenwich Logistics, LLC, A Delaware Corporation, Dba 1-800 Courier; 1-800 Courier Brokers, LLC, A Delaware Corporation; City Of Oakland; And Does 1 Through 100, Alameda County Superior Court Case No. RG20063846, City Attorney's File No. 33849, In The Amount Of Two Hundred Thousand Dollars And No Cents (\$200,000.00) Arising From A June 30, 2019 Auto Accident Involving A Motorcyclist And A Van At The Intersection Of Grass Valley Road And Sun Valley Drive In Oakland, California (Department Of Transportation - Dangerous Condition Of Public Property) 22-0179

Attachments: View Report

View Legislation

Subject: Rebecca Thomas Vs. City Of Oakland, And Does 1 Through 20
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
 Compromise And Settle The Case Of Rebecca Thomas V. City Of Oakland, And Does 1
 Through 20, Alameda County Superior Court Case No. RG20065500, City Attorney's File
 No. 34110, In The Amount Of Fifty Thousand Dollars And Zero Cents (\$50,000.00)
 (Department Of Transportation - Dangerous Condition)
 22-0180

Attachments: View Report

View Legislation

This City Resolution was Adopted.

- **2.18** Subject: Ian Davidson 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 Ian Davidson V. City Of Oakland, County Of Alameda, State Of California, And Does 1-30, Alameda County Superior Court Case No. RG20061509, City Attorney's File No. 33799, In The Amount Of One Hundred Sixty-Five Thousand Dollars And Zero Cents (\$165,000.00) (Department Of Transportation -Dangerous Condition)

<u>22-0181</u>

Attachments: View Report

View Legislation

This City Resolution was Adopted.

- **2.19** Subject: Linda Russell 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 Linda Russell V. City Of Oakland, And Does 1-20, Alameda County Superior Court Case No. RG19017369, City Attorney's File No. 33090, In The Amount Of Sixty-Five Thousand Dollars And No Cents (\$65,000) (Department Of Transportation - Dangerous Condition Of Public Property) 22-0182

Attachments: View Report

View Legislation

Subject: C34637 Brooklyn Basin Bar Group DBA
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
 Compromise And Settle The Claim Of Brooklyn Basin Bar Group Dba Seawolf, City
 Attorney File No. C34637, In The Amount Of Fifty Thousand Three Hundred Thirty Dollars
 And Sixty-Nine Cents (\$50,330.69) (Public Works - Failed Sewer Main)
 22-0178

Attachments: View Report

View Legislation

This City Resolution was Adopted.

Subject: FY 2022-23 Landscaping And Lighting District (LLAD) - Initiation
 From: Finance Department
 Recommendation: Adopt A Resolution Initiating The Fiscal Year (FY) 2022-23
 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment
 District (LLAD) And Authorizing The City Administrator To Order A Preliminary
 Engineer's Report
 22-0150

Attachments: View Report

View Legislation

This City Resolution was Adopted.

2.22 Subject: Access Agreement For Port Power Line Maintenance From: Economic And Workforce Development Department Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Access Agreement Between The City Of Oakland And The Port Of Oakland For Power Line Maintenance On City-Owned Property Adjacent To Berth 9 At No Cost To The City Or The Port For So Long As The Port's Electrical Lines Exist And Are Operated By The Port; And Adopt California Environmental Quality Act Findings 22-0143

Attachments: View Report And Attachment 1

View Legislation

2.23 Subject: FEMA Grants For Residential Soft Story Seismic Retrofits From: Housing And Community Development Department Recommendation: Adopt A Resolution

(1) Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Ten Million Dollars (\$10,000,000) In Hazard Mitigation Grant Program Funds From The Federal Emergency Management Agency (FEMA) Through The Governor's Office Of Emergency Services (CalOES); And

(2) Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Three Million Three Hundred Thirty-Three Thousand Three Hundred Thirty-Three Dollars (\$3,333,333) In Prepare California Program Funds From CalOES To Continue The Soft Story Apartment Seismic Retrofit Grant Program <u>22-0142</u>

Attachments: View Report

View Legislation

This City Resolution was Adopted.

2.24 The Item Regarding the "Clay Street Garage Affordable Housing NODO" was withdrawn from this agenda and rescheduled to the March 22, 2022 Special Community And Economic Development Committee at the March 10, 2022 Rules And Legislation Committee

 Subject: Accessory Dwelling Unit Utility Metering From: Vice Mayor Kaplan And Councilmember Kalb Recommendation: Adopt A Resolution To Affirm And Clarify That Building An Accessory Dwelling Unit (ADU) Does Not Require The Installation Of Separate Utility Meters For The Accessory Dwelling Unit Under Oakland's Policies, And Direct Oakland's Lobbyist To Advocate For Any Statutory Changes Necessary At The State Level To Implement This City Policy [TITLE CHANGE] 22-0166

Attachments: View Report

View Legislation View Supplemental Report 3/10/2022 View Supplemental Legislation 3/10/2022

2.26 Subject: Resolution Condemning The Invasion Of Ukraine From: President Pro Tempore Thao And Councilmembers Kalb And Fife Recommendation: Adopt A Resolution Condemning The 2022 Russian Invasion Of Ukraine And Reaffirming Oakland's Commitment To The Principles Of Democracy And Self Governance

<u>22-0174</u>

Attachments: View Report

View Legislation

View Supplemental Legislations - 3/10/2022

This City Resolution was Adopted.

2.27 Subject: Electric Vehicle Charging Project At Coliseum Gardens Park From: Transportation Department Recommendation: Adopt The Following Pieces Of Legislation;

> 1) A Resolution Authorizing The City Administrator To Finalize And Execute A Contract With The Pacific Gas & Electric Company (PG&E) In Support Of Electric Vehicle Charging Installation At Coliseum Gardens Park Adjacent To 6818 Lion Way At No Direct Cost To The City And Adopting Appropriate Environmental Quality Act Findings; And

<u>22-0145</u>

Attachments: View Report

<u>View Report Attachment A</u> <u>View Report Attachment B</u> <u>View Legislation</u> <u>View Supplemental Legislation - 3/10/2022</u>

This City Resolution was Adopted.

2) A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Carbon Solutions To Allow Portions Of Electric Vehicle Charging Stations At Coliseum Gardens Park Adjacent To 6818 Lion Way To Encroach Into The Public Right-Of-Way Along Lion Way Near Hawley Street And Adopting Appropriate California Environmental Quality Act Findings

<u>22-0146</u>

Attachments: View Legislation

View Report Exhibit A View Supplemental Legislation - 3/10/2022

Subject: 8th Street Functional Classification Change
 From: Transportation Department
 Recommendation: Adopt A Resolution Approving The Submittal Of A Functional
 Classification Change For Local Streets And Roads To The State Of California,
 Department Of Transportation For 8th Street From Wood Street To Market Street
 22-0157

Attachments: View Report

<u>View Report Attachment A</u> <u>View Legislation</u> <u>View Supplemental Legislation - 3/10/2022</u>

This City Resolution was Adopted.

- **S2.29** Subject: Support For Affordable Housing Applications
 - From: Vice Mayor Kaplan

Recommendation: Adopt A Resolution To Support Affordable Housing And Strengthen Oakland's Applications For Funding By Authorizing And Directing The Administration To: (1) Allow The Inclusion Of The Value Of City Land To Be Part Of The Local Match In Homekey Funding Applications Where Applicable, (2) Obtain When Needed And Requested By The State Appraisals, Environmental Site Assessments And Other Studies For City Properties Seeking Homekey Funding, And (3) Bolster State Advocacy To Ensure The City Receives An Equitable Share Of Homekey Funds <u>22-0177</u>

Attachments: View Report

View Legislation

This City Resolution was Adopted.

S2.30 Subject: Recognizing Oakland Roots Sports Club

From: Councilmember Taylor And President Fortunato Bas

Recommendation: Adopt A Resolution Recognizing The Oakland Roots Sports Club For Their Impactful Contributions To The Oakland Community Including Establishing The First Professional Soccer Club In Oakland With A Mission To Harness The Magic Of Oakland And The Power Of Sport As A Force For Social Good, And Inspiring And Supporting Our Youth To Realize Their Fullest Potential On And Off The Field 22-0195

Attachments: View Report

View Legislation

S2.31 Subject: Supporting Assembly Bill 1740 (Muratsuchi) From: President Pro Tempore Thao And President Fortunato bas Recommendation: Adopt A Resolution In Support Of California State Assembly Bill 1740 (Muratsuchi), Which Would Allow Core Recyclers To Purchase Or Receive Catalytic Converters Only From Commercial Enterprises Or Owners Of The Vehicle To Which The Catalytic Converter Belonged, Therefore Discouraging The Theft Of Catalytic Converters

Attachments: View Report

View Legislation

This City Resolution was Adopted.

- S2.32 Subject: Mina Nadim 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 Claims Of Plaintiff State Of California, Department Of Social Services, In-Home Support Services In The Case Of Mina Nadim V. City Of Oakland, Louis Vincent Dianda, And Does 1 To 10, Inclusive; State Of California, Department Of Social Services, In-Home Support Services V. City Of Oakland, Louis Vincent Dianda, And Does 1 To 10, Inclusive, Alameda County Superior Court Case No. RG18909548 (Consolidated With Case No. Rg18926171), City Attorney's File Nos. 32665 And 32786, In The Amount Of One Hundred Seventy-Two Thousand Six Hundred Forty-Five Dollars And Zero Cents (\$172,645.00) (Department Of Transportation - Motor Vehicle Collision)

<u>22-0199</u>

Attachments: View Report

View Legislation

This City Resolution was Adopted.

- **S2.33** Subject: Raynette Dunbar 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 Raynette Dunbar V. City Of Oakland, And Does 1-50, Inclusive, Alameda County Superior Court Case No. 21cv000116, City Attorney File Number X05348, In The Amount Of One Hundred Twenty Five Thousand Dollars And No Cents (\$125,000.00) (Department Of Housing And Community Development - Equal Pay Act)

22-0203

Attachments: View Report

View Legislation

 S2.34 Subject: Local Roots Revocable Encroachment Permit From: Councilmember Fife Recommendation: Adopt A Resolution Granting A Conditional And Revocable Encroachment Permit To Local Roots, A Nonprofit Corporation Doing Business As Foragers Market, For A Certified Farmers Market On Peralta Street Between 18th And 20th Street Each Sunday Between The Hours Of 10:00 A.M. And 2:00 P.M. 22-0197

Attachments: View Legislation

View Report Exhibit A

View Report Exhibit B

This City Resolution was Adopted.

- **S2.35** Subject: Housing, Residential Rent And Relocation Board Appointments
 - From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Pedro Viramontes As A Tenant Member, And John Deboer As A Tenant Alternate Member, And Reappointments Of Evelyn Torres As An Undesignated Member, And Kathleen Sims As Owner Alternate Member To The Housing, Residential Rent And Relocation Board <u>22-0130</u>

Attachments: View Report

View Application And Resume

View Legislation

This City Resolution was Adopted.

S2.36 Subject: Support Of Senate Bill 917

From: Councilmember Kalb And Vice Mayor Kaplan

Recommendation: Adopt A Resolution In Support Of Senate Bill 917 (Becker) That Would Require The Metropolitan Transportation Commission To Develop And Adopt A Connected Network Plan, Adopt An Integrated Transit Fare Structure, Develop A Comprehensive, Standardized Regional Transit Mapping And Wayfinding System, Develop An Implementation And Maintenance Strategy And Funding Plan And Establish Open Data Standards, And Require Bay Area Transit Agencies To Comply With These New Systems And Plans

<u>22-0131</u>

Attachments: View Report

<u>View Report Fact Sheet</u> <u>View Legislation</u> <u>View Supplemental Legislation 3/11/2022</u>

S2.37 Subject: Resolution In Support Of Senate Bill 852 (Dodd)
 From: Councilmember Kalb And President Pro Tempore Thao
 Recommendation: Adopt A Resolution Supporting Senate Bill 852 (Dodd) That Would
 Authorize Cities, Counties, And Special Districts, Either Alone Or In Combination, To
 Establish Climate Resilience Districts That Would Be Able To Raise Revenue Through
 Tax Increment Funding, And Voter Approved Supplemental Property Taxes, Property
 Benefit Assessments Or Fees To Fund, Plan And Implement Projects And Programs To
 Address Local Impacts Of Climate Change
 [TITLE CHANGE]
 22-0132

View Report View Legislation View Supplemental Legislation 3/3/2022 View Supplemental Report - 3/11/2022

This City Resolution was Adopted.

CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

Subject: Delinquent Real Property Transfer Taxes Assessment Of Liens
 From: Finance Department
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
 Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax CollectorFor Collection;Or

<u>22-0147</u>

Attachments: View Report

View Legislation

Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 12:36 p.m.

moved by Councilmember Taylor, seconded by Vice Mayor Kaplan.

7 individuals spoke on this item.

Councilmember Taylor, made a motion, seconded by Councilmember Kalb, to close the Public Hearing, and by that same motion Adopt Option 1, and hearing no objections, the motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 1 Excused Gallo

This City Resolution be Adopted.

- Excused: 1 Gallo
 - Aye: 7 Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

NO VOTE: 0

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection 22-0148

Attachments: View Legislation

This City Resolution be Not Adopted.

Subject: Mandatory Delinquent Trash Fees 2021 & 2022
 From: Finance Department
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of July, August, September, October, November, December 2021, Quarterly Periods Of October-December 2021, And January-March 2022 (Option 1); Or

<u>22-0158</u>

Attachments: View Report

View Legislation

Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 1:06 p.m.

15 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, to continue the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 1 Excused Gallo

This City Resolution be Continued.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 5/3/2022

Excused: 1 - Gallo

Aye: 7 - Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of July, August, September, October, November, December 2021, Quarterly Periods Of October-December 2021, And January-March 2022 22-0159

Attachments: View Legislation

Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 1:06 p.m.

15 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Fife, to continue the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 1 Excused Gallo

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 4/19/2022. The motion carried by the following vote:

- Excused: 1 Gallo
 - Aye: 7 Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

Subject: Delinquent Business Tax Assessment Of Liens
 From: Finance Department
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
 Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

<u>22-0161</u>

Attachments: View Report

View Legislation

Upon the reading of Item 3.3 by the City Clerk, the Public Hearing was opened at 2:28 p.m.

24 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Taylor, to continue the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 1 Excused Gallo

A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 5/17/2022. The motion carried by the following vote:

Excused: 1 - Gallo

Aye: 7 - Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection <u>22-0162</u>

Attachments: View Legislation

Upon the reading of Item 3.3 by the City Clerk, the Public Hearing was opened at 2:28 p.m.

24 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Taylor, to continue the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 1 Excused Gallo

A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 5/17/2022. The motion carried by the following vote:

- Excused: 1 Gallo
 - Aye: 7 Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

Subject: Density Bonus Ordinance Update
 From: Planning And Building Department
 Recommendation: Conduct A Public Hearing And Upon Conclusion 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 View Supplemental Report 3/3/2022 View Supplemental Legislation 3/3/2022

Upon the reading of Item 3.4 by the City Clerk, the Public Hearing was opened at 3:49 p.m.

2 individuals spoke on this item.

Councilmember Kalb made a motion, seconded by Vice Mayor Kaplan, to close the Public Hearing, and approve on Introduction and hearing no objections, the motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 1 Excused Gallo

A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 4/19/2022. The motion carried by the following vote:

- Excused: 1 Gallo
 - Aye: 7 Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

NO VOTE: 0

4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION & DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS 22-0184

Attachments: View March 3, 2022 Closed Session Report

A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this matter be Approved. The motion carried by the following vote:

Excused: 1 - Gallo

Aye: 7 - Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

NO VOTE: 0

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MARCH 1, 2022 22-0168

Attachments: View Report

A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter be Approved. The motion carried by the following vote:

Excused: 1 - Gallo

Aye: 7 - Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

2.11 Subject: Sanitary Sewer Sub-Basin 82-005 Rehabilitation Project 1004845 Phase 1 From: Oakland Public Works Department Recommendation: Adopt A Resolution Waiving Further Advertising And Competitive Bidding, Authorizing The City Administrator To Award A Construction Contract For An Amount Not To Exceed Four Million Two Hundred Seventy-Two Thousand Five Hundred And Nine Dollars (\$4,272,509.00) In The Open Market For Sanitary Sewer Sub- Basin 82-005 Rehabilitation (Project No. 1004845, Phase 1) In Accordance With Plans And Specifications And With All Of The City's Contracting Programs Such As Local And Small Local Enterprise Requirements; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings 22-0115

Attachments: View Report

View Report Attachment A View Report Attachment B View Report Attachment C View Report Attachment D

View Legislation

The resolution was amended to include a provision to clarify there will be no waiver of any of the Local/Small Local Business Enterprise requirements

A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this matter be Adopted as Amended. The motion carried by the following vote:

Excused: 1 - Gallo

Aye: 6 - Thao, Taylor, Fortunato Bas, Reid, Kalb, and Kaplan

No: 1 - Fife

NO VOTE: 0

6 Subject: CDCR Contract For Golden State Works And Grant Agreement With CEO From: Department Of Violence Prevention Recommendation: Adopt A Resolution Authorizing The City Administrator To:

1) Enter Into A Three-Year Agreement With California Department Of Corrections And Rehabilitation (CDCR) And Accept And Appropriate Approximately Three Million Nine Hundred Fifty-Six Thousand Five Hundred Twenty-Two Dollars (\$3,956,522) Annually To Implement Golden State Works Transitional Employment And Job Placement Services For Oakland Residents On Parole; And

2) Renew The Agreement With CDCR And Accept And Appropriate Up To Four Million Five Hundred Thousand Dollars (\$4,500,000) For A Fourth Year Of Funding If Available; And

3) Enter Into A Three-Year Grant Agreement With Center For Employment Opportunities (CEO), In An Annual Amount Not To Exceed Three Million Seven Hundred Eighty-One Thousand Five Hundred Seventy-Two Dollars (\$3,781,572) To Provide Job Placement Services, For A Total Amount Not To Exceed Eleven Million Three Hundred Forty-Four Thousand Seven Hundred Sixteen Dollars (\$11,344,716); And

4) Amend The Grant Agreement With CEO To Add A Fourth Year For An Amount Not To Exceed Four Million Three Hundred Thousand Dollars (\$4,300,000) If CDCR Awards Additional Funding For A Total Grant Amount Not To Exceed Fifteen Million Six Hundred Forty-Four Thousand Seven Hundred Sixteen Dollars (\$15,644,716); And

5) Accept And Appropriate Any Additional Funds That Become Available From CDCR Within The Agreement Terms Of July 1, 2022 Through June 30, 2025, For The Same Purposes, And Amend The Grant Agreement With CEO To Increase The Grant Amount 22-0118

Attachments: View Report

View Legislation

The resolution was amended to include "And be it Further Resolved that grant recipient, "CEO," shall partner with local community-based organizations with specialized experience in supporting re-entry populations, workforce development, and job matching, to include, for program participants, additional assistance in obtaining permanent jobs, and providing other support and connections for program participants."

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Adopted as Amended. The motion carried by the following vote:

Excused: 1 - Gallo
Aye: 7 - Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan
NO VOTE: 0

7

Subject:Cityworks License RenewalFrom:Public Works DepartmentRecommendation:Adopt A Resolution:

(1) Amending The Cityworks License And Maintenance Agreement With Azteca Systems, LLC. To Extend The Term Of The Contract From June 1, 2022 Through May 31, 2028, And Increase The Agreement In An Amount Not To Exceed One Million One Hundred Twenty Three Thousand Eight Hundred Fifty Two Dollars (\$1,123,852), With The Option To Purchase Additional Functionality And Enhancements To The Cityworks System For:

A. Additional Software Products, Upgrades, Licenses & Support Services With Azteca Systems, LLC. In An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) For The Term Of The Azteca Contract (From June 1, 2022 Through May 31, 2028); And

B. Additional License, Maintenance, Hosting, Purchase, And/Or Professional Services Agreement(S) With Azteca Systems, LLC., Or Their Authorized Business Partner(s) In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For The Term Of The Azteca Contract (From June 1, 2022 Through May 31, 2028) For Professional Services And/Or Products That Enhance Cityworks Through Customization And Additional Functionality; And

(2) Waiving The Competitive Proposal Solicitation And Local Business Enterprise/Small Local Business Enterprise Requirements For The Above-Listed Agreements 22-0152

Attachments: View Report

View Report Attachment A View Report Attachment B View Report Attachment C View Report Attachment D View Legislation

A motion was made by Loren Taylor, seconded by Dan Kalb, that this matter be Adopted. The motion carried by the following vote:

- **Excused:** 2 Thao, and Gallo
 - Aye: 6 Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

NO VOTE: 0

- 8 Subject: Lake Merritt Lodge Lease Extension
 - From: Human Services Department

Recommendation: Adopt A Resolution: 1) Authorizing Extension Of The Occupancy Agreement Between The City Of Oakland And Vima Harrison 1 LLC, Owner Of 2332 Harrison Street In Oakland (Lake Merritt Lodge) Through June 30, 2022 On The Same Terms As The Existing Agreement (Daily Room Rate Of \$132 Per Room For One Occupant Plus \$50 For Each Additional Occupant) For The Purpose Of Providing Up To 92 Rooms Of Emergency Non-Congregate Shelter To Unhoused Individuals At High-Risk From Covid-19; 2) Authorizing Amendment Of The Professional Services Agreement With Housing Consortium Of The East Bay To Extend The Term Through June 30, 2022, To Provide Building Operations And Services At Lake Merritt Lodge; And 3) Making Necessary Findings Under The California Environmental Quality Act <u>22-0173</u>

Attachments: View Report

View Legislation View REVISED Report 3/10/2022 View REVISED Legislation 3/11/2022

A motion was made by Carroll Fife, seconded by Nikki Fortunato Bas, that this matter be Adopted. The motion carried by the following vote:

- Excused: 1 Gallo
 - Aye: 7 Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan
- **NO VOTE:** 0

Subject: Update To Truck Routes And Truck Prohibited Streets Ordinance
 From: Planning And Building Department
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Sections 10.28.145 And 10.28.160 Of The Oakland Municipal Code To Limit Truck Parking In West Oakland; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And <u>22-0087</u>

Attachments: View Report

<u>View Attachment F</u> <u>View Attachments A - E</u> <u>View Legislation</u> <u>View Supplemental Report And Attachments - 3/3/2022</u>

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 4/19/2022. The motion carried by the following vote:

- Excused: 1 Gallo
 - Aye: 7 Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

NO VOTE: 0

2) An Ordinance Amending Sections 10.52.060 And 10.52.120 Of The Oakland Municipal Code To Update Truck Prohibited Streets And Designate New Truck Routes, Respectively; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

22-0088

Attachments: View Legislation

View Supplemental Report And Attachments - 3/3/2022

A motion was made by Carroll Fife, seconded by Sheng Thao, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 4/19/2022. The motion carried by the following vote:

- Excused: 1 Gallo
 - Aye: 7 Thao, Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan

10 Subject: OPD Axon Body-Worn Camera Ancillary Purchase Waiver From: Oakland Police Department Recommendation: Adopt A Resolution Waiving The City's Advertising / Bidding And Request For Proposal Requirements For The Purchase Of Body Worn Camera (BWC) Ancillary Technology Products From Axon, Inc. Not To Exceed Two Hundred Fifty Thousand Dollars 22-0198

Attachments: View Report

View Legislation

A motion was made by Carroll Fife, seconded by Loren Taylor, that this matter be Adopted. The motion carried by the following vote:

- Excused: 1 Gallo
 - Aye: 6 Taylor, Fortunato Bas, Reid, Kalb, Fife, and Kaplan
- Absent: 1 Thao
- **NO VOTE:** 0

OPEN FORUM / CITIZEN COMMENTS

7 speakers spoke during open

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 4:30 P.M., Unless Extended By Majority Vote Of The Council)

Americans With Disabilities Act

If you need special assistance 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.

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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 8:30 A.M. TO 5:00 P.M.