



City of Oakland

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

Meeting Minutes - DRAFT *Rules & Legislation Committee

Thursday, November 17, 2022

10:30 AM

Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Oakland City Council Rules And Legislation Committee convened at 10:40 AM, with President Pre Tem Thao presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Nikki Fortunato Bas, Carroll Fife, Dan Kalb, and Sheng Thao

**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**

18 speakers spoke during Public Comment.

2 Approval Of The Draft Minutes From The Committee Meeting Of November 3, 2022
[22-0877](#)

Attachments: [View Report](#)

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

Aye: 4 - Fortunato Bas, Fife, Kalb, and Thao

NO VOTE: 0

3 New Scheduling Items

A motion was made by Carroll Fife, seconded by Dan Kalb, that this matter be Accepted as Amended. The motion carried by the following vote:

Excused: 1 - Fortunato Bas

Aye: 3 - Fife, Kalb, and Thao

NO VOTE: 0

- 3.1** Subject: Travel Reimbursement For Councilmember Gallo To The National League Of Cities'
From: Councilmember Gallo
Recommendation: Adopt A Resolution Authorizing Councilmember Noel Gallo To Represent The City Of Oakland As The Voting Delegate At The National League Of Cities 2022 City Summit Conference November 17, 2022, Through November 20, 2022, In Kansas City, Missouri And Authorizing Reimbursement For Necessary Expenses For Attendance At The Conference In The Amount Of \$3,695.00 For Registration Fees, Hotel, Air Fare And Per Diem From The Council Contingency Project Fund

[22-0906](#)

Attachments: [View Legislation](#)

This item was scheduled to the December 6, 2022 City Council Agenda On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

- 3.2** Subject: Oakland HHAP-4 Application
From: Human Services Department
Recommendation: Receive An Informational Report On The City's Homeless Housing Assistance And Prevention Program (HHAP-4) Application For State Funding

[22-0920](#)

This item was scheduled to the November 28, 2022 Special Life Enrichment Committee.

This Informational Report be Scheduled.to go before the *Special Life Enrichment Committee to be heard 11/28/2022

- 3.3** Subject: Local Amendments To 2022 California Model Building Construction Code
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Of Findings Supporting Local Amendments To The 2022 Edition Of The California Model Building Construction Codes To Comply With Changes To State Law And Adopting California Environmental Quality Act Exemption Findings; And

[22-0925](#)

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

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 11/29/2022

2) An Ordinance (1) Repealing The Oakland Amendments To The 2019 Edition Of The California Model Building Construction Codes, (2) Adopting Local Amendments To The 2022 Edition Of The California Model Building Construction Codes, (3) Amending Oakland Municipal Code Chapter 15.04 To Comply With Changes To State Law, And (4) Adopting California Environmental Quality Act Exemption Findings
[22-0893](#)

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

This Ordinance be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 11/29/2022

3.4 Subject: CalHFA ADU Predevelopment Grant
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply To Participate In California Housing Finance Agency's (CalHFA) Accessory Dwelling Unit Grant Program, Enter Into A Lender Participation Agreement With CalHFA, Oversee The Disbursal Of Grant Funds From CalHFA To Homeowners Eligible For An Accessory Dwelling Unit Grant From CalHFA, And Appropriate Such Grant Funds To Fund 2144, Organization 89939, Project Code To Be Determined, Account 54912
[22-0917](#)

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

A Title Change was read into record.

This City Resolution be Scheduled.to go before the *Special Community & Economic Development Committee to be heard 11/29/2022

3.5 Subject: 2023 Schedule Of City Council And Council Committee Meetings
From: Office Of The City Clerk
Recommendation: Approve A Report And Recommendation For The 2023 Schedule Of City Council And Council Committee Meetings, Agenda Materials Deadlines, And Agenda Distribution Dates
[22-0913](#)

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

This Report and Recommendation be Scheduled.to go before the *Rules & Legislation Committee to be heard 12/1/2022

Due To The Presence Of Councilmember Taylors Chief of Staff, A Quorum Of The City Council Was Noted, And A Motion Was Made By Councilmember Fife And Seconded By President Bas To Adjourn The Meeting Of The Rules And Legislation Committee, And To Convene As A Special Meeting Of The Full Council At 11:36 AM

- 3.6** Subject: Contract For The Digital Arts And Culinary Academy Improvements Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Award A Construction Contract For A Not-To-Exceed Amount of One Million, Eight Hundred Thirty-Six Thousand Dollars (\$1,836,000.00) to Bay Construction Company, The Lowest Responsive And Responsible Bidder For The Digital Arts And Culinary Academy Improvements Project Number 1004851, In Accordance With The Project Plans, Specifications And Contractor's Bid; And (2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings; On The December 6, 2022 City Council Agenda On Consent
[22-0909](#)

This item was not scheduled, and was deferred to the December 1, 2022 Rules And Legislation Committee for scheduling.

This City Resolution be Rescheduled.to go before the *Rules & Legislation Committee to be heard 12/1/2022

- 3.7** Subject: FY2022-23 Master Fee Schedule
From: Finance Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13698 C.M.S. (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland Referenced Herein; On The December 6, 2022 City Council Agenda As A Public Hearing
[22-0914](#)

Staff withdrew this item and return to the committee for scheduling at a later date.

This Ordinance be No Action Taken.

- 3.8** Subject: IKE Digital Kiosk Franchise
From: Transportation Department
Recommendation: Conduct A Public Hearing And Adopt The Following Pieces Of Legislation;

1) An Ordinance (A) Granting A Non-Exclusive Franchise To IKE Smart City LLC For Digital Advertising Kiosks With Wayfinding Capabilities Within The Public Right-Of-Way Contingent Upon Execution Of A Franchise Agreement; (B) Authorizing The City Administrator To Negotiate And Execute A Franchise Agreement With IKE Smart City LLC; And (C) Adopting Appropriate California Environmental Quality Act Findings;

[22-0921](#)

Public Hearing

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

2) A Resolution (A) Authorizing The City Administrator To Accept Revenues Payable From IKE Smart City LLC, Including A One Time Payment Of \$250,000.00, A Minimum Annual Guarantee Of \$10,000.00 Per Commissioned Kiosk, Revenue Sharing Equal To Thirty-Five (35) Percent Of Annual Net Revenues Above The Minimum Guarantee, And Ongoing Payments Of \$65,000.00 Per Year For Reimbursement Of Staff Costs For Managing The Franchise Agreement And Kiosks, (B) Appropriating Revenues And Expenses Totaling \$282,500.00 In Fiscal Year 2022-2023 Budget, And (C) Adopting Appropriate California Environmental Quality Act Findings; And

[22-0923](#)

Public Hearing

**This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022**

3) A Resolution (A) Granting A Conditional And Revocable Master Major Encroachment Permit To IKE Smart City LLC To Allow For The Installation And Encroachment Into The Public Right Of Way Of Digital Kiosks At Up To Fifty Addresses To Be Determined, (B) Authorizing The City Administrator To Specify The Addresses In Accordance With The Franchise Agreement And (C) Adopting Appropriate California Environmental Quality Act Findings; On The December 6, 2022 City Council Agenda As A Public Hearing

[22-0924](#)

Public Hearing

**This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022**

- 3.9** Subject: Renaming Foothill Blvd Between High St To 47th Ave As 'Too \$hort Way'
From: Councilmember Gallo And The Office Of The Mayor
Recommendation: Adopt A Resolution Commemoratively Renaming Foothill Blvd Between High Street And 47th Avenue As 'Too \$hort Way' Pursuant To The Policy And Procedures Established By Oakland City Council Resolution No. 77967 C.M.S.

[22-0926](#)

Attachments: [View Legislation](#)

A Title Change was read into record.

Office of the Mayor requested to be added as coauthor.

**This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022**

- 3.10** Subject: Proposed Response To 2021-2022 Alameda County Civil Grand Jury Report
 On Financial Disclosures
 From: Office Of The City Administrator
 Recommendation: Approve A Report With Recommendation That Authorize The Council
 President To Submit A Response On Behalf Of The City Council For The 2021-2022
 Alameda County Civil Grand Jury Final Report Titled "Oakland Fails To Enforce Financial
 Disclosure Rules To Protect The Public"; On The December 6, 2022 City Council Agenda
 On Non Consent
 [22-0927](#)

This item was scheduled to the December 6, 2022 City Council Agenda On Non Consent.

This Report and Recommendation be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

3.11 Subject: City Of Oakland V. Oakland Raiders, Et Al.

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Cases Of City Of Oakland V. Oakland Raiders, A California Limited Partnership; Arizona Cardinals Football Club, LLC; Atlanta Falcons Football Club LLC; Baltimore Ravens, LP; Buffalo Bills, LLC; Panthers Football, LLC; Chicago Bears Football Club, Inc.; Cincinnati Bengals, Inc.; Cleveland Browns Football Company, LLC; Dallas Cowboys Football Club, Ltd.; PDB Sports Ltd.; Detroit Lions, Inc.; Green Bay Packers, Inc.; Houston NFL Holdings, LP; Indianapolis Colts, Inc.; Jacksonville Jaguars LLC; Kansas City Chiefs Football Club, Inc.; Chargers Football Company LLC; The Rams Football Company, LLC; Miami Dolphins, Ltd.; Minnesota Vikings Football LLC; New York Football Giants, Inc.; New York Jets, LLC; Philadelphia Eagles LLC; Pittsburgh Steelers LLC; Forty Niners Football Company LLC; Football Northwest LLC; Buccaneers Team LLC; Tennessee Football, Inc.; Pro-Football, Inc.; National Football League; New England Patriots LLC; New Orleans Louisiana Saints, LLC.; United States District Court Case No. 3:18-CV-07444-JCS, United States Court Of Appeals For The Ninth Circuit Case No. 20-16075, United States Supreme Court Case No. 21A438; And,

City Of Oakland V. The Oakland Raiders, A California Limited Partnership; Las Vegas Raiders LLC; Las Vegas Raiders Football LLC.; Arizona Cardinals Football Club LLC; Atlanta Falcons Football Club, LLC; Baltimore Ravens Limited Partnership; Buffalo Bills, LLC; Panthers Football, LLC; The Chicago Bears Football Club, Inc.; Cincinnati Bengals, Inc.; Cleveland Browns Football Company LLC; Dallas Cowboys Football Club, Ltd.; PDB Sports, Ltd.; The Detroit Lions, Inc.; Green Bay Packers, Inc.; Houston NFL Holdings, LP; Indianapolis Colts, Inc.; Jacksonville Jaguars, LLC; Kansas City Chiefs Football Club, Inc.; Chargers Football Company, LLC; The Rams Football Company, LLC; Miami Dolphins, Ltd.; Minnesota Vikings Football, LLC; New England Patriots LLC; New Orleans Louisiana Saints, LLC; New York Football Giants, Inc.; New York Jets LLC; Philadelphia Eagles, LLC; Pittsburgh Steelers LLC; Forty Niners Football Company LLC; Football Northwest LLC; Buccaneers Team LLC; Tennessee Football, Inc; Pro-Football, Inc.; The National Football League; And Does 1 Through 100; Los Angeles County Superior Court Case No. 20stcv20676, Court Of Appeal Of The State Of California, Second Appellate District Case No. B313388;

City Attorney's File Nos. CE-04541, CE-04541-1 And CE-04541A; For Defendants' Agreement To Waive Litigation Costs To Which They Are Entitled As Prevailing Parties In Exchange For The City's Agreement To Terminate The Litigation (City Council - Antitrust/Breach Of Contract)

[22-0932](#)

Attachments: [View Report](#)

[View Legislation](#)

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the

**Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022**

- 3.12** Subject: Measure AA - Children's Initiative Of 2018 Implementation Partners
From: Office Of The City Administrator
Recommendation: Adopt A Resolution: (1) Approving The Children's Initiative Citizens' Oversight Commission Final Selection For The Children's Initiative Of 2018 (Measure AA) Implementation Partners: First 5 Alameda County For The Early Education Fund And Oakland Promise For The Oakland Promise Fund; And

(2) Authorizing Agreements For Five-Year Terms With First 5 Alameda County In The Amount Of Twenty-Three Million One Hundred Eighty-One Thousand Four Hundred And Twenty-Eight Dollars (\$23,181,428) To Implement The Early Education Program And With Oakland Promise In The Amount Of Eleven Million Five Hundred Ninety Thousand Seven Hundred And Fourteen Dollars (\$11,590,714) To Implement The Oakland Promise Program; And

(3) Authorizing The City Administrator To Amend The Above Agreements To Increase The Amounts, Proportional To Appropriated Revenue, And To Extend The Agreements For Additional Terms Of Up To Five Years, Pursuant To Measure AA

[22-0916](#)

Attachments: [View Report](#)

[View Attachment B](#)

[View Attachment A](#)

[View Legislation](#)

A Title Change was read into record.

This City Resolution be Scheduled.to go before the *Special Life Enrichment Committee to be heard 11/28/2022

- 3.13** Subject: Kelly's Truck Repair
From: Public Works Department
Recommendation: Adopt A Resolution: (1) Awarding A Contract To Kelly's Truck Repair, The Lowest Responsive And Responsible Bidder, To Provide Vehicle Diagnostic And Repair Services In The Amount Not-To-Exceed \$650,000 Per Year For A Two-Year Term, November 1, 2022 to October 30, 2024, With Two (2) Options To Extend The Agreement Annually, For Up To Two (2) One-Year Periods In An Amount Not-To-Exceed \$650,000.00 Per Year For A Total Not-To-Exceed Contract Amount Of \$2,600,000.00 Over A Four Year Term, And (2) Waiving The Local Business/Small Local Business Enterprise Program Utilization Requirement; On The December 12, 2022 Special Public Works Committee Agenda

[22-0908](#)

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/12/2022

- 3.14** Subject: Deployment Of Solar And Battery Energy Systems In Partnership With East Bay Community Energy (EBCE)
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With East Bay Community Energy To Evaluate The Potential For Solar And Battery Storage Systems On Municipal Facilities To Provide Energy Resilience And Clean Energy; On The December 12, 2022 Special Public Works Committee Agenda [22-0915](#)

This City Resolution be Scheduled.to go before the *Special Public Works Committee to be heard 12/12/2022

- 3.15** Subject: Semi-Annual Staffing Report December 2022
From: Human Resources Management Department
Recommendation: Receive A Semi-Annual Informational Report On City-Wide Staffing From The City Administrator Regarding (1) The Vacancy Rates Of All City Departments Through October 17, 2022, (2) The Vacancy Rates Of Regional Local Public Entities, (3) The Status Of Human Resources And Workforce Development Partnerships With Non-Profits To Recruit Oakland Residents For City Of Oakland Jobs, (4) The Analysis Of The City Workforce And Recruitment Conditions, And (5) The Budgeted Vacancy Rate For The Fiscal Year 2022/23; On The December 13, 2022 Special Finance And Management Committee Agenda [22-0919](#)

This Informational Report be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/13/2022

- 3.16** Subject: Local Agency Technical Assistance Program Grant
From: Information Technology Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Of Five Hundred Thousand Dollars (\$500,000.00) From The California Public Utilities Commission (CPUC), Local Agency Technical Assistance Program To Fully Reimburse The City's Costs Of A Last-Mile Broadband Connectivity Planning & Design Project For The Period Of November 2, 2022 To December 31, 2024; On The December 13, 2022 Special Finance And Management Committee Agenda [22-0922](#)

This City Resolution be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/13/2022

- 3.17** Subject: FY2021-22 Q4 And FY2022-23 Q1 Revenue And Expenditure Report (R&E)
 From: Finance Department
 Recommendation: Receive An Informational Report On Fiscal Year (FY) 2021-22 Fourth Quarter And FY 2022-23 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, 2022 Special Finance And Management Committee Agenda
[22-0928](#)

This Informational Report be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/13/2022

- 3.18** Subject: Public Bank East Bay Viability Study
 From: Councilmember Fife
 Recommendation: Adopt A Resolution (1) Accepting The Public Bank East Bay Viability Study; (2) Acknowledging The City Of Oakland As One Of Founding Members Of The Public Bank East Bay As Part Of The Application For A Public Banking Charter; And (3) Designating Councilmember Fife As Oakland's Representative On The Public Bank's Board Of Directors; On The December 13, 2022 Special Finance And Management Committee Agenda
[22-0931](#)

This City Resolution be Scheduled.to go before the *Special Finance & Management Committee to be heard 12/13/2022

- 3.19** Subject: Certification Of The Election Results From The November 8, 2022 Election
 From: Office Of The City Clerk
 Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland General Municipal Election Held On Tuesday, November 8, 2022; On The December 20, 2022 City Council Agenda On Non Consent
[22-0912](#)

This item was scheduled to the December 20, 2022 City Council Agenda On Non Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/20/2022

- 3.20** Subject: Bi-Monthly Update On Macro Program Operations And The Advisory Board
 From: Councilmember Reid And Vice Mayor Kaplan
 Recommendation: Receive An Informational Report On The Progress Of The City Of Oakland's Mobile Assistance Community Responders Of Oakland ("MACRO") Pilot Program And The Work Of The Advisory Board; On The First January 2023 Public Safety Committee Meeting Agenda
[22-0929](#)

This item was scheduled to the 1st Public Safety Committee in January 2023.

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 1/2/2023

RECOMMENDATIONS FROM THE CANCELLED NOVEMBER 14, 2022 SPECIAL PUBLIC WORKS COMMITTEE

- 3.21** Subject: Acceptance Of Incentive And Technical Assistance For Heat Pump Water Heaters At Oakland Library
 From: Office Of The City Administrator
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Technical Assistance And No-Cost Equipment Installation From Willdan, Under Contract To Pacific Gas And Electric Company (PG&E), To Install Heat Pump Water Heaters At Up To Ten Oakland Public Library Branch Locations At Zero Cost To The City Of Oakland
[22-0848](#)

Attachments: [NO WRITTEN MATERIALS SUBMITTED](#)

This item was scheduled to the December 6, 2022 City Council Agenda On Consent.

**This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022**

3.22 Subject: Funding And Reimbursement Agreements For Major Transportation Projects
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Authorizing The City Administrator To: (1) Accept And Appropriate Transit And Intercity Capital Rail Program (TIRCP) Grant Funds In The Amount Of Ten Million Seven Hundred Thirty-Two Thousand Dollars (\$10,732,000) To Implement The Oakland Waterfront Mobility Hub, Administered By The California State Transportation Agency (CALSTA); And (2) Accept And Appropriate Community Project Funding/Congressionally Directed Spending (CPFCDs) Grant Funds In The Amount Of Two Million Dollars (\$2,000,000) To Implement The 7th Street Connection Project, Administered By The Federal Highway Administration (FHWA); And (3) Amend Resolution No. 89039 C.M.S., Which Accepted And Appropriated United State Department Of Transportation Rebuilding American Infrastructure With Sustainability And Equity (Raise) Grant Program Funds Totaling Fourteen Million Five Hundred And Seven Thousand Seventy-Five Dollars (\$14,507,075), To Appropriate The Raise Funds To The Correct Fund Account; And (4) Accept And Appropriate Measure BB Funds From The Alameda County Transportation Commission (ACTC) In The Amount Of Ten Million, Two Hundred Thousand Dollars (\$10,200,000), To Implement Improvements On Broadway As Match To The Raise Grant, Pending Final Approval From ACTC; And (5) Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And [22-0872](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report 11/8/2022](#)

This City Resolution be Scheduled to go before the *Special Life Enrichment Committee to be heard 11/28/2022

2) A Resolution To Authorize The City Administrator To: 1) Execute A Memorandum Of Understanding Between The City And The Port To Facilitate The Development Of Transportation Projects Both Within And Outside The Port Area; And 2) Accept And Appropriate California State Transportation Agency (CALSTA) Grant Funds Totaling Up To Two Hundred Fifty Nine Million Five Hundred Thousand Dollars (\$259,500,000); And 3) Take All Steps Necessary To Apply For And Receive Additional Funds Necessary To Complete The Projects As Set Forth In The MOU; And 4) Adopting Appropriate California Environmental Quality Act (CEQA) Findings; And [22-0874](#)

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

This City Resolution be Scheduled to go before the *Special Life Enrichment Committee to be heard 11/28/2022

3) A Resolution Authorizing The City Administrator To Negotiate And Execute An Agreement With Union Pacific Railroad Company (UPRR), In Accordance With California Public Utility Commission (CPUC) Regulations, For The Review Of The Embarcadero Corridor Safety Improvements, Upon Execution Of A Signed Memorandum Of Understanding Between The City And The Port Of Oakland To Facilitate The Development Of Transportation Projects Both Within And Outside The Port Area And An Executed Supplemental Agreement Between The Port Of Oakland And The California State Transportation Agency That Includes Costs To Reimburse UPRR And Adopting California Environmental Quality Act ("CEQA") Findings

[22-0875](#)

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

This City Resolution be Scheduled to go before the *Special Life Enrichment Committee to be heard 11/28/2022

3.23 Subject: Safe Work Zone Ordinance
 From: Public Works Department
 Recommendation: Adopt An Ordinance Adding Chapter 9.06 To The Oakland Municipal Code To (1) Allow The City To Establish Safe Work Zones For City Employees Carrying Out Their Duties On Public Property And (2) Make Willful Failure To Leave A Designated Safe Work Zone, After Request By A Peace Officer, A Misdemeanor

[22-0904](#)

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

A motion was made by Nikki Fortunato Bas, seconded by Carroll Fife, that this matter be Scheduled to go before the *Public Works Committee, to be heard 12/12/2022. The motion carried by the following vote:

Abstained: 1 - Kalb

Aye: 3 - Fortunato Bas, Fife, and Thao

NO VOTE: 0

RECOMMENDATIONS FROM THE NOVEMBER 14, 2022 SPECIAL PUBLIC SAFETY COMMITTEE

- 3.24** Subject: Adding Chapter 10.74 To The OMC Imposing Fines And Penalties
From: Councilmember Gallo
Recommendation: Adopt An Ordinance Adding Chapter 10.74 To The Oakland Municipal Code Imposing Fines And Penalties Against Organizers And By-Stander Participants Of Sideshows
[22-0830](#)

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

This item was scheduled to the December 6, 2022 City Council Agenda On Non Consent.

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

- 3.25** Subject: Human Trafficking Report And Recommendations
From: Council President Bas And Pro Tempore Thao
Recommendation: Approve A Report And Recommendations On The Context, Strategies, Goals, Programs, Partnerships, Outcomes And Best Practices To Address Human Trafficking From The Oakland Police Department (Including Focusing On Traffickers And Purchasers; “Rescuing” And Supporting Minors And Supporting Adults; Staff Training; Partnerships With Community Organizations; Collaboration With Other Agencies Including The County And District Attorney); The Department of Violence Prevention (Including Partnerships With OPD, County And Organizations That Serve Communities Impacted by Gender-Based Violence And Gun Violence); The Administration (Including Licensing Of Massage Parlors And Responding To Reports Of Trafficking); The Office Of Public Works And The Department Of Transportation (Including Environmental Deterrents); And The Impacts Of State Legislation Such As SB 357 On Addressing Human Trafficking
[22-0742](#)

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

This Report and Recommendation be Scheduled.to go before the *Public Safety Committee to be heard 12/12/2022

- 3.26** Subject: Informational Report On The MACRO Advisory Board
From: Councilmember Reid
Recommendation: Receive An Informational Report On The Status And Work Of The Mobile Assistance Community Responders Of Oakland (MACRO) Advisory Board
[22-0745](#)

Attachments: [View Report](#)

This Informational Report be Received and Filed.

- 3.27** Subject: FY 2022-23 OPD Traffic Safety Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2022-2023 Selective Traffic Enforcement Program (STEP), To Be Administered By The Oakland Police Department (OPD); And To Authorize The General Purpose Services Fund To Contribute Sixty-Nine Thousand Five Hundred Fifty Dollars (\$69,550) To Cover The Related Central Services Overhead Charges

[22-0896](#)

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

This item was scheduled to the December 6, 2022 City Council Agenda On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022

RECOMMENDATIONS FROM THE CANCELLED NOVEMBER 14, 2022 SPECIAL LIFE ENRICHMENT COMMITTEE

- 3.28** Subject: Report On The Cost Of Oakland's Homelessness Crisis
From: Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator On How Much Staff Time And Resources From The Following City Departments Are Dedicated To Providing Services Or Responding To Issues Associated With Oakland's Homelessness Crisis: The City Administrator's Office, Human Services Department, Housing And Community Development Department, Public Works Department, Fire Department, And Oakland Police Department; And Provide An Assessment Of How To Redirect Resources Towards Placing Chronically Unhoused Individuals In Supportive Housing

[22-0413](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the *Life Enrichment Committee to be heard 12/12/2022

- 3.29** Subject: Piedmont Library Lease Agreement
 From: Oakland Public Library
 Recommendation: Adopt An Ordinance: (A) Authorizing The City Administrator To Negotiate And Execute: (1) A 50-Year Joint Occupancy And Lease Agreement With Oakland Unified School District For Property Located At 86 Echo Avenue, With Two 5-Year Administrative Options To Extend And Rent Of \$4,000 Per Month Increasing 10 Percent Every 5 Years During The Term For Constructing And Operating A Public Library, Subject To Appropriation Of Funds Necessary For Construction; And (2) A Joint Use Cooperative Agreement With The District For The New Library; And (3) An Extension Of The Existing Joint-Use Lease Agreement With The District For The Existing Piedmont Avenue Branch Library Located At 80 Echo Avenue Until Completion Of The New Library; And (B) Adopting California Environmental Quality Act Findings [22-0817](#)

Attachments: [View Report](#)
 [View Legislation](#)
 [View Report Exhibit A](#)
 [View Supplemental Report 11/4/2022](#)
 [View Supplemental Report Attachment A](#)

This Ordinance be Scheduled to go before the *Special Life Enrichment Committee to be heard 11/28/2022

3.30 Subject: SAMHSA Recast Grant
 From: Human Services Department
 Recommendation: Adopt A Resolution;

(1) Awarding Grant Agreements Using Substance Abuse And Mental Health Services Administration (SAMHSA) Funds To Four Non-Profit Agencies In A Total Amount Not To Exceed \$365,000 To Provide Trauma Informed Behavioral Health Services To High-Risk Youth And Their Families From September 30, 2022 Through September 29, 2023; And

(2). Waiving The Local And Small Local Business Enterprise Program (L/SLBE) And Request For Proposal/Qualifications (RFP/Q) Requirements And Awarding Professional Services Agreements Using SAMHSA Funds To East Bay Agency For Children In An Amount Not To Exceed \$65,000 For Trauma Informed Systems Trainings And To Crisis Support Services Of Alameda County In An Amount Not To Exceed \$20,000 For Mental Health First Aid From September 30, 2022 Through September 29, 2023

[22-0889](#)

Attachments: [View Report](#)
 [View Legislation](#)
 [Attachment A](#)
 [Attachment B](#)
 [Attachment C](#)
 [Attachment D](#)
 [View Supplemental Report 11/8/2022](#)

This City Resolution be Scheduled to go before the *Special Life Enrichment Committee to be heard 11/28/2022

3.31 Subject: Oakland Parks And Recreation Foundation Agreement And Grants Acceptance
 From: Oakland Parks And Recreation Department & Youth Development
 Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Approving An Agreement With The Oakland Parks And Recreation Foundation For The Cooperative Solicitation Of Private And Public Funding To Be Used For Oakland Parks, Recreation And Youth Development Projects, Programs, And Services For A Term Of Three Years, With A Three-Year Option To Renew;

[22-0890](#)

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

This item was withdrawn.

This City Resolution be Withdrawn with No New Date.

2) An Ordinance 1) Authorizing A Three-Year License Agreement With A Three-Year Option To Renew With Oakland Parks And Recreation Foundation For Use Of Office Space At The Lakeside Park Marsha J. Corprew Memorial Garden Center At The Below Market Rate Of \$0.00; 2) Making Findings That The License For Below Fair Market Value Is In The Best Interest Of The City; And 3) Making Appropriate California Environmental Quality Act Findings

[22-0891](#)

Attachments: [View Legislation](#)

This item was withdrawn.

This Ordinance be No Action Taken.

3) A Resolution To (1) Authorize The City Administrator To Accept Grants, Gifts, And Donations Of Money From The Oakland Parks And Recreation Foundation In An Amount Up To \$750,000 Each Fiscal Year Through June 30, 2025 In A Total Amount Not To Exceed \$2,250,000 For The Three-Year Period; 2) Appropriate Said Funds For The Oakland Parks, Recreation And Youth Development Department; 3) Authorize The City Administrator To Create A New Fund For These Appropriations; And 4) Authorize The City Administrator To Accept Goods And In-Kind Services From The Oakland Parks And Recreation Foundation Valued In An Amount Up To \$250,000 Each Fiscal Year Through June 30, 2025 In A Total Amount Not To Exceed \$750,000 For The Three-Year Period

[22-0892](#)

Attachments: [View Legislation](#)

This item was withdrawn.

This City Resolution be Withdrawn with No New Date.

3.32 Subject: Summer Food Service Program
From: Office Of The City Administrator
Recommendation: Adopt The Following;

1) An Informational Report About The 2022 Summer Food Service Program (SFSP); And

[22-0901](#)

Attachments: [View Report](#)

On Consent.

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

2) A Resolution Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) And Local/Small Local Business Enterprise (L/SLBE) Requirements And Awarding A Professional Services Agreement To Cook And Run, Inc. In An Amount Not To Exceed \$96,000 For Providing Food Services From June 6, 2022 Through July 29, 2022

[22-0903](#)

Attachments: [View Legislation](#)

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022

RECOMMENDATIONS FROM THE NOVEMBER 15, 2022 SPECIAL FINANCE AND MANAGEMENT COMMITTEE

3.33 Subject: Status Of Payments To Workforce Development Organizations
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Report On Workforce Development Organizations Subject To The Oversight Of The Oakland Workforce Development Board From The City Administrator On The Following: (1) Status Of City Reimbursements, Including Dates Invoices Were Received And Dates Reimbursements Were Issued From January 2022 To Present; (2) Status Of FY 2022-2023 Contracts, Including Dates Of Council Approval And Dates Of Final Contract Execution; And (3) Recommendations And Steps Taken To Improve The Payment Process

[22-0775](#)

Attachments: [View Report and Attachments A & B](#)

On Consent.

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard
12/6/2022

- 3.34** Subject: Cost Of Responding To Fires That Occurred On California Department Of Transportation Property Within Oakland City Limits In FY 2022
From: President Pro Tempore Thao And Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator And The Oakland Fire Department On The Cost Of Responding To Fires That Occurred On California Department Of Transportation Property Within Oakland City Limits In Fiscal Year 2022
[22-0801](#)

Attachments: [View Report](#)

On Consent.

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

- 2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Planning From The Operation Of Civil Service; And
[22-0827](#)

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

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

- 3) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Zoning From The Operation Of Civil Service; And
[22-0828](#)

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

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

4) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To: (A) Add The Full-Time Classification Of Manager, Training And Organizational Development; The Full-Time Classification Of Special Activity Permit Inspector, Supervising; The Full-Time Classification Oracle Database Administrator; And (B) Amend The Title And Representation Unit Of The Full-Time Classification Of Planner V To Manager, Planning; The Full-Time Classification Of Recycling Specialist, Senior To Recycling Program Specialist III; The Title Of The Full-Time Classification Of Solid Waste/Recycling Program Supervisor To Manager, Recycling Program; And (C) Amend The Representation Unit Of The Full-Time Classification Of Manager, Zoning; And (D) Amend The Salary Of The Part-Time Classifications Of Senior Aide And Temporary Contract Services Employee To Ensure Compliance With The City Of Oakland's Minimum Wage

[22-0829](#)

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

On Consent.

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

3.35 Subject: Salary Ordinance Amendment Including New Minimum Wage Rates
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Training And Organizational Development From The Operation Of Civil Service; And

[22-0826](#)

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

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

- 3.36** Subject: Recognized Obligation Payment Schedule FY 2023-2024
From: Finance Department
Recommendation: Adopt A Resolution Approving The Submission Of A Recognized Obligation Payment Schedule And Oakland Redevelopment Successor Agency Administrative Budget For July 1, 2023 Through June 30, 2024, And Transmission Of Both To The Countywide Oversight Board, The Alameda County Auditor-Controller And The State Department Of Finance For Approval
[22-0815](#)

Attachments: [View Report](#)
[View Legislation and Exhibits A & B](#)

On Consent.

This ORSA Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

- 3.37** Subject: 2022 Food Delivery Programs Grant Agreement Award
From: Finance Department
Recommendation: Adopt A Resolution: (1) Awarding A Grant Agreement To Service Opportunity For Seniors To Administer The Meals On Wheels Food Delivery Program For An Amount Not To Exceed One Hundred Seventy Thousand Dollars (\$170,000) In Accordance With City Council Budget Appropriations And Allocations As Adopted By Resolution No. 89377 C.M.S; And (2) Awarding A Grant Agreement To Deputy Sheriffs' Activities League To Administer The Dig Deep Food Farm Program For An Amount Not To Exceed One Hundred Seventy Thousand Dollars (\$170,000) In Accordance With City Council Budget Appropriations And Allocations As Adopted By Resolution No. 89377 C.M.S
[22-0870](#)

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

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

RECOMMENDATIONS FROM THE NOVEMBER 15, 2022 SPECIAL COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

- 3.38** Subject: Status Of City Hall East
 From: Councilmember Taylor
 Recommendation: Receive An Information Report On The Status Of Deploying City Hall East Per Resolution No. 88786 C.M.S.

[22-0752](#)

Attachments: [View Report and Attachment A](#)

On Consent.

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

- 3.39** Subject: Acquisition And Conversion To Affordable Housing (ACAH) Re-Authorization
 From: Housing And Community Development Department
 Recommendation: Adopt A Resolution (1) Allocating Up To \$12,265,543 From Affordable Housing Trust Funds, Low And Moderate Income Housing Asset Funds, And Measure KK Bond Funds To The Acquisition And Conversion To Affordable Housing (ACAH) Program; (2) Allocating Additional Funds In An Amount Not To Exceed \$10,000,000 From Affordable Housing Trust Funds And Excess Redevelopment Bond Funds To The ACAH Program, For A Total Amount Not To Exceed \$22,265,543 Contingent Upon The City Not Receiving A Funding Award From The State Of California Homekey Program; And (3) Authorizing The City Administrator To Fund Loans Under The ACAH Program Without Returning To Council

[22-0822](#)

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

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/6/2022

3.40 Subject: Ordinance Amending Ordinance No. 13647 C.M.S.
 From: Workplace And Employment Standards Department
 Recommendation: Adopt An Ordinance Amending Ordinance No. 13647, Which
 Amended Certification Requirements In Oakland's Local And Small Local Business
 Enterprise (L/SLBE) Program, To Revise And Correct Certification Requirements
 [22-0648](#)

Attachments: [View Report](#)

[View Attachment A](#)

[View Legislation](#)

[View Supplemental Report and Attachment A - 11/8/2022](#)

[View Supplemental Legislation 11/10/2022](#)

***This item was not scheduled, and was deferred to the December 1, 2022 Rules And
Legislation Committee for scheduling.***

**This Ordinance be Rescheduled.to go before the *Rules & Legislation Committee
to be heard 12/1/2022**

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[22-0882](#)

Attachments: [CANCELLED NOVEMBER 21, 2022 PUBLIC WORKS COMMITTEE AGENDA](#)
[CANCELLED NOVEMBER 21, 2022 LIFE ENRICHMENT COMMITTEE AGENDA](#)
[CANCELLED NOVEMBER 21, 2022 PUBLIC SAFETY COMMITTEE AGENDA](#)
[CANCELLED NOVEMBER 22, 2022 FINANCE AND MANAGEMENT COMMITTEE AGENDA](#)
[CANCELLED NOVEMBER 22, 2022 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA](#)
[CANCELLED NOVEMBER 24, 2022 RULES AND LEGISLATION AGENDA](#)
[Finance And Management Pending List](#)
[Public Works Pending List](#)
[Community And Economic Development Pending List](#)
[Life Enrichment Pending List](#)
[Education Partnership Pending List](#)
[Public Safety Pending List](#)
[Rules And Legislation Pending List](#)
[Draft November 28, 2022 Special Life Enrichment Committee Agenda](#)
[Draft November 29, 2022 Special Community & Economic Development Committee Agenda](#)
[Draft November 29, 2022 Special Council SSOC CPRB Police Commission Agenda](#)
[Draft December 1, 2022 Rules And Legislation Committee Agenda](#)

The committee called a Special City Council meeting on December 6, 2022 at 12 Noon, in addition to the Regularly scheduled City Council meeting.

The November 28, 2022 Special Life Enrichment Committee will begin at

A motion was made by Dan Kalb, seconded by Carroll Fife, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - Fortunato Bas, Fife, Kalb, and Thao

NO VOTE: 0

CHANGES MADE TO THE DRAFT NOVEMBER 28, 2022 SPECIAL LIFE ENRICHMENT COMMITTEE AGENDA

The November 28, 2022 Special Life Enrichment committee will begin at 10 AM

This be Accepted.

CHANGES MADE TO THE DRAFT NOVEMBER 29, 2022 SPECIAL COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA

Subject: Authorize Exclusive Negotiation Agreement For 1911 Telegraph Ave
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into An Exclusive Negotiation Agreement With McCormack Baron Salazar, Inc., Oakland & The World Enterprises, Inc., And Strada Investment Group II, L.L.C., And/Or Their Affiliates, For A Term Of Twenty-Four Months, With Two Three-Month Administrative Extensions, For The Potential Lease Disposition And Development Of 1911 Telegraph Avenue; And Adopting California Environmental Quality Act Findings [22-0702](#)

This City Resolution be Withdrawn with No New Date.

5 Determinations Of Closed Session

NO REPORT OUT OF NEW CLOSED SESSION ITEMS

This be Accepted.

Open Forum

5 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules And Legislation Committee adjourned the meeting at 1:31 p.m.

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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*** 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.**