

City of Oakland

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



CITY OF OAKLAND

Meeting Agenda - DRAFT

Tuesday, February 21, 2023

1:30 PM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

*** Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City
Council**

Pursuant to California Government Code Section 54953(e), the City Council has found that an imminent risk to the health of attendees due to the COVID-19 pandemic continues to exist. Therefore, all City Councilmembers will participate in the meeting via phone/video conference without notice of their teleconference locations

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/84485252554> 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: 844 8525 2554

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.

- THE E-COMMENT FUNCTION IS CURRENTLY UNAVAILABLE. PLEASE EMAIL WRITTEN COMMENTS TO CITYCLERK@OAKLANDCA.GOV AND THEY WILL BE DELIVERED TO COUNCIL & COMMITTEE MEMBERS.
- 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

COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Kevin Jenkins, District 6; President Pro Tempore Dan Kalb, District 1; Councilmember Rebecca Kaplan, At Large; Councilmember Janani Ramachandran, District 4; Councilmember Treva Reid, District 7; Council President Nikki Fortunato Bas, District 2

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

2 CONSENT CALENDAR (CC) ITEMS:

- 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
[23-0080](#)
Attachments: [View Legislation](#)
- 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
[23-0081](#)
Attachments: [View Legislation](#)

2.3 Subject: Declaration Of A Local Emergency On Homelessness
From: Councilmember 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
[23-0082](#)

Attachments: [View Legisaltion](#)

2.4 Subject: Teleconference Meetings Of The City Council
From: Office Of The City Administrator
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
[23-0083](#)

Attachments: [View Legislation](#)

2.5 Subject: Resolution Celebrating Gloria Bruce
From: Councilmember Dan Kalb And Council President Nikki Fortunato Bas
Recommendation: Adopt A Resolution Acknowledging And Thanking Gloria Bruce For
Her Extraordinary Work And Leadership On Affordable Housing In Oakland And The East
Bay As EBHO Executive Director
[23-0075](#)

Legislative History

2/2/23

*Rules & Legislation
Committee

Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

Consent

2.6 Subject: Renee Kessler Miller V. City of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Renee Kessler Miller V. City Of Oakland, And Does
1 To 100, Inclusive, Alameda County Superior Court Case No. 21cv002203, City Attorney
File No. 34755, In The Amount Of Thirty Thousand Dollars And Zero Cents (\$30,000.00)
(Department Of Transportation - Dangerous Condition Of Public Property)
[23-0077](#)

Attachments: [View Report](#)

[View Legislation](#)

Pursuant to Rule 28 D. of Resolution 89432 C.M.S., this item was added to this agenda.

2.7 Subject: Ma Carmen Bautista V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ma Carmen Bautista V. City Of Oakland, Mark Crawford And Does 1 To 10 Inclusive, Alameda County Superior Court Case No. RG21099088, City Attorney File No. 33908, In The Amount Of One Hundred And Eighty Thousand Dollars And No Cents (\$180,000.00) (Public Works Department - Negligence) [23-0078](#)

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

Pursuant to Rule 28 D. of Resolution 89432 C.M.S., this item was added to this agenda.

2.8 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 The City Of Oakland [22-0914](#)

Attachments: [View Report](#)
[View Legislation and Exhibits](#)
[View Supplemental Legislation 1/26/2023](#)
[View Supplemental Report - 2/3/2023](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 7, 2023; TBD.

Legislative History

11/17/22	*Rules & Legislation Committee <i>Staff withdrew this item and return to the committee for scheduling at a later date.</i>	No Action Taken
12/15/22	*Rules & Legislation Committee <i>A Title change for the subject and recommendation was read into record.</i>	Scheduled to the *Finance & Management Committee

1/23/23 *Finance & Management Committee Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Committee made a motion to forward this item to the February 7, 2023 City Council agenda as a Public Hearing, with the request for the following information to be included in a supplemental;

*-inquiries on the Oakland Fire department increase;
-OPD trainee cost;
-Human Services agenda production cost deletion & its impacts;
-City Administrators municipal IDs;
-Discount on facilities rentals for local non profits;
-Fire inspection fees recovery costs city wide; and
-the City Attorneys 5% deletion cost recovery*

1/26/23 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

As A Public Hearing

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

- 3.1 Subject: Vacate A Portion Of Sewer Easement At 2359 Harrison Street
From: Transportation Department
Recommendation: Adopt A Resolution Vacating A Portion Of The Public Sewer Easement At 2359 Harrison Street To The Property Owner, Nash - Holland 24th And Waverly Investors, LLC, And Adopting Appropriate California Environmental Act Findings [23-0047](#)

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

Legislative History

1/26/23 *Rules & Legislation Committee Scheduled to the *Public Works Committee
As a Public Hearing

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

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JANUARY 31, 2023, FEBRUARY 3, 2023, AND FEBRUARY 7, 2023
23-0084

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

6 Subject: Professional Services Contract For Racial Impact Study
From: Councilmember Fife
Recommendation: Adopt A Resolution Awarding A Professional Services Contract To BluSummers, LLC To Conduct A Racial Impact Analysis For An Amount Not To Exceed \$150,000 Utilizing The Funds Allocated For That Purpose In The Fiscal Year 2022-23 Mid-Cycle Budget, Pursuant To Resolution No. 89283 C.M.S., To Study The On-Going Effects Of Public Policy Decisions And Actions Such As Redlining, Displacement Through Eminent Domain, Urban Renewal, And Gentrification On The Black Community In Oakland And To Assess Ways To Redress The Harms Caused Through A “Black New Deal”; Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process Pursuant To Oakland Municipal Code Section 2.04.051.B; And Waiving The Local/Small Local Business Enterprise (L/SLBE) Program Requirements
[22-0985](#)

Attachments: [View Agenda Report](#)
 [View Legislation](#)
 [View Attachment A](#)

Legislative History

12/20/22	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/26/23	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

OPEN FORUM / CITIZEN COMMENTS

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 6:30 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.

Office of the City Clerk - Agenda Management Unit

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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.