

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 - FINAL

Tuesday, March 7, 2023

4:00 PM

City Council Chamber, 3rd Floor

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

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/83443461127> 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: 834 4346 1127

If asked for a participant ID or code, press #.

PUBLIC COMMENT ON EACH ACTION ITEM WILL BE TAKEN. ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK VIA TELECONFERENCE OR IN PERSON MUST FILL OUT A SPEAKER CARD FOR EACH ITEM - TO SUBMIT AN ELECTRONIC SPEAKER CARD EMAIL CITYCLERK@OAKLANDCA.GOV FOR ASSISTANCE. MEMBERS OF THE PUBLIC WISHING TO SPEAK VIA TELECONFERENCE MUST SUBMIT A SPEAKER CARD PRIOR TO THE CALL OF THE ITEM AND PROVIDE THEIR ZOOM PROFILE NAME (WHICH AT THE SPEAKER'S DISCRETION MAY BE THEIR LEGAL NAME OR OTHER INFORMATION TO IDENTIFY THEM) OR PHONE NUMBER ON THEIR SPEAKER CARD TO ALLOW THE CLERK'S OFFICE TO RECOGNIZE THEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK: (1) PRIOR TO COUNCIL ACTION ON MODIFICATIONS TO THE AGENDA FOR ITEMS AGENDIZED BEFORE THE NON-CONSENT CALENDAR, AND (2) PRIOR TO THE INTRODUCTION OF THE FIRST CONSENT ITEM, UNLESS CONSENT TO SPEAK IS GIVEN BY THE PRESIDING OFFICER OR A MAJORITY OF THE COUNCIL. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING.

PUBLIC COMMENTS:

- THE E-COMMENT FUNCTION IS CURRENTLY UNAVAILABLE. Please Email Written Comments To Cityclerk@Oaklandca.Gov And They Will Be Delivered To Council Members. E-Comments must be submitted at least 24 hours prior to the meeting time.
- To Comment In Person, Members Of The Public Wishing To Speak Must Submit A Separate Speaker Card For Each Item On The Agenda They Wish To Discuss To The City Clerk Before Being Recognized By The Presiding Officer. Due To The Network Outage, Electronic Speaker Cards Are Not Being Accepted At This Time.

- Once You Have Submitted Your Electronic Speaker Card - To comment by Zoom video conference, your Zoom Profile Name will be Acknowledged 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..](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

DEFINITION OF TERMS:

- **Action Item:** shall mean any resolution, ordinance, public hearing, motion or recommendation requiring official vote and approval of the City Council to be effective.
- **Informational Item:** shall mean an agenda item consisting only of an informational report that does not require or permit Council action.
- **Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval, except: 1) any item having a high level of public interest or controversy as determined by the Rules and Legislation Committee; 2) any action item that the Rules and Legislation Committee has placed on the Consent Calendar in accordance with Rule 26; or 3), any item that requires a public hearing or that is otherwise ineligible by law as a Consent Item.
- **Non-Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that: 1) a Standing Committee has forwarded to the full Council without unanimous recommendation for approval; 2) has a high level of public interest or controversy as determined by the Rules and Legislation Committee or: 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

1 Call To Order

2 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

**3 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations From The Mayor,
Council Acknowledgements/Announcements):**

4 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF FEBRUARY 21, 2023
[23-0118](#)

**5 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):**

6 CONSENT CALENDAR (CC) ITEMS:

6.1 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
[23-0119](#)

Attachments: [View Report](#)

6.2 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
[23-0120](#)

Attachments: [View Report](#)

6.3 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
[23-0121](#)

Attachments: [View Report](#)

6.4 Subject: California Plumbing Code: Appendix M Adoption
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code To Add
Section 15.04.3.5065 To Adopt Appendix M Of The 2022 California Plumbing Code,
California Code Of Regulations, Title 24, Part 5, Peak Water Demand Calculator; And
Adopting Appropriate California Environmental Quality Act Findings
[23-0076](#)

Attachments: [View Report](#)
[View Appendix M - CPC](#)
[View Legislation](#)

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

INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 21, 2023; 8 AYES.

Legislative History

2/2/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
2/14/23	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Committee approved staffs recommendation and forwarded it to the February 21, 2023 City Council Agenda On Consent</i>
2/16/23	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Consent</i>
2/21/23	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

6.5 Subject: Oakland City Council Orientation And Overview - City Priorities And Departments - Public Safety, Emergency Response, Public Infrastructure, And Constituent Services

From: Office Of The City Administrator

Recommendation: Receive An Informational Report That Provides An Overview Of Public Safety, Violence Prevention, Emergency Operations/Response, Public Infrastructure, And Constituent Services In The City Of Oakland That Shall Include Presentations From The City Administrator's Office, Oakland Fire Department, Oakland Police Department, Department Of Violence Prevention, Office Of The Inspector General, Community Police Review Agency/Police Commission, Oakland Public Works And Oakland Department Of Transportation

[22-1014](#)

Attachments:

[View Report](#)

[View Presentation](#)

[View Supplemental Report - 1/19/2023](#)

[View Supplemental Presentation - 1/19/2023](#)

Legislative History

12/15/22	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
		<i>The January 27, 2022 Special City Council Meeting has been called for the City Council Orientation, convening at 9:30 AM</i>
1/27/23	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	No Action Taken
2/23/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

On Consent

Rule 24 was stated on the record as to why this item is bypassing committee

6.6 Subject: People Of The State Of California Et Al.V. Purdue Pharma L.P., Et. Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing The City Attorney To Release The City's Potential Claims As Necessary To Join The National Walgreens Settlement Agreement, The National Walmart Settlement Agreement, The National CVS Settlement Agreement, And Their Accompanying California State-Subdivision Agreements Regarding Distribution And Use Of Settlement Funds, As Well As To Release The City's Potential Claims As Necessary To Join The National Teva Settlement Agreement, The National Allergan Settlement Agreement, And Their Accompanying California State-Subdivision Agreements Regarding Distribution And Use Of Settlement Funds; All Pursuant To In Re National Prescription Opiate Litigation, MDL Master Docket No. 1:17-MD-2804 (Office Of The City Attorney - Public Nuisance, False Advertising, Unfair Competition)

[23-0129](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

2/23/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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On Consent

6.7 Subject: California Capital Insurance Company 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 California Capital Insurance Company As Subrogee Of The Gee Family Trust V. City Of Oakland And Does 1 Through 25, Inclusive, Alameda County Superior Court Case No. 22CV015984, City Attorney File No. 35070, In The Amount Of Sixty Four Thousand And Six Hundred Five Dollars And Eighty-Three Cents (\$64,605.83) (Department Of Public Works - Inverse Condemnation)

[23-0131](#)

Attachments: [View Report](#)

[View Legislation](#)

Legislative History

2/23/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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On Consent

6.8 Subject: Oracle Business Intelligence And Analytics Consulting Services
From: Information Technology Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Execute An Agreement With Fusion Bi, Inc. For One Hundred Five Thousand Dollars (\$105,000) For Oracle Business Intelligence And Analytics Consulting Services For A One (1) Year Term With The Option To Extend For An Additional One (1) Year For A Total Amount Not To Exceed Two Hundred Ten Thousand Dollars (\$210,000); And (2) Waiving The City's Local Business/Small Local Business Utilization Requirements

[23-0123](#)

Attachments:

[View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Legislation](#)

Legislative History

2/23/23

*Rules & Legislation
Committee

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

On Consent

Rule 24 was stated on the record as to why this item is bypassing committee

6.9 Subject: Commission On Homelessness
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Joey Harrison, Alexis Lozano, Candace Elder, Beth Stokes, And Mark Walker As Members Of The Commission On Homelessness

[23-0138](#)

Attachments:

[View Report and Legislation](#)

6.10 Subject: Library Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Brittany Buckmire, Bradley Boyd, Karen Zukor, Chiye Azuma, And Alex Weinberg, And Reappointment Of Karen Roye To The Library Advisory Commission

[23-0137](#)

Attachments:

[View Report and Legislation](#)

6.11 Subject: Bicyclist Pedestrian Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
Patricia Schader, Dianne Yee, And Grey Gardner To The Bicyclist Pedestrian Advisory
Commission
[23-0136](#)

Attachments: [View Report and Legislation](#)

6.12 Subject: Children's Fairyland Board Of Directors
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jana
Pastena To The Children's Fairyland Board Of Directors
[23-0135](#)

Attachments: [View Report and Legislation](#)

6.13 Subject: Cultural Affairs Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jim Santi
Owen, Charles McNeal, And Iliana Lipsett, And Reappointment Of Jennifer Easton And
Vanessa Whang To The Cultural Affairs Commission
[23-0134](#)

Attachments: [View Report and Legislation](#)

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

**ACTION ON THE NON-CONSENT CALENDAR PORTION OF THE AGENDA WILL
COMMENCE AT 5:00 P.M., OR AS SOON THEREAFTER AS REASONABLY
PRACTICABLE**

**8 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

OPEN FORUM / PUBLIC COMMENTS

ADJOURNMENT OF COUNCIL SESSION

**(Meeting Shall Conclude No Later Than 10:00 P.M., Unless Extended By An
Affirmative Vote Of Five (5) Councilmembers)**

Americans With Disabilities Act

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

Oakland's Mask Mandate For Everyone Ages 6 And Older Inside City Facilities: The City Will Continue To Make Masks Available To Patrons Of Our Buildings That May Not Arrive With One.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Relay Service: 711

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

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.