



# City of Oakland

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

## Meeting Minutes - DRAFT

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

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*Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California,  
94612*

*City of Oakland Website: <http://www.oaklandca.gov>*

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Tuesday, May 16, 2023

4:00 PM

City Council Chamber, 3rd Floor

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The Concurrent Meeting of the Oakland City Council And Successor Redevelopment Agency was held on the above date and was convened at 4:08 P.M.

1 Call To Order

2 ROLL CALL / CITY COUNCIL

**Present** 8 - Carroll Fife, Noel Gallo, Dan Kalb, Rebecca Kaplan, Janani Ramachandran, Treva Reid, Nikki Fortunato Bas, and Kevin Jenkins

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

3.1 Subject: Recognizing Sameena Usman  
From: Councilmember Kaplan  
Recommendation: Adopt A Resolution Honoring Sameena Usman For More Than 17 Years Of Advocacy On Behalf Of All Oaklanders; Recognizing The Profound Impact Sameena Usman Has Had Fighting For Greater Civil, Racial, And Economic Rights For All Oaklanders; Recognizing Sameena Usman As A Champion For The People Of Oakland; And Declaring May 16, 2023, As Sameena Usman Day  
[23-0341](#)

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

[89710 CMS](#)

**8 Speakers Spoke On This Item**

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

**Aye:** 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**NO VOTE:** 0

**4 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MAY 2, 2023, AND  
MAY 3, 2023**  
[23-0359](#)

**Attachments:** [View Draft May 2, 2023 Meeting Minutes](#)  
[View Draft May 3, 2023 Meeting Minutes](#)

**1 Speaker Spoke On This Item**

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

**Aye:** 7 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Fortunato Bas, and Jenkins

**Absent:** 1 - Reid

**NO VOTE:** 0

**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):**

*The Agenda was modified to reflect the following:*

*Item 6.26 "Dimond Business Improvement District 2023" withdrawn*  
*Item S.11 "Appointment Of Jestin Johnson As City Administrator" was moved to be heard as the first item on the Non-Consent Calendar*

**1 Speaker Spoke On This Item**

**6 CONSENT CALENDAR (CC) ITEMS:**

**17 Speakers Spoke On This Item**

***Approval of the Consent Agenda***

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

**Aye:** 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**NO VOTE:** 0

- 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  
[23-0360](#)

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

**This City Resolution was Adopted.**

- 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  
[23-0361](#)

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

**This City Resolution was Adopted.**

- 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  
[23-0362](#)

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

**This City Resolution was Adopted.**

- 6.4** Subject: Barcelona Parcel Exclusive Negotiation Agreement  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into An Exclusive Negotiation Agreement With Eagle Environmental Construction & Development Or Its Affiliate, For A Term Of Twenty-Four Months, With One Six-Month Administrative Extension, For The Potential Sale Or Lease Disposition Of The Property Located On Barcelona Street Adjacent To The Oak Knoll Project In The Oakland Hills East Of I-580 Near The Oakland Zoo; And Adopting California Environmental Quality Act Findings  
[23-0166](#)

**Attachments:** [View Report And Attachments A,B, And C](#)  
[View Legislation](#)

**This City Resolution was Adopted.**

- 6.5** Subject: ENA With SAHA For A Portion Of The 12th Street Remainder Parcel  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution (1) Declaring A Portion Of The 12th Street Remainder Parcel, Located At East 12th Street And 2nd Avenue (Property) As Exempt Surplus Land Under The State Surplus Land Act Meeting The Criteria Under Government Code Section 54221(F)(1)(A); (2) Waiving The Competitive Process For Disposition Of A Property For Development; And (3) Authorizing The City Administrator To Negotiate And Enter Into An Exclusive Negotiation Agreement With Satellite Affordable Housing Associates And/Or An Affiliate For Twenty-Four Months With One Additional Six-Month Administrative Extension, For The Potential Lease Disposition And Development Of A Portion Of The Property And Development Of An Affordable Housing Project, Subject To The Completion Of A California Environmental Quality Act Determination  
[23-0231](#)

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

**This City Resolution was Adopted.**

- 6.6** Subject: Resolution In Support Of California Assembly Bill 478 (Connolly)  
From: President Pro Tempore Kalb And Councilmember Ramachandran  
Recommendation: Adopt A Resolution In Support Of AB 478 (Connolly) To Prohibit Home Insurance Companies From Cancelling Or Refusing To Renew A Residential Property Insurance Policy For Seniors Aged 65 Years Of Age Or Older Located In A High Or Very High Fire Hazard Severity Zone, Putting A 25% Cap On Increases To Such Senior Homeowner's Policies, And Only Allowing One Premium Hike Every Five Years  
[23-0349](#)

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

**This City Resolution was Adopted.**

- 6.7** Subject: Resolution In Support Of California Senate Bill 98 (Portantino)  
From: President Pro Tempore Kalb And Councilmember Reid  
Recommendation: Adopt A Resolution In Support Of SB 98 (Portantino) Which Would Change The Definition Of "Average Daily Membership" In Order To Provide Additional Education Funding To Local Education Agencies Of Which Thirty Percent Shall Be Used For Purposes Of Local Education Agency Expenditures To Address Chronic Absenteeism And Habitual Truancy By Providing Services And Supports That Have Been Determined To Improve School Attendance Or Address The Root Causes Of Absenteeism  
[23-0350](#)

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

**This City Resolution was Adopted.**

- 6.8** Subject: Resolution In Support Of California Senate Bill 571 (Allen)  
From: President Pro Tempore Kalb  
Recommendation: Adopt A Resolution In Support Of SB 571 (Allen), Which Would Require Proponents Of New Developments That (1) Require The Evacuation Of 40 Or More Vehicles At Any Given Time And (2) Are Within A High Or Very High Fire Hazard Severity Zone, To Submit With Its Application For Development An Evacuation Plan, Which Shall Include A Wildfire Behavior Study, A Traffic Engineering Study, And The Best Available Routes For Evacuation Egress. The Evacuation Plan Would Be Subject To Independent Approval Of The Local Government, Law Enforcement And Fire Agencies That Have Jurisdictional Response Authority Over The Relevant Area, And The California Highway Patrol If The Proposed Evacuation Routing Utilizes State Or Federal Highways [23-0351](#)

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

**This City Resolution was Adopted.**

- 6.9** Subject: Brooklyn Basin Marina Expansion Project  
From: Planning And Building Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Approving Zone Text Amendment To Increase The Maximum Average Density And Modify The Parking Requirements In The Oak To Ninth District (D-OTN) Zone; And Making Appropriate California Environmental Quality Act Findings;  
[23-0209](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[13738 CMS](#)

**This Ordinance was Approved for Final Passage.**

2) An Ordinance Authorizing The City Administrator To Execute A Third Amendment To The Development Agreement For The Brooklyn Basin (Formerly The Oak-To-Ninth Avenue Mixed Use Development) Project Between The City Of Oakland And Zarsion-OHP I, LLC; And Making Appropriate California Environmental Quality Act Findings  
[23-0210](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[13739 CMS](#)

**This Ordinance was Approved for Final Passage.**

**6.10** Subject: Family First Foundation Grant And License  
From: Parks, Recreation And Youth Development Department  
Recommendation: Adopt An Ordinance (1) Authorizing A License Agreement With Fam  
1st Family Foundation For Use Of The West Oakland Youth Center Located At 3233  
Market Street, Oakland, At The Below Market Rate Of \$0.00 Through June 30, 2025 With  
A Two-Year Option To Renew To Provide Afterschool Programs, Summer Programs,  
Workforce Employment Training And Placement Programs And Community Events For  
Youth And Their Families; (2) Making Findings That The License For A Below Fair  
Market Value Is In The Best Interest Of The City; And (3) Making Appropriate California  
Environmental Quality Act (CEQA) Findings  
[23-0233](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Supplemental Report - 4/20/2023](#)

**This Ordinance was Approved for Final Passage.**

**6.11** Subject: Salary Ordinance Amendment For Various Classifications  
From: Human Resources Management Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance  
No. 12187 C.M.S. ("Salary Ordinance") To: (A) Add The Full-Time Classification Of  
Violence Prevention Services Manager; The Full-Time Classification Of Violence  
Prevention Services Supervisor; The Full-Time Classification Of Early Childhood  
Education Manager; The Full-Time Classification Of Early Learning Specialist; The  
Full-Time Classification Of Head Start Program Operations Manager; The Full-Time  
Classification Of Rent Adjustment Program Assistant; And The Full-Time Classification  
Of Veterinary Assistant; And (B) Amend The Salary Of The Full-Time Classification Of  
Veterinarian; The Permanent Part- Time Classification Of Veterinarian; The Part-Time  
Classification Of Veterinarian; The Full-Time Classification Of Registered Veterinary  
Technician; And The Full-Time Classification Of Deputy Chief Of Violence Prevention  
[23-0258](#)

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

**A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be  
Approved for Final Passage. The motion carried by the following vote:**

**Abstained:** 1 - Reid

**Aye:** 7 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Fortunato Bas, and Jenkins

**NO VOTE:** 0

- 6.12** Subject: Assignment Of The 2022 Affordable Housing Infrastructure Bond Measure To The Affordable Housing And Infrastructure Public Oversight Committee  
Form: Finance Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13619 C.M.S., Which Established The Affordable Housing & Infrastructure Public Oversight Committee, To Assign To The Committee The Responsibility For Oversight Of The 2022 Affordable Housing And Infrastructure Bond (Measure U) And Make Non-Substantive Technical Edits

[23-0292](#)

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

**This Ordinance was Approved for Final Passage.**

- 6.13** Subject: Public Art Advisory Committee  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kaitlin Kushner As A Member Of The Public Art Advisory Committee

[23-0366](#)

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

**This City Resolution was Adopted.**

- 6.14** Subject: Head Start Advisory Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Julia Forte Frudden And Christina Michaud As Members Of The Head Start Advisory Board

[23-0367](#)

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

**This City Resolution was Adopted.**

- 6.15** Subject: Public Safety And Services Violence Prevention Oversight Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointments Of Michael Wallace And Yoana Tchoukleva And Appointment Of Gloria Bailey-Ray As Members Of The Public Safety And Services Violence Prevention Oversight Commission

[23-0368](#)

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

**This City Resolution was Adopted.**

**6.16** Subject: Community Policing Advisory Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Art Douglas Blacksher And Appointment Of Jacqueline Long As Members Of The Community Policing Advisory Board  
[23-0369](#)

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

**This City Resolution was Adopted.**

**6.17** Subject: Landmarks Preservation Advisory Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Caleb Matheny As A Member Of The Landmarks Preservation Advisory Board  
[23-0370](#)

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

**This City Resolution was Adopted.**

**6.18** Subject: Budget Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Mike Petouhoff, Guadalupe Garcia, And Larisa Casillas To The Budget Advisory Commission  
[23-0371](#)

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

**This City Resolution was Adopted.**

**6.19** Subject: Commemorative Street Renaming In Honor Of Tupac Shakur  
From: Councilmember Fife  
Recommendation: Adopt A Resolution Commemoratively Renaming MacArthur Boulevard Between Grand Avenue And Van Buren Avenue As "Tupac Shakur Way" Pursuant To The Policy And Criteria Established By Resolution No. 77967 C.M.S.  
[23-0357](#)

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

**This City Resolution was Adopted.**

**6.20** Subject: Sherry Hirota Way  
From: Council President Fortunato Bas  
Recommendation: Adopt A Resolution Commemoratively Renaming Alice Street  
Between Ninth And Tenth Street As "Sherry Hirota Way" Pursuant To The Policy And  
Criteria Established By Resolution No. 77967 C.M.S.  
[23-0377](#)

**Attachments:** [View Legislation](#)  
[View Supplemental Report - 5/11/2023](#)  
[View Supplemental Legislation - 5/11/2023](#)

**This City Resolution was Adopted.**

**6.21** Subject: Celebration Of Jewish American Heritage Month  
From: President Pro Tempore Kalb And Mayor Thao  
Recommendation: Adopt A Resolution In Celebration Of May 2023 As Jewish American  
Heritage Month And Honoring Jewish Americans Whose Service And Leadership In  
Oakland Contribute To A More Vibrant And Just City  
[23-0373](#)

**Attachments:** [View Legislation](#)  
[View Supplemental Legislation - 5/11/2023](#)

**This City Resolution was Adopted.**

**6.22** Subject: Resolution Recognizing Jaivian Thomas  
From: Councilmember Fife  
Recommendation: Adopt A Resolution Recognizing And Celebrating McClymonds  
Senior Jaivian Thomas For His Outstanding Academic And Athletic Achievements And  
Wishing Him Continued Success In His Future Endeavors  
[23-0372](#)

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

**10 Speakers Spoke On This Item**

**This City Resolution was Adopted.**

**6.23** Subject: In Support Of Senate Bill 555  
From: Councilmember Fife  
Recommendation: Adopt A Resolution In Support Of California State Senate Bill 555 (Wahab), Which Would Set Five- And Ten-Year Goals For The Creation Of 1.2 Million Units Of Social Housing To Meet The Needs Of Lower- And Middle-Income California Residents  
[23-0312](#)

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

**This City Resolution was Adopted.**

**6.24** Subject: Renew And Continue A Declaration Of A Local Emergency Due To Ransomware Attack  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of Local Emergency Within The Territorial Limits Of The City Of Oakland Due To A Ransomware Attack, Proclaimed By The City Administrator On February 14, 2023, And Ratified By The City Council On February 16, 2023, Pursuant To Oakland Municipal Code Chapter 8.50 And Government Code Section 8630  
[23-0378](#)

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

**This City Resolution was Adopted.**

**6.25** Subject: Jack London Improvement District Of 2023 - Resolution Of Intention  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution: (1) Declaring An Intention To Form The Jack London Improvement District Of 2023 (Jack London BID 2023); (2) Granting Preliminary Approval Of The Jack London BID 2023 Management Plan; (3) Directing Filing Of The Proposed Jack London BID 2023 Assessment District Boundary Description With The City Clerk; (4) Directing Distribution Of A Ballot To All Affected Property Owners In The Proposed Jack London BID 2023 To Determine Whether A Majority Protest Exists; And (5) Scheduling A Public Hearing For July 18, 2023  
[23-0374](#)

**Attachments:** [View Report And Attachments A - C](#)  
[View Legislation And Exhibit A & B](#)  
[View Amended Attachment C - 5/19/2023](#)  
[89731 CMS](#)

***Councilmember Gallo made a motion, seconded by President Pro Tempore Kalb to adopt the resolution as amended. The motion passed with a vote of 8 Ayes. The Resolution was approved with the following amendments:***

***Of the staff report, Of attachment C. Sample Ballot, Under Personal Delivery, correcting the City Clerk's hours of operation to reflect on Monday-Friday;***

***and Of the Resolution, Exhibit B Sample Ballot, Under Personal Delivery, correcting the City Clerk's hours of operation to reflect on Monday-Friday***

**A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Aye:** 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**NO VOTE:** 0

**6.26** Subject: Dimond Business Improvement District 2023 - Resolution Of Intention  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution (1) Declaring An Intention To Form The Dimond Business Improvement District Of 2023 (Dimond BID 2023); (2) Granting Preliminary Approval Of The Dimond BID 2023 Management Plan; (3) Directing Filing Of The Proposed Dimond BID 2023 Assessment District Boundary Description With The City Clerk; (4) Directing Distribution Of A Ballot To All Affected Property Owners In The Proposed Dimond BID 2023 To Determine Whether A Majority Protest Exists; And (5) Scheduling A Public Hearing For July 18, 2023  
[23-0375](#)

**Attachments:** [View Report And Attachment A,B And C](#)  
[View Legislation And Exhibit AB](#)

**A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Withdrawn with No New Date. The motion carried by the following vote:**

**Aye:** 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**NO VOTE:** 0

**6.27** Subject: Tulsee Nathu, Daxa "Mina" Patel V. The 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 Tulsee Nathu, Daxa "Mina" Patel; Jayanti Nathu, li Ram 6801 I-40 West, Amarillo, Tx, Ltd; And 1000 Ram Inc. V. City Of Oakland, United States District Court Case No. 14-cv-01626-JSC, United States Court Of Appeals For The Ninth Circuit Case No. 23-15062, City Attorney File No. X05164, For A Waiver Of Costs To Which The City Is Otherwise Entitled In The Amount Of Twenty-Eight Thousand Five Hundred Seventy-Nine Dollars And Twenty-Five Cents (\$28,579.25) (City Council - Land Use)  
[23-0379](#)

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

**This City Resolution was Adopted.**

- 6.28** Subject: Terry Smith V. The 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 Terry Smith V. City Of Oakland And Does 1 To 30, Alameda County Superior Court Case No. RG21101859, City Attorney File No. 34617, In The Amount Of One Hundred Fifty Thousand Dollars And Zero Cents (\$150,000.00) (Oakland Police Department - Negligence)

[23-0380](#)

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

[View Legislation](#)

**This City Resolution was Adopted.**

- 6.29** Subject: EEOC Charge Of Helen Ricci  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The EEOC Charge No. 555-2017-01062 Of Helen Ricci Against The Oakland Police Department, In The Amount Of One Hundred Thousand Dollars And Zero Cents (\$100,000.00) (Oakland Police Department - Employment Discrimination And Retaliation)

[23-0381](#)

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

[View Legislation](#)

**This City Resolution was Adopted.**

- S6.30** Subject: Fiscal Year (FY) 23-24 Landscaping And Lighting District (LLAD) - Intention  
From: Finance Department  
Recommendation: Adopt A Resolution (1) Approving The City Of Oakland Landscaping And Lighting Assessment District Fiscal Year 2023-2024 Preliminary Engineer's Report; (2) Declaring The Intention To Levy And Collect The Annual Landscaping And Lighting Assessment District Assessment For FY 2023-2024; And (3) Setting June 6, 2023 At 4:00 P.M. As The Date And Time For A Public Hearing

[23-0257](#)

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

[View Attachment A](#)

[View Appendix A](#)

[View Legislation](#)

**This City Resolution was Adopted.**

Subject: Fiscal Year (FY) 2023-24 Landscaping And Lighting District (LLAD) - Confirmation  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The City Of Oakland Landscaping And Lighting Assessment District (LLAD) Fiscal Year (FY) 2023-24 Engineer's Report And The Levying Of Assessments [23-0437](#)

**Attachments:** [View Appendix A of Final Engineer's Report](#)  
[View Legislation And Report](#)  
[View Exhibit A](#)

*The City Council Set Forth this item to be heard as a Public Hearing on June 6, 2023 with the Adoption of Resolution [23-0257] 23-24 LLAD - Intention*

**S6.31** Subject: Amending And Extending The Civicorps Schools Contract Agreement  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution: (1) Waiving The City Of Oakland's Advertising And Solicitation Of Proposals/Qualifications Requirements; (2) Authorizing The City Administrator To: A. Extend The Contract With Civicorps Schools (Contract Purchase Order 2020003454), Established Per Resolution Number 87719 C.M.S., For Five Additional Years Ending In 2029 With An Expanded Scope Of Work; And B. Increase The Contract Amount From Three Hundred Thousand Dollars (\$300,000) To An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000); And (3) Adopting Appropriate California Environmental Quality Act Findings [23-0305](#)

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

**This City Resolution was Adopted.**

**S6.32** Subject: On-Call Sanitary Sewer Construction Services  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing: (1) The City Administrator To Execute Construction Contracts For On-Call Sanitary Sewer Construction Services That Follow All City Advertising And Competitive Bidding Requirements And Are Awarded In Direct Service Of Delivering The On-Call Sanitary Sewer Construction Services For A Duration Of Three Years To The Following Tiers, Without Return To City Council: (A) Tier 1 Firms Each For An Amount Not-To-Exceed Seven Million Dollars (\$7,000,000.00) Annually To Qualified Contractors; And (B) Tier 2 Firms Each For An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00) Annually To Qualified Contractors; And (2) Adopting Appropriate California Environmental Quality Act Findings  
[23-0306](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Supplemental Presentation - 5/4/2023](#)  
[View Supplemental Report - 5/11/2023](#)

***Councilmember Gallo made a motion, President Pro Tempore Kalb seconded to adopt the resolution as amended. The motion passed with a vote of 8 Ayes. The Resolution was approved with the following amendments:***

***Of the Supplemental Report, removing Bay Construction listed as one of the qualified contractors***

**A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Aye:** 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**NO VOTE:** 0

**S6.33** Subject: On-Call General Construction Services  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing: (1) The City Administrator To Execute Construction Contracts For On-Call General Construction Services That Follow All City Advertising And Competitive Bidding Requirements And Are Awarded In Direct Service For A Duration Of Three Years To The Following Tiers, Without Return To City Council: (A) Tier 2 Firms For An Amount Not-To-Exceed Four Million Dollars (\$4,000,000.00) Annually To Qualified Contractors; And (B) Tier 2 Firms For An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00) Annually To Qualified Contractors; And (2) Adopting Appropriate California Environmental Quality Act Findings  
[23-0307](#)

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

**This City Resolution was Adopted.**

**S6.34** Subject: Malonga Informational Report  
From: Oakland Parks And Recreation Youth Department  
Recommendation: Receive An Informational Report For The Malonga Casquelourd Center For The Arts (Malonga or MCCA) On The Status Of (1) Lease Agreements With Malonga Arts Collective Members, (2) Scope And Budget Of A Master Plan For Cultural Arts Programming At Malonga, And (3) City's Feasibility Study And Building Assessment  
[23-0321](#)

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

**This Informational Report was Received and Filed.**

**S6.35** Subject: Home Rehabilitation Program Limit Increase  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Modify The Lead Safe And Healthy Homes Program Guidelines To Increase The Grant Limit From \$15,000 To \$30,000 Per Project, (2) Modify The Access Improvement Program Guidelines To Increase The Grant Limit From \$15,000 To \$30,000 Per Project And From \$24,000 To \$48,000 If A Wheelchair Lift Is Required, (3) Modify The Emergency Home Repair Program Guidelines To Increase The Loan Limit From \$15,000 To \$30,000 Per Project, And (4) Modify The City's Residential Lending Home Rehabilitation Programs Guidelines To Allow For An Annual Adjustment To Home Rehabilitation Programs To Increase Grant And Loan Limits Based On The California Construction Index  
[23-0345](#)

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

**This City Resolution was Adopted.**

**S6.36** Subject: Community Care Expansion Local Match For 1888 MLK Project  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Use The Existing City Capital Matching Funds In A Total Amount Not To Exceed \$2,600,000 To Serve As The Local Match For A State Of California Community Care Expansion Grant For The 1888 Martin Luther King Jr. Way Affordable Housing Development  
[23-0344](#)

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

**This City Resolution was Adopted.**

**[S6.37** Subject: OPD State COPS Grant XXV  
Form: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, To Accept And Appropriate The Fiscal Year (FY) 2023 State Of California "Citizens Options For Public Safety " (State COPS Grant XXV) Allocation In The Amount Not To Exceed Six Hundred Sixty-Five Thousand Five Hundred Seventy Nine Dollars (\$665,579) To Fund Body Armor For The SWAT Team, Helicopter Maintenance, Records Division Workstations, Micro TraumaPak Kits, Medical Training Supplies And Equipment  
[23-0214](#)

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

[View Legislation](#)

[View Supplemental Report - 5/3/2023](#)

[View Supplemental Legislation - 5/11/2023](#)

***The Council approved the Supplemental Legislation - 5/11/2023***

**This City Resolution was Adopted.**

**S6.38** 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 Facilitators Of Sideshows [22-0830](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Supplemental Report 12/1/2022](#)  
[View Supplemental Report - 12/15/2022](#)  
[View Supplemental Legislation - 12/15/2022](#)  
[View Supplemental Legislation - 4/27/2023](#)

*A motion was made by Councilmember Gallo, seconded by President Pro Tempore Kalb to approve the item as amended. The motion passed with 8 Ayes. The Ordinance was approved as amended on First Introduction, and scheduled for Final Passage June 6, 2023.*

*The Ordinance Was Approved On First Introduction With The Following Amendments:*

*Of the Supplemental Legislation - 4/27/2023, of 10.74.030 Definitions, On Page 3; Subsection F. adding paragraph 7. to read One (1) or more drivers is demonstrating or performing automotive stunts including but not limited to spinning doughnuts, vehicles swerving back and forth, burning rubber, spinning cars, racing or obstructing any public street, highway or in an Offstreet Parking Facility.*

*Page 5; of 10.74.060 Penalties and Violations, Section A. Paragraph 1. Violation a Misdemeanor., adding 'that may be charged by the District Attorney' to the last sentence.*

*Of Section B. Civil Penalties., adding paragraph 1. to read, The City may assess the following penalties for violations of this chapter: (a) one thousand dollars (\$1,000.00) for the first violation; (b) two thousand five hundred (\$2,500.00) for the second violation; and (c) five thousand dollars (\$5,000.00) for the third violation and for each subsequent violation committed within a calendar year.*

*And, adding paragraph 2. to read, The City may recover damages caused by any violation of this section.*

*A motion was made by Noel Gallo, seconded by Dan Kalb, 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 6/6/2023. The motion carried by the following vote:*

**Aye:** 8 - Fife, Gallo, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**NO VOTE:** 0

**S6.39** Subject: Housing, Residential Rent And Relocation Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Marcos Escobar As An Undesignated Representative To The Housing, Residential Rent And Relocation Board  
[23-0319](#)

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

**This City Resolution was Adopted.**

**COUNCILMEMBER GALLO WAS NOTED ABSENT AT 7:34 P.M.**

**7** ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION AND DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS  
[23-0382](#)

**Attachments:** [Report of Final Action - Nathu v. City of Oakland](#)  
[Report of Final Action - Smith v. City of Oakland](#)  
[Report of Final Action - Claim of Ricci](#)

**23 Speakers Spoke On This Item**

**A motion was made by Kevin Jenkins, seconded by Carroll Fife, that this matter be Accepted. The motion carried by the following vote:**

**Aye:** 7 - Fife, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**Absent:** 1 - Gallo

**NO VOTE:** 0

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

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

**AT 8:52 P.M. COUNCIL PRESIDENT FORTUNATO BAS RELINQUISHED THE CHAIR AND PRESIDENT PRO TEMPORE KALB PRESIDED AS CHAIRPERSON**

**S11** Subject: A Resolution Confirming Mayor Thao's Appointment Of Jestin D. Johnson As City Administrator  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming Mayor Thao's Appointment Of Jestin D. Johnson As City Administrator And Authorizing The Mayor, On Behalf Of The City, To Execute An Employment Agreement With Jestin D. Johnson For The Period Commencing On June 5, 2023 And Ending At Midnight On January 30, 2027 And For An Annual Salary Of Three Hundred Forty Thousand Dollars (\$340,000.00)  
[23-0416](#)

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

**2 Speakers Spoke On This Item**

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

**Aye:** 7 - Fife, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**Absent:** 1 - Gallo

**NO VOTE:** 0

**9** 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"; And Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process Pursuant To Oakland Municipal Code Section 2.04.051.B  
[22-0985](#)

**Attachments:** [View Agenda Report](#)  
[View Legislation](#)  
[View Attachment A](#)  
[View Supplemental Report - 5/4/2023](#)  
[View Supplemental Legislation - 5/4/2023](#)

**2 Speakers Spoke On This Item**

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

**Aye:** 7 - Fife, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**Absent:** 1 - Gallo

**NO VOTE:** 0

- 10** Subject: Summer Food Service Program (SFSP)  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution: (1) Accept And Appropriate A Summer Food Service Program (SFSP) Grant From The California Department Of Education (CDE) In The Amount Of \$426,870 (Four Hundred Twenty-Six Thousand Eight Hundred Seventy Dollars); And (2) Award Professional Services Agreements (PSAS) To Uptons, Inc. (DBA School Foodies) In An Amount Not To Exceed \$168,750 (One Hundred Sixty Eight Thousand Seven Hundred Fifty Dollars); To Flo's Friendly Foods In An Amount Not To Exceed \$180,800 (One Hundred Eighty Thousand Eight Hundred Dollars); To Cook And Run, Inc In An Amount Not To Exceed \$185,000 (One Hundred Eighty Five Thousand Dollars); To Alameda County Deputy Sheriff's Activities League In An Amount Not To Exceed \$87,500 (Eighty Seven Thousand Five Hundred Dollars); And To Golden Safari Restaurant & Bakery, Inc In An Amount Not To Exceed \$75,000 (Seventy Five Thousand Dollars), To Provide Food Services From May 30, 2023 Through July 28, 2023; And (3) Accept And Appropriate Additional SFSP Grant Monies That Become Available From The CDE And Donations From Private Sources During The Period Of May 30, 2023 Through July 28, 2023, Without Returning To Council; And (4) Authorize Amendments To The Above PSAS To Increase Amounts Within The Term Of May 30, 2023 Through July 28, 2023, Without Returning To Council  
[23-0376](#)

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

**A motion was made by Rebecca Kaplan, seconded by Janani Ramachandran, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 7 - Fife, Kalb, Kaplan, Ramachandran, Reid, Fortunato Bas, and Jenkins

**Absent:** 1 - Gallo

**NO VOTE:** 0

**AT 9:43 P.M. COUNCIL PRESIDENT FORTUNATO BAS RESUMED PRESIDING AS CHAIR**

**AT 9:52 P.M. A MOTION WAS MADE BY COUNCILMEMBER REID, SECONDED BY COUNCILMEMBER FIFE TO EXTEND THE MEETING PAST 10:00 P.M. THE MOTION CARRIED WITH A VOTE OF 7 AYES; 1 ABSENT-GALLO**

## **OPEN FORUM / PUBLIC COMMENTS**

*14 Individuals Spoke During Open Forum*

### **ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 10:00 P.M., Unless Extended By Majority Vote Of The Council)**

*There being no further business, the Oakland Redevelopment Successor Agency and The City Council adjourned the meeting at 10:13 p.m.*

### **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.**

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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.**