



City of Oakland

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

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

Tuesday, December 6, 2022

10:00 AM

Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Oakland Redevelopment Successor Agency/City Council convened at 10:01 am, with Vice Mayor Kaplan presiding as Chairperson.

Pro Tempore was noted present at 10:07 a.m.

COMMITTEE MEMBERSHIP

ROLL CALL / CITY COUNCIL

Excused 2 - Sheng Thao, and Nikki Fortunato Bas

Present 6 - Loren Taylor, Carroll Fife, Noel Gallo, Dan Kalb, Rebecca Kaplan, and Treva Reid

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):

A motion was made by Pro Tempore Thao, seconded by Councilmember Fife to modify the agenda by doing the following:

Withdrawing items 2.5, 2.6, 2.29, 2.30, 2.31, 2.32, S2.33, S2.34, S2.35, S2.36 and S2.37 regarding Mayoral Appointments, with no new date;

Withdrawing item 2.10 "Women, Life, Freedom' A Resolution Supporting Iranian And Kurdish Women And Protesters In Iran" and scheduling to the December 20, 2022, City Council Agenda on Consent; and

Moving item 8. "Amended Lease Agreement With The Dr. Huey P. Newton Foundation" to be heard before Public Hearings

**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**

The call of the que opened at 10:42 am and closed at 10:57 am

76 individuals spoke during Public Comment

2 CONSENT CALENDAR (CC) ITEMS:

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:

Excused: 1 - Fortunato Bas

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

NO VOTE: 0

- 2.1** Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
[22-0934](#)

Attachments: [View Legislation](#)
[89485 CMS](#)

This City Resolution was Adopted.

- 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
[22-0935](#)

Attachments: [View Legislation](#)
[89486 CMS](#)

This City Resolution was Adopted.

- 2.3** Subject: Declaration Of A Local Emergency On Homelessness
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness Crisis
[22-0936](#)

Attachments: [View Legislation](#)
[89487 CMS](#)

This City Resolution was Adopted.

- 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
[22-0938](#)

Attachments: [View Legislation](#)
[89488 CMS](#)

This City Resolution was Adopted.

- 2.5** Subject: Housing, Residential Rent And Relocation Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of John Deboer As A Tenant Representative, And Kristina Rosales As An Alternate Tenant Representative To The Housing, Residential Rent And Relocation Board
[22-0850](#)

Attachments: [View Report](#)
[View Application and Resume](#)
[View Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 2.6** Subject: Mayor's Appointment To The Police Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
Brenda Harbin-Forte To The Police Commission As A Commissioner
[22-0851](#)

Attachments: [View Report](#)
[View Resume](#)
[View Application](#)
[View Legislation](#)
[View Supplemental Application 11/21/2022](#)

**A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be
Withdrawn with No New Date. The motion carried by the following vote:**

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 2.7** Subject: Extend HCD Professional Services Agreements
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The
Terms Of Professional Services Agreements With Amy Hiestand Consulting, LLC And
Kenneth Jones For Affordable Housing Services From December 31, 2022, To
December 31, 2023, With No Increase To The Contract Amount
[22-0895](#)

Attachments: [View Report](#)
[View Legislation](#)
[89489 CMS](#)

This City Resolution was Adopted.

- 2.8** Subject: Resolution Calling For A Joint Agency Homeless Youth Task Force
From: President Pro Temp Thao, Council President Bas, And Vice Mayor Kaplan
Recommendation: Adopt A Resolution Requesting That The Alameda County Board Of
Supervisors, Alameda County Board Of Education, Peralta Community College District,
And Oakland Unified School District Join The City Of Oakland In Establishing A Joint
Agency Homeless Youth Task Force
[22-0899](#)

Attachments: [View Legislation](#)
[89490 CMS](#)

This City Resolution was Adopted.

- 2.9** Subject: Professional Services Agreement Amendment For Shah Kawasaki Architects
From: Public Works Department
Recommendation: Adopt A Resolution: 1) Amending The Existing Professional Services Agreement With Shah Kawasaki Architects For The Lincoln Recreation Center Expansion/Renovation Project By An Amount Not-To-Exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00), Bringing The Total Contract Amount From One Million Five Hundred Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$1,528,849.00) To Three Million Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$3,028,849.00); 2) Waiving The Request For Proposal Competitive Selection Requirement; And 3) Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[22-0888](#)

Attachments: [View Agenda Report](#)
[View Legislation](#)
[89491 CMS](#)

This City Resolution was Adopted.

- 2.10** Subject: 'Women, Life, Freedom' A Resolution Supporting Iranian And Kurdish Women And Protesters In Iran
From: Council President Bas And Councilmember Kalb
Recommendation: Adopt A Resolution 1) Condemning The Ongoing Violence The Government Of Iran Is Carrying Out Against Iranian And Kurdish Women And Against Peaceful Protestors, And 2) Commending And Urging The Expansion Of United States Media Coverage To Highlight The Struggles Of Iranian And Kurdish-Iranian People Within Iran, And 3) Calling For The Emergency Removal Or Easing Of Specific Sanctions In Order To Facilitate Foreign Aid And Communication Technology To Be Directly Provided To Iranians And To Victims' Families, And 4) Calling On The Immediate Freezing Of Assets And Visas For Perpetrators Of State Sanctioned Violence In Iran, And 5) Calling On United States Department Of State To Immediately Create Emergency Immigration Opportunities And Reform Immigration Processes For Iranian Citizens, Kurdish Residents Of Iran, And Those In Danger Of Political Persecution To Obtain Emergency Humanitarian Visas To Enter Into The United States
[22-0876](#)

Attachments: [View Legislation](#)

A motion was made by Pro Tempore Thao, seconded by Councilmember Fife to withdraw and reschedule this item to the December 20, 2022, City Council Agenda On Consent. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn and Rescheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/20/2022. The motion carried by the following vote:

Excused: 1 - Fortunato Bas

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

Absent: 1 - Fife

NO VOTE: 0

- 2.11** Subject: Oakland Asian Cultural Center Lease And Ten-Year Grant Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance (A) Authorizing The City Administrator To Negotiate And Execute A 10-Year Lease Between The City And API Cultural Center, Inc. Of The Condominium Located At 388 9th Street, Suite 290, With One 5-Year Administrative Option To Extend And Rent Of One Dollar (\$1) Per Year For Operation And Management Of The Oakland Asian Cultural Center, And (B) Adopting California Environmental Quality Act Findings
[22-0768](#)

Attachments: [View Report and Attachment A & B](#)
[View Legislation](#)
[13708 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.12** Subject: Assembly Bill 43 Implementation Plan And Ordinance Related To Business Activity District Speed Limit Lowering
From: Transportation Department
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 10.20 (Speed Limits) And Adopting Appropriate California Environmental Quality Act Findings To Establish 20 Mile Per Hour (MPH) And 25 MPH Speed Limits In Business Activity Districts As Defined In Assembly Bill 43
[22-0819](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Legislation](#)
[13709 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.13** Subject: Amendments To Rent Adjustment Program Ordinance
From: Housing And Community Development Department
Recommendation: Adopt An Ordinance Amending The Rent Registry Ordinance (Ordinance No. 13695 C.M.S.) To Modify The Initial Submission Deadline For Rent Registry Registration Forms From March 1, 2023 To July 1, 2023
[22-0793](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - 10/20/2022](#)
[13710 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.14** Subject: Arroyo Viejo Food Hub
From: Office Of The City Administrator
Recommendation: Adopt A Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease Agreement With The Alameda County Deputy Sheriffs' Activities League (DSAL), A California Nonprofit Corporation, For A Term Of Three Years With Three 2-Year Options In Exchange For Tenant Improvements Estimated At Approximately Seven Hundred Thousand Dollars (\$700,000) For The Leasing Of Approximately 1,600 Square Feet Of Space At The Arroyo Viejo Recreation Center Located At 7701 Krause Avenue, Oakland, For Food Distribution And Rentable Commercial Kitchen (Food Hub) To Be Operated In Partnership With The Black Cultural Zone Community Development Corporation (BCZ); And Adopting California Environmental Quality Act (CEQA) Findings
[22-0816](#)

Attachments: [View Report w Attachment A-D](#)
[View Legislation](#)
[View Supplemental Report Taylor - 10/20/2022](#)
[View Supplemental Legislation - 11/27/2022](#)
[13711 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.15** Subject: Cultural Conservation Easement To Sogorea Te' Land Trust In Joaquin Miller Park
From: Economic Workforce Development Department, Office Of The Mayor, & Pro Tem Thao
Recommendation: Adopt An Ordinance (1) Granting A Cultural Conservation Easement Over An Approximately 5-Acre Portion Of Joaquin Miller Park Known As Sequoia Point To The Sogorea Te' Land Trust (Grantee), At No Cost, To Preserve And Enhance The Cultural, Historic, Educational, Natural Resource, Scenic, And Open Space Values Of The Easement Property In Perpetuity; And (2) Authorizing The City Administrator To Negotiate And Enter Into A Memorandum Of Agreement For The Implementation Of The City Of Oakland's Reserved Rights And The Grantee's Rights And Obligations Under The Conservation Easement, And To Amend Said Memorandum Of Agreement Without Returning To Council; And (3) Amending The Oakland Municipal Code To Add Section 12.64.420 To Authorize The Use Of Parks By Recipients Of Conservation Easements Without Obtaining Park Permits; And (4) Making California Environmental Quality Act Findings
[TITLE CHANGE]
[22-0849](#)

Attachments: [View Report](#)
[View Legislation](#)
[13712 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.16** 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
[TITLE CHANGE]
[22-0906](#)

Attachments: [View Legislation](#)
[89492 CMS](#)

This City Resolution was Adopted.

- 2.17** 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](#)
[89493 CMS](#)

This City Resolution was Adopted.

2.18 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](#)

[89494 CMS](#)

This City Resolution was Adopted.

- 2.19** Subject: Acceptance Of Incentive And Technical Assistance For Heat Pump Water Heaters At Oakland Municipal Buildings
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept In-Kind Technical Assistance And No-Cost Installation Of Heat Pump Hot Water Heaters In The Amount Of \$74,516.70 From Willdan Group Inc. At Nine Municipal Library Buildings To Further The City's Climate, Electrification, And Equipment Modernization Goals And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

[TITLE CHANGE]

[22-0848](#)

Attachments: [View Agenda Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Legislation](#)

[89495 CMS](#)

This City Resolution was Adopted.

- 2.20** 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](#)

[89496 CMS](#)

This City Resolution was Adopted.

2.21 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](#)

This Informational Report was Received and Filed.

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](#)
[89497 CMS](#)

This City Resolution was Adopted.

2.22 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](#)

This Informational Report was Received and Filed.

- 2.23** 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](#)

This Informational Report was Received and Filed.

- 2.24** 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](#)

[89498 CMS](#)

This City Resolution was Adopted.

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](#)

[89499 CMS](#)

This City Resolution was Adopted.

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](#)
[89500 CMS](#)

This City Resolution was Adopted.

Subject: Salary Ordinance Amendment Including New Minimum Wage Rates
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 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](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/20/2022

- 2.25** 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](#)
[2022-004 CMS](#)

This ORSA Resolution was Adopted.

- 2.26** 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](#)
[89502 CMS](#)

This City Resolution was Adopted.

- 2.27** 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](#)

This Informational Report was Received and Filed.

- 2.28** 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](#)
[View Supplemental Legislation 12/1/2022](#)
[89503 CMS](#)

This City Resolution was Adopted.

- 2.29** Subject: Member Of The Library Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Brittany Buckmire As A Member Of The Library Advisory Commission
[22-0918](#)

Attachments: [View Report and Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 2.30** Subject: Cultural Affairs Commission Appointment
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
[22-0933](#)

Attachments: [View Report and Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 2.31** Subject: The Commission On Aging Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Asha Beene-Clarke And Jennifer Seibert And Confirming The Mayor's Appointment Of Lenore Mcdonald, Dennis Blake Spears, Tydia Hill, Ristina Ingram, Suzi Kalmus, And Patricia Osage As Members Of The Commission On Aging
[22-0937](#)

Attachments: [View Report and Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 2.32** Subject: Reappointment To The Children's Fairyland Board
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
[22-0943](#)

Attachments: [View Report](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

S2.33 Subject: Privacy Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Reappointment Of Lou Katz And Brian Hofer To The Privacy Advisory Commission
[22-0944](#)

Attachments: [View Report And Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

S2.34 Subject: Commission On Persons With Disabilities
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Mike Magar, Fatimah Azur, And Barry Robinson To The Mayor's Commission On Persons With Disabilities
[22-0945](#)

Attachments: [View Report And Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

S2.35 Subject: Library Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Karen Roye As A Member Of The Library Advisory Commission
[22-0946](#)

Attachments: [View Report And Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

S2.36 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
[22-0947](#)

Attachments: [View Report And Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 1 - Fortunato Bas

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

NO VOTE: 0

S2.37 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
[22-0948](#)

Attachments: [View Report And Legislation](#)

A motion was made by Sheng Thao, seconded by Carroll Fife, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

S2.38 Subject: Celebrating Elsa Ortiz And Her 16 Years Of Service With AC Transit
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution Honoring Elsa Ortiz On Her Retirement From The Alameda-Contra Costa Transit District (AC Transit) And For Her 16 Years Of Exemplary Service And Leadership To The Oakland Community And Beyond
[22-0961](#)

Attachments: [View Report](#)

[View Legislation](#)

[89504 CMS](#)

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

Excused: 3 - Thao, Fortunato Bas, and Fife

Aye: 5 - Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

S2.39 Subject: Resolution In Support Of Protecting And Expanding Rooftop Solar
From: Councilmember Dan Kalb And Council President Bas
Recommendation: Adopt A Resolution In Support Of: (1) Broadening The Solar Net Energy Metering (NEM) Program To Achieve Greater Access For All Households, Particularly Low- And Moderate Income Households; (2) Expanding Access To Other Clean Energy Technologies That Pair With Solar, Such As Battery Storage; (3) Ensuring That Solar Installations Continue To Grow In Order To Meet State And City Of Oakland Clean Energy And Climate Goals; (4) Continuing To Exclude Counterproductive Provisions Set Forth In The Investor Owned Utilities (IOU) Proposal Such As High Monthly Fixed Fees That Would Disincentivize New Solar Installations; And (5) Moderating The Proposed Dramatic Slashing Of Credits For Sharing Electricity With The Power Grid
[22-0968](#)

Attachments: [View Report](#)
[View Legislation](#)
[89505 CMS](#)

This City Resolution was Adopted.

S2.40 Subject: RFP For City Stables Concessionaire
From: Councilmember Taylor
Recommendation: Receive An Informational Report From The City Administrator Regarding (1) The Status Of The License And Master Concessionaire Operation Agreement Related To The Oakland City Stables Located At 13560 Skyline Blvd, And (2) Recommendations Regarding The Ongoing Operation Of An Equestrian Center For The City, Including Providing Equestrian Programs To Oakland Youth From Low Income And Underserved Communities And Providing Horse Boarding And Horseback Riding And Instruction For Oakland Residents
[TITLE CHANGE]
[22-0804](#)

Attachments: [View Report](#)
[View Report 11/23/2022](#)

This Informational Report was Received and Filed.

S2.41 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 11/4/2022](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/20/2022

S2.42 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](#)

[89506 CMS](#)

This City Resolution was Adopted.

S2.43 Subject: 7211 Foothill Blvd Parcel Restriction
From: Councilmember Taylor
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate The Removal, Amendment, Or Waiver Of Restrictions Imposed On The City-Owned 7101 Foothill Boulevard Parcel (Apn 039-3291-020) That Restricts Occupancy By Restaurants That Compete With McDonalds And Taco Bell In Order To Significantly Further Economic Development And Affordable Housing In East Oakland
[22-0852](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Attachment 1](#)
[View Attachment 2](#)
[View Attachment 3](#)
[View Supplemental Legislation 12/2/2022](#)
[89507 CMS](#)

This City Resolution was Adopted.

S2.44 Subject: Ordinance Updating The Oakland Building Maintenance Code.
From: Planning And Building Department
Recommendation: Adopt An Ordinance Amending The Oakland Building Maintenance Code (Oakland Municipal Code 15.08) To (1) Conform To The 2022 California Building Standards; (2) Establish Lead Hazard Abatement Standards; And (3) Provide Standards For Delayed Enforcement For Accessory Dwelling Units And Joint Live Work Quarters Where Correction Of Violations Is Not Necessary For Health And Safety; And Adopting California Environmental Quality Act Exemption Findings
[22-0894](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation 12/8/2022](#)

A motion was made by Councilmember Gallo, seconded b Councilmember Kalb to approve the ordinance as amended on introduction and scheduled for final passage on December 20, 2022. The motion passed with a vote of 7 Ayes; 1 Excused: Bas with the following amendments:

Of the legislation, on page 11, Subsection R, to read, All structures shall be maintained free of visible mold due to moisture intrusion from rising of moisture from the ground, action of rain, exposed tops of walls, condensation, defective roof covering, inadequate slopes of roofs, or other construction defects.

On Page 14, item (11) to read, Dampness of habitable rooms due to building deficiencies (such as lack of moisture barrier on concrete slab);

On Page 15, Subsection E, to read, Hazardous Plumbing. Plumbing which was installed in violation of code requirements in effect at the time of installation; or plumbing not installed in accordance with generally accepted construction practices in areas where no codes were in effect; or which has not been maintained in good condition; or which is not free of cross-connections or siphonage between fixtures, shall be considered Substandard and a Public Nuisance.

On page 17, Section 15.08.520 - Definitions., In the first sentence, removing the term 'to a child'

On Page 18, third paragraph, "Lead Hazards" to read, includes deteriorated lead-based paint, lead-contaminated dust, and lead-contaminated soil, and also includes disturbing lead-based paint or lead contaminated soil without containment, or any other nuisance which may resulting in persistent and quantifiable lead exposure.

On Page 18, the last paragraph to read, "Presumed lead-based paint" means paint or surface coating affixed to a component in or on a structure constructed prior to January 1, 1978. All paint on buildings built before 1978 is presumed to be lead-based paint unless it has been tested in accordance with state law and has been shown to not be lead-based paint.

On Page 19, 15.08.540 - Inspection, to read as, A. If, upon visual inspection, the

Building Official is persuaded that lead hazards are present, including but not limited to deteriorated lead-based or presumed lead-based paint, or the disturbance of lead-based paint without containment, the Building Official shall issue an order requiring the property owner to retain a third-party State of California certified Lead Risk Assessor to inspect and produce an lead risk assessment report.

B. The Building Official may also issue a Stop Work Order to prevent the further disturbance of lead-based or presumed lead-based paint without containment.

On page 21, subsection 15.08.710 – Purpose. in the first sentence adding a ',' after the word Government Code

On page 21, subsection 15.08.720 – Application for Delay of Enforcement, first paragraph A., adding a ',' after 2020

On page 22, subsection 15.08.760 title to read – Delay of Enforcement Applies Only to Building Standards.

On page 22, in the title of SECTION 7, adding 'to the Oakland Building Maintenance Code'

On page 22, subsection 15.08.810 – Purpose and Scope; to read as, The Purpose of this Article is to allow for a delay of enforcement actions, for a period of no more than five years, for Joint Live Work Quarters created or altered without the benefit of permits prior to January 1, 2020, if corrections of violations are not necessary to protect health and safety. This Article shall only apply to Joint Live Work Quarters that voluntarily apply for a Delay of Enforcement with the Planning and Building Department. This Article shall remain in effect only until January 1, 2030, and as of that date is repealed.

On page 23, first paragraph A; striking numeric 5, adding the word five

On page 23, second paragraph B, second sentence, adding 'unpermitted change'

On page 23, paragraph 2, to read, A licensed civil or structural engineer shall inspect the building and submit a formal written report to the Owner, Tenants, and Department of Planning and Building certifying that the following minimum life safety requirements are met:

A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Approved As Amended 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 12/20/2022. The motion carried by the following vote:

Excused: 1 - Fortunato Bas

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

NO VOTE: 0

S2.45 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 Editions 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](#)
[89508 CMS](#)

This City Resolution was Adopted.

Subject: Local Amendments To 2022 California Model Building Construction Code
From: Planning And Building Department
Recommendation: Adopt 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 was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 12/20/2022

S2.46 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](#)
[89509 CMS](#)

This City Resolution was Adopted.

S2.47 Subject: Business Tax Due Date Change From January Second To March First
From: Council President Bas
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To
Change The Due Date For Business Tax Declarations And Payments Under Chapter
5.04 From January Second To March First
[22-0973](#)

Attachments: [View Legislation](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency
and the City Council to be heard 12/20/2022**

S2.48 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 was Accepted.

S2.49 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"
[22-0927](#)

Attachments: [View Agenda Report](#)
[View Attachment B](#)
[View Attachment C1](#)
[View Attachment C](#)
[View Attachment E](#)

This Report and Recommendation was Accepted.

- 8** Subject: Amended Lease Agreement With The Dr. Huey P. Newton Foundation
From: Councilmember Fife
Recommendation: Adopt An Ordinance (A) Authorizing The City Administrator To Negotiate And Execute An Amendment To The Lease Agreement With The Dr. Huey P. Newton Foundation For The Space Located At 150 Frank H. Ogawa Plaza, Suite 1C (Lionel J. Wilson Building) To (1) Extend The Term Of The Lease For Three Years With One Two-Year Option To Renew; And (2) Waive Oakland Municipal Code (OMC) Section 2.42.230 To Reduce Rent Below \$1.25 Per Square Foot And Setting Lease Payments To \$1,963.82 Per Month Due To Cultural And Social Benefits To The Community Pursuant To OMC Section 2.42.110; And (B) Adopting California Environmental Quality Act Findings
[22-0887](#)

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

A motion was made by Councilmember Fife, seconded by Vice Mayor Kaplan to adopt the ordinance on Introduction, and schedule for Final Passage on the December 20,2022, City Council Agenda. The motion passed with a vote of 7 Ayes; 1 Excused: Bas

A motion was made by Carroll Fife, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/20/2022. The motion carried by the following vote:

Excused: 1 - Fortunato Bas

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

NO VOTE: 0

VICE MAYOR KAPLAN RELINQUISHED THE CHAIR AT 1:32 P.M. AND COUNCILMEMBER KALB PRESIDED AS CHAIRPERSON.

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

3.1 The Item regarding the "Mandatory Delinquent Trash Fees 2022" was removed from this agenda via Rule 28.

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

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

[22-0731](#)

Attachments: [View Report](#)
[View Legislation](#)
[89510 CMS](#)

***At 1:34 p.m. a motion was made by Vice Mayor Kaplan, seconded by
Councilmember Gallo to open the public hearing. The motion passed with a vote of
7 Ayes; 1 Excused: Bas***

2 individuals spoke

***At 1:50 p.m. a motion was made by Councilmember Kalb, seconded by
Councilmember Taylor to close the public hearing and adopt the item as amended.
The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife; with the following
amendments:***

From the Report, Attachment A, striking Line item 7.

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

Excused: 1 - Fortunato Bas

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

NO VOTE: 0

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

[22-0732](#)

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

A motion was made by Dan Kalb, seconded by Loren Taylor, that this matter be Not Adopted. The motion carried by the following vote:

Excused: 1 - Fortunato Bas

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

NO VOTE: 0

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

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

[22-0766](#)

Attachments: [View Report And Attachment 1](#)
[View Legislation](#)
[89511 CMS](#)

At 1:53 p.m. a motion was made by Councilmember Gallo, seconded by Councilmember Taylor to open the public hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

1 individual spoke

At 2:00 p.m a motion was made by Councilmember Taylor, seconded by Councilmember Gallo close the public hearing and to adopt the item. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

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

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection (Option 2) [22-0767](#)

Attachments: [View Report And Attachment 1](#)
[View Legislation](#)

A motion was made by Loren Taylor, seconded by Noel Gallo, that this matter be Not Adopted. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 3.4** Subject: Rockridge BID Annual Report And FY 2023-2024 Levy Approval
From: Economic And Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution:
1) Confirming The Annual Report Of The Rockridge Business Improvement District
Advisory Board; And 2) Levying The Annual Assessment For The Rockridge Business
Improvement District For Fiscal Year 2023-2024
[22-0883](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Exhibit A](#)
[89512 CMS](#)

At 2:02 p.m. Vice Mayor Kaplan motioned, Councilmember Taylor seconded to open the public hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

1 individual spoke

At 2:07 p.m. a motion was made by Councilmember Gallo, seconded by Vice Mayor Kaplan to close the public hearing and adopt the item. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

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

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

3.5 Subject: Montclair BID Annual Report And FY 2023-2024 Levy Approval
From: Economic And Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution:
1) Confirming The Annual Report Of The Montclair Business Improvement District
Advisory Board; And 2) Levying The Annual Assessment For The Montclair Business
Improvement District For Fiscal Year 2023-2024
[22-0884](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Exhibit A](#)
[89513 CMS](#)

At 2:08 p.m. Vice Mayor Kaplan motioned, Councilmember Gallo seconded to open the public hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

2 individuals spoke

At 2:15 p.m. a motion was made by Councilmember Gallo, seconded by Councilmember Taylor to close the public hearing and adopt the item. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

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

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

3.6 Subject: Modernizing Commercial Loading
From: Transportation Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
PiecesOf Legislation;

1) An Ordinance Amending Ordinance No. 13654 C.M.S (Which Adopted The Fiscal
Year 2022-23 Master Fee Schedule), As Amended, To Establish Fees For Commercial
Vehicle Loading Zone Permits And Adopting Appropriate California Environmental
Quality Act Findings; And
[22-0770](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Exhibit A 12/8/20222](#)

At 2:20 p.m. Public Comment opened for this item

1 individual spoke

*A motion was made by Vice Mayor Kaplan, seconded by Councilmember Gallo to
continue this item to the December 20, 2022, City Council Meeting as a Public
Hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife*

**A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter
be Continued to go before the * Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City Council, to be heard 12/20/2022.
The motion carried by the following vote:**

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

2) A Resolution (A) Waiving The Multi-Step Proposal Solicitation Requirement And Amending And Extending The Professional Services Agreement With Populus Technologies, Inc. ("Populus") For A Term Of One Year In An Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) For Mobility Management Software And For The Reimbursement Of Parking Transaction Fees Charged To Commercial Vehicle Loading Zone Permit Holders; (B) Appropriating Anticipated Revenues Of Up To \$235,00 Per Year And Corresponding Ongoing Expenses Of Up To \$235,00 Per Year For The Reimbursement Of Parking Payment Transaction Fees Charged To Commercial Loading Zone Permit Holders; And (C) Adopting Appropriate California Environmental Quality Act Findings

[22-0771](#)

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

A motion was made by Vice Mayor Kaplan, seconded by Councilmember Gallo to continue this item to the December 20, 2022, City Council Meeting as a Public Hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/20/2022. The motion carried by the following vote:

Excused: 2 - Fortunato Bas, and Fife

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

COUNCILMEMBER KALB RELINQUISHED THE CHAIR AT 2:26 P.M. AND VICE MAYOR KAPLAN RESUMED PRESIDING AS CHAIRPERSON.

- 3.7** Subject: IKE Digital Kiosk Franchise
From: Transportation Department
Recommendation: Adopt 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 Negotiate And Execute A Franchise Agreement With Ike Smart City LLC; And (C) Adopting Appropriate California Environmental Quality Act Findings;
[22-0921](#)

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

At 2:28 p.m. Councilmember Kalb motioned, seconded by Vice Mayor Kaplan to open the public hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

3 individuals spoke

At 3:07 p.m. a motion was made by Councilmember Kalb, seconded by Vice Mayor Kaplan to close the public hearing and approve the item on introduction and schedule for Final Passage on the December 20, 2022 City Council Agenda. The motion passed with a vote of 5 Ayes; 2 Excused: Bas, Fife; 1 Absent: Thao, with the following additional elements as direction to the City Administrator:

The final franchise agreement shall include a bonding requirement that ensures these kiosks can be removed without cost to the city should IKE go bankrupt or otherwise leave the City of Oakland;

• In addition to the prohibitions on advertising already in the draft agreement, the prohibition of specific types of advertising shall include no advertising of guns or ammunition, no advertising by fossil fuel companies, and no advertising for or against any candidate for elective office, no advertising paid for by an elected official, no advertising for or against any ballot measure, and no advertising that contains hate speech or sexually explicit content.

(existing language: All Kiosk slides shall not display any advertisements that: (a) are contrary to any law, ordinance, rule or regulation of the City of Oakland, including the City Sign Code, or the State of California, (b) that promotes or advertises tobacco products, (c) promotes or advertises adult bookstores, adult cinemas or adult live entertainment venues, or (d) promotes a candidate for public office.)

• Striking the following sentence, "Grantee may elect to install additional Kiosks in excess of fifty (50) upon mutual agreement of Grantee and the City Administrator". thereby retaining Council authority to add or not add additional kiosks beyond 50.

• IKE, in consultation with the city and city councilmember offices, shall conduct community engagement—including meetings in which the public is invited to attend—before finalizing the selection of sites of the kiosks. IKE shall consult with

merchant associations, ethnic chambers of commerce, AC Transit, and established neighborhood groups when considering specific locations for kiosks. Further, Grantee shall coordinate with AC Transit on transit content on the kiosks. (existing language: Grantee shall consult with business improvement districts within the City of Oakland in making its determination on the most suitable locations for the Kiosks within each business improvement district.)

After discussion with OakDOT staff, Major encroachment permits would come to the Council in batches of 8-10 at a time.

*Ensure that none of the kiosks are installed on purely residential streets. Add duplexes and triplexes to the following sentence:
(existing language: In no event may Kiosks be located in front of single-family residences or K-12 schools.)*

This Ordinance 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 12/20/2022

Excused: 2 - Fortunato Bas, and Fife

Aye: 5 - Taylor, Gallo, Kalb, Kaplan, and Reid

Absent: 1 - Thao

NO VOTE: 0

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 Each In Fiscal Year 2022-2023 Budget, And (C) Adopting Appropriate California Environmental Quality Act Findings; And [22-0923](#)

Attachments: [View Legislation](#)
[89514 CMS](#)

At 2:28 p.m. Councilmember Kalb motioned, seconded by Vice Mayor Kaplan to open the public hearing. The motion passed with a vote of 6 Ayes; 2 Excused: Bas, Fife

3 individuals spoke

At 3:07 p.m. a motion was made by Councilmember Kalb, seconded by Vice Mayor Kaplan to approve the item to include The motion passed with a vote of 5 Ayes; 2 Excused: Bas, Fife; 1 Absent: Thao

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

Excused: 2 - Fortunato Bas, and Fife

Aye: 5 - Taylor, Gallo, Kalb, Kaplan, and Reid

Absent: 1 - Thao

NO VOTE: 0

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

[22-0924](#)

Attachments: [View Legislation](#)
[View Exhibit A](#)
[View Exhibit B](#)

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

Excused: 2 - Fortunato Bas, and Fife

Aye: 5 - Taylor, Gallo, Kalb, Kaplan, and Reid

Absent: 1 - Thao

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

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

[22-0942](#)

5 NO APPROVAL OF MINUTES

COUNCIL PRESIDENT BAS WAS NOTED PRESENT AT 3:17 P.M.

S12 Subject: International Boulevard Quick Build Safety Improvements Study And Funding Reallocation
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator To: Enter Into An Agreement With The Alameda-Contra Costa Transit District To Study And Implement Safety Improvements On International Boulevard; Reallocate Up To One Million, Two Hundred Sixty-Six Thousand, Five Hundred Twenty-Six Dollars (\$1,266,526) Of Measure Bb Funds Within The Fiscal Year 2022-2023 Adopted Budget To Support Quick Build Safety Improvements On International Boulevard; And Adopt Appropriate California Environmental Quality Act Findings
[22-0960](#)

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

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

Excused: 2 - Thao, and Fife

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

NO VOTE: 0

S13 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](#)

[View Supplemental Report With Attachment 12/1/2022](#)

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

Excused: 2 - Thao, and Fife

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

NO VOTE: 0

S14 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](#)
[View Supplemental Report 11/23/2022](#)
[View Supplemental Legislation 11/23/2022](#)

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

Excused: 2 - Thao, and Fife

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

NO VOTE: 0

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](#)

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

Excused: 2 - Thao, and Fife

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

NO VOTE: 0

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](#)

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

Excused: 2 - Thao, and Fife

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

NO VOTE: 0

- 6 Subject: Traffic Safety And Pedestrian Safety Improvements
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Report And Recommendations For Improving And Expediting Traffic Calming Installations Throughout Needed Locations In Oakland, Including Completion Of Installation Of Approved Speed Bumps, And Recommended Budget Adjustments To Provide For Ongoing Capacity To Ensure Traffic Safety And Pedestrian Safety Improvements Are Completed Timely Throughout Oakland [22-0171](#)

Attachments: [View Report](#)

[View Report Attachment A](#)

[View Report Attachment B](#)

[View Report Attachment C](#)

[View Report Attachment D](#)

[View Report Attachment E](#)

[View Report Attachment F](#)

[View Report Attachment G](#)

[View Report Attachment H](#)

[View Supplemental Report - 5/12/2022](#)

[View Supplemental Report Attachment A - 5/12/2022](#)

[View Supplemental Report Attachment B - 5/12/2022](#)

[View Supplemental Report - 6/14/2022](#)

[View Supplemental Report - 9/7/2022](#)

[View Supplemental Report - 10/6/2022](#)

[View Corrected Supplemental Report - 10/13/2022](#)

[View Supplemental Report 12/1/2022](#)

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

Excused: 3 - Thao, Taylor, and Fife

Aye: 5 - Fortunato Bas, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 11 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 [TITLE CHANGE]
[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](#)

A motion was made by Councilmember Gallo to adopt this item, but failed due to lack of a second.

A motion was made by Vice Mayor, seconded by Councilmember Reid to continue this item to the December 20, 2022, City Council Meeting. The motion passed with a vote of 5 Ayes; 3 Excused: Fife, Taylor, Thao

A motion was made by Rebecca Kaplan, seconded by Treva Reid, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/20/2022. The motion carried by the following vote:

Excused: 3 - Thao, Taylor, and Fife

Aye: 5 - Fortunato Bas, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

S15 Subject: Amendments To The Oakland Fire Code, Chapter 15.12
From: Oakland Fire Department
Recommendation: Adopt An Ordinance: (1) Repealing Current Oakland Municipal Code Chapter 15.12, The Oakland Fire Code; (2) Making Findings To Substantiate Modifications To California Building Codes And Standards Due To Local Climatic, Geological Or Topographical Conditions; (3) Adopting And Making Local Amendments To The 2022 Edition Of The California Model Building Code, California Code Of Regulations Title 24, Part 9 (Also Referred To As The "California Fire Code"); (4) Recodifying Said Code As Oakland Municipal Code Chapter 15.12, The Oakland Fire Code; And (5) Adopting California Environmental Quality Act Exemption Findings [22-0900](#)

Attachments: [View Report](#)
[View Legislation and Exhibit A](#)
[View Report Notice and Digest](#)
[View Supplemental Legislation - 12/15/2022](#)
[View Supplemental Exhibit A - 12/15/2022](#)

A motion was made by Vice Mayor Kaplan, seconded by Councilmember Gallo to approve the item on Introduction as amended and schedule for Final Passage to the December 20, 2022, City Council Meeting. The motion passed with a vote of 5 Ayes; 3 Excused: Fife, Taylor, Thao, with the following amendments:

Of Attachment A, On Page 26, striking the following paragraph: Add: 1207.7.11.11 For ESS systems installed in the High Fire Severity Zone - see fire suppression requirements in chapter 49.

On Page 33, striking the following paragraph: Add: 4912.17.1, The Electrical Energy Storage system shall provide an automatic fire sprinkler system or an approved and tested portable extinguishing system

On Pages, 42-58, Striking APPENDIX D - FIRE APPARATUS ACCESS STANDARDS

*A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter be Approved As Amended 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 12/20/2022. The motion carried by the following vote:*

Excused: 3 - Thao, Taylor, and Fife

Aye: 5 - Fortunato Bas, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 7 Subject: Approve OPD's Policies In Accordance With California Government Code § 7070 Et Seq. (AKA"AB 481") And OMC Chapter 9.6
From: Oakland Police Department
Recommendation: Adopt An Ordinance Approving Controlled Equipment Use Policies For The Oakland Police Department To Acquire And Use The Following Types Of "Militarized" Equipment In Conformance With Government Code Section 7070 And Oakland Municipal Code Chapter 9.65: (1) Departmental Rifles; (2) Chemical Agents; (3) Unmanned Aerial Systems; (4) Noise-Flash Diversion Devices (Flash Bangs); (5) Riot Helmets; (6) Specialty Impact Munitions; (7) Armored Vehicles; (8) Chemical Agents; And (9) Remote Controlled Ground Systems (Robots) And Pole Cameras
[22-0776](#)

Attachments: [View Report](#)

[View Attachment A - DGO K-7 Military Equipment Policy](#)

[View Attachment B - DGO K-06 Rifles](#)

[View Attachment C - Patrol Rifle Impact Report](#)

[View Attachment D - TB III-H Specialty Impact Munitions](#)

[View Attachment E - SIM Impact Report](#)

[View Attachment F - TB III-P.04 - Armored Vehicles Mil Equip](#)

[View Attachment G - Armored Vehicles Impact Report](#)

[View Attachment H - TB III-G 16 Crowd control](#)

[View Attachment I - Riot Helmets Impact Report](#)

[View Attachment J - TB V-F.02 Chemical Agents 2022](#)

[View Attachment K - Chem Agent Impact Report](#)

[View Attachment L - DGO I25 Unmanned aerial systems](#)

[View Attachment M - UAS Drone Controlled Equipment Impact Report](#)

[View Attachment N - DGO I26 Robots](#)

[View Attachment O - Robots and Pole Cameras Controlled Equipment
Impact Report](#)

[View Attachment P - TB III-P.05 - Noise Flash Diversion Devices](#)

[View Attachment Q - Flash Bang Impact Report](#)

[View Legislation](#)

[View Exhibit A - DGO K-7 Military Equipment Policy](#)

[View Exhibit B - DGO K-06 Rifles](#)

[View Exhibit C - TB III-H Specialty Impact Munitions](#)

[View Exhibit D - TB III-P.04 - Armored Vehicles Mil Equip](#)

[View Exhibit E - TB III-G 16 Crowd control](#)

[View Exhibit F - TB V-F.02 Chemical Agents](#)

[View Exhibit G - DGO I25 Unmanned aerial systems](#)

[View Exhibit H - TB III-P.05 - Noise Flash Diversion Devices](#)

[View Exhibit I - DGO I26 Robots](#)

[View Revised Legislation 12/1/2022](#)

[View Supplemental Report 12/1/2022](#)

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/20/2022. The motion carried by the following vote:

Excused: 3 - Thao, Taylor, and Fife

Aye: 5 - Fortunato Bas, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

- 9 Subject: OPD Policies For I-27 (LRAD) And I-28 (Mobile Command Centers)
From: Oakland Police Department
Recommendation: Adopt An Ordinance Approving Controlled Equipment Use Policies For The Oakland Police Department To Acquire And Use The Following Types Of "Militarized" Equipment In Conformance With Government Code Section 7070 And Oakland Municipal Code Chapter 9.65: (1) The Long Range Acoustic Device; And (2) Mobile Command Centers
[TITLE CHANGE]
[22-0885](#)

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

A motion was made by Rebecca Kaplan, seconded by Dan Kalb, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 12/20/2022. The motion carried by the following vote:

Excused: 3 - Thao, Taylor, and Fife

Aye: 5 - Fortunato Bas, Gallo, Kalb, Kaplan, and Reid

NO VOTE: 0

10 The Item Regarding the "Proposed Response To 2021-2022 Alameda County Civil Grand Jury Report On Financial Disclosures" was moved from the Non Consent Calendar to the Consent Calendar.

OPEN FORUM

The call of the que opened at 6:22 pm and closed at 6:27 pm

6 individuals spoke during Open Forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 6:30 P.M., Unless Extended By Majority Vote Of The Council)

ADJOURNMENT

There being no further business, the Council adjourned the meeting in memory of the lives of the 14 women scientist that were loss in the Montreal Mass Murder, Fred Ross Jr. and Antwon Howard at 6:35 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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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.