



City of Oakland

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

Meeting Minutes - FINAL *Rules & Legislation Committee

Thursday, December 15, 2022

10:30 AM

Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Oakland City Council Rules And Legislation Committee convened at 10:36 A.M., with Council President Bas presiding as Chairperson.

Roll Call / Call To Order

Excused 1 - Sheng Thao

Present 3 - Carroll Fife, Dan Kalb, and Nikki Fortunato Bas

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 queue for Public Comment opened on 10:36 AM. 4 speakers spoke, and the queue was closed at 10:51 AM.

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

2 Approval Of The Draft Minutes From The Committee Meetings Of October 27, 2022 And November 17, 2022

[22-0963](#)

Attachments: [View Report - October 27, 2022](#)

[View Report - November 17, 2022](#)

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

Excused: 1- Thao

Aye: 3 - Fortunato Bas, Fife. and Kalb

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

3 New Scheduling Items

Chair President Bas called a Special City Council Meeting that will be held on January 31, 2023 at 1:30 PM. The Council President also cancelled the committees scheduled for the week of January 9, 2022, and affirming the January 9, 2022 Special City Council Inauguration meeting will convene at 11 AM.

She also announced that the newly scheduled January 11, 2022 and January 12, 2022 Special City Council "Council Orientation" meetings will convene at 9:30 AM

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

*Excused: 1 - Thao
Aye: 3 - Fortunato Bas, Fife. and Kalb*

This be Accepted as Amended.

Excused 1 - Sheng Thao

Present 3 - Carroll Fife, Dan Kalb, and Nikki Fortunato Bas

- 3.1 Subject: Masking In City Facilities
- From: Vice Mayor Kaplan And Councilmember Kalb
- Recommendation: Adopt A Resolution Establishing A Policy Requiring All Employees, Patrons, And Visitors Entering City Facilities To Wear Face Masks To Mitigate The Spread Of Contagious Respiratory Illnesses Including COVID-19, Respiratory Syncytial Virus (RSV), And Influenza And Requiring The City To Provide Quality Masks (KN-95, N-95, OR KF-94) To Persons Entering City Facilities Who Do Not Have A Mask [22-1008](#)

Attachments: [View Report](#)
[View Legislation](#)
[89542 CMS](#)

An Urgency statement was made that there is a need to take immediate action which came to the attention of the local body after the 10 Day agenda was posted. A Motion was made by Councilmember Kalb, seconded by Councilmember Fife to accept the Urgency statement. The Motion passed with a vote of 3 Ayes 1 Excused President Pro Tem Thao.

Councilmember Kalb was added as a coauthor.

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

3.2 Subject: Designation Of President Pro Tempore For 2023 - 2025
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Confirming Councilmember ____ As President Pro Tempore Of The City Council Of The City Of Oakland For The Term Beginning January 9, 2023 And Ending January 6, 2025 Pursuant To City Charter Section 208 [22-1009](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - 1/4/2023](#)
[89546 CMS](#)

The January 9, 2022 Special City Council Meeting is reserved for the 2023 Inauguration at 11 AM.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/9/2023

3.3 Subject: Election Of The President Of The City Council For 2023 - 2025
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Electing Councilmember _____ As President Of The City Council Of The City Of Oakland For The Term Beginning January 9, 2023 And Ending January 6, 2025 Pursuant To Oakland City Charter Section 208 [22-1010](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - 1/4/2023](#)
[89545 CMS](#)

The January 9, 2022 Special City Council Meeting is reserved for the 2023 Inauguration at 11 AM.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/9/2023

- 3.4** Subject: Council President Appointments To Council Committees For 2023 - 2025
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Pursuant To Rule 4 Of The Council's Rules Of Procedure Resolution No. 89432 C.M.S. To Confirm The City Council President's Appointments Of (1) The Members And Chairpersons Of The Public Works, Finance And Management, Community And Economic Development, Life Enrichment, Public Safety, And Rules And Legislation, Committees Of The City Council For A Two-Year Term 2023-2025; And (2) The City Council Members Of The City/Port Liaison And The Education Partnership Committee For A Two-Year Term

[22-1011](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation - 1/4/2023](#)
[89547 CMS](#)

The January 9, 2022 Special City Council Meeting is reserved for the 2023 Inauguration at 11 AM.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/9/2023

- 3.5** Subject: Oakland City Council Orientation And Overview - Legislative Body
From: Councilmember Fortunato Bas
Recommendation: Receive An Informational Report That Provides An Overview Of The Structure, Procedures, And Regulations Which Guide The Legislative Process In The City Of Oakland. Topics Covered Includes: (1) City Structure/Charter - Roles Of Charter Officials, Council/Administration Relations (2) Ethics And Civil Rights Compliance (3) City Council Priorities (From 2021 Retreats) (4) Council Rules Of Procedures (5) Council Meeting Procedures And Legislative Process (6) City Relationships (Commissions, Port, County, State/Federal)

[22-1012](#)

Attachments: [View Presentation](#)
[View Presentation - City Auditors Office](#)
[View Department Briefing - City Administrators Office](#)

The January 11, 2022 Special City Council Meeting has been called for the City Council Orientation, convening at 9:30 AM

This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/11/2023

- 3.6** Subject: Oakland City Council Orientation And Overview - City Priorities And Departments - Housing And Homelessness, Land Use And Economic Development
From: Office Of The City Administrator
Recommendation: Receive An Informational Report That Provides An Overview Of Housing And Homelessness, Land Use, And Economic Development In The City Of Oakland That Shall Include Presentations From The City Administrator's Office, Economic And Workforce Development Department, Human Services Department, Housing And Community Development Department, And The Planning And Building Department

[22-1013](#)

Attachments: [View Presentation](#)
[View Department Briefing - City Administrators Office](#)

The January 11, 2022 Special City Council Meeting has been called for the City Council Orientation, convening at 9:30 AM

This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/12/2023

- 3.7** Subject: Aircraft Rescue Fire Fighting Services At The Oakland International Airport
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Memorandum Of Understanding Regarding Fire Protection And Aircraft Rescue Firefighting Services (ARFF) Between The City Of Oakland And The Port Of Oakland, To Extend The Term For Twelve Months To Allow The Oakland Fire Department To Continue To Provide Such Services At The Oakland International Airport

[22-0997](#)

Attachments: [View Report](#)
[View Legislation](#)
[89553 CMS](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2023

3.8 Subject: Major Encroachment Permit At 581 5th Street
From: Department Of Transportation
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Resneck Ventures, LLC, To Allow Portions Of Three Outward Swinging Doors And Building Elements To Encroach Into The Public Right Of Way Adjacent To 581 5th Street, Major Encroachment Permit ENMJ22052; And Adopting Appropriate California Environmental Quality Act Findings [22-0999](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Exhibit B](#)
[89554 CMS](#)

On Consent

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2023

3.9 Subject: Wildfire Sensors Pilot Program
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The U.S. Department Of Homeland Security To Allow The Oakland Fire Department To Participate In A Twenty-Four Month Pilot Program To Utilize Air Quality Sensor-Based Real-Time Wildfire Monitoring System Technology (“Wildfire Sensors”) In Oakland’s High Fire Hazard Severity Zone [22-1002](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Attachment A](#)
[89555 CMS](#)

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2023

3.10 Subject: East 12th Street Remainder Parcel 1 LDDA & Ground Lease
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance: (1) Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement Between The City Of Oakland (“City”) And East 12th Street Housing, Lp (“Developer”), For Development Of 91 Units Of Affordable Housing On A Portion Of The 12th Street Remainder (“Parcel 1”), Located At East 12th Street And 2nd Avenue, With A Term Of Two Years With A One-Year Extension; (2) Authorizing The City Administrator To Negotiate And Execute A 99-Year Ground Lease Between The City And Developer With \$1 Per Year Base Rent Plus Rent Based On The Appraised \$4,000,000 Fair Market Value Of Parcel 1; (3) Making A Surplus Land Act Exemption Determination; And (4) Adopting California Environmental Quality Act Findings
[22-1004](#)

- Attachments:** [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[13724 CMS](#)

On Non Consent.

This Ordinance be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2023

3.11 Subject: Resolution Honoring Karen Boyd
From: Councilmember Reid
Recommendation: Adopt A Resolution Honoring Karen Boyd For Over 26 Years Of Exemplary Service And Congratulating Her On A Well-Deserved Retirement From The City Of Oakland
[22-1006](#)

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

As a Ceremonial.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2023

3.12 Subject: Resolution Amending And Restating The Council's Rules Of Procedure
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Amending And Restating The Council's Rules Of Procedure In Their Entirety To, Among Other Things: 1) Rescind The Council's Temporary Rules Of Procedure For The Conduct Of Meetings During The State Of Emergency Related To The Covid-19 Pandemic; 2) Change The Times For Commencing And Ending Regular Council Meetings To Minimize Late-Night Meetings And Increase Public Access And Participation; 3) Help Ensure That New Items Have Been Properly Vetted Before They Are Submitted For Scheduling, To Increase Efficiency; 4) Utilize Gender-Inclusive Language In Accordance With The City's Values And Policy; And 5) Make Non-Substantive, Technical Edits To Make The Council's Rules Of Procedure Easier To Navigate And Understand
[22-1001](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Redline Legislation](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Supplemental Memo 1/26/2023](#)
[View Supplemental Legislation 1/26/2023](#)
[View Supplemental REDLINED Legislation 1/26/2023](#)
[View Supplemental Presentation 1/26/2023](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 1/19/2023

3.13 Subject: Report On 501(C)(3) Non-Profit Service Providers
From: Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator On All 501(C)(3) Non-Profit Service Providers The City Of Oakland Has Contracted With In Fiscal Years 2019, 2020, 2021, And 2022 For Homelessness And Public Safety Related Services, Including The Names Of The Organizations, The Contract Amount, The Nature Of The Work, How Many Contracts Each Organization Received During This Period, And Whether The Organization Provides Other Services To The City And What Those Services Are; On The February 27, 2023 Finance And Management Committee Agenda
[22-0984](#)

This Informational Report be Scheduled.to go before the *Finance & Management Committee to be heard 1/23/2023

3.14 Subject: Motorola Solutions Mobile Radios Agreements
From: Information Technology Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator To Negotiate And Execute An Agreement With Motorola Solutions, Inc. In A Total Amount Not To Exceed Two Million Two Hundred Ninety Thousand Three Hundred Sixty Eight Dollars (\$2,290,368) For The Purchase Of Two Hundred Twenty (220) Mobile Radios And Associated Equipment, Programming, Testing, Installation And Professional Services For The Oakland Fire Department; And (2) Waiving The City's Advertising, Bidding, Request For Proposal (RFP) And Local Business/Small Local Business Utilization Requirements

[22-1007](#)

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Legislation](#)

A Title change was read into record.

This City Resolution be Scheduled.to go before the *Finance & Management Committee to be heard 1/23/2023

3.15 Subject: Fiscal Year 2022-23 Creative Economies Of Belonging Grants
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Awarding Grants To Seventeen (17) Oakland-Based Nonprofit Organizations Providing Arts And Cultural Services In Oakland For Fiscal Year 2022-2023 Through “The Creative Economies Of Belonging: Jobs, Network, And Catalysts” Grant Opportunity, In A Total Amount Not To Exceed Four Hundred Fifty Thousand Five Hundred Dollars (\$450,500)

[22-0998](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Report - 2/2/2023](#)

This City Resolution be Scheduled.to go before the *Life Enrichment Committee to be heard 1/23/2023

- 3.16** Subject: FY 2021 Assistance To Firefighters Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Enter Into An Agreement With The U.S. Department Of Homeland Security’s Federal Emergency Management Agency (FEMA) To Accept Fiscal Year 2021 Assistance To Firefighters Grant (AFG) Funds In The Amount Of Three Hundred Sixty Thousand One Hundred And Eighty-One Dollars And Eighty-One Cents (\$360,181.81); (2) Appropriate And Administer Said Funds For Fire Department Personnel To Receive Specialized Cancer Screenings; (3) Expend Assistance To Firefighter Funds In Accordance With The City Of Oakland’s Purchasing Requirements And Programs/Policies; And (4) Allocating Matching Funds In The Amount Of Thirty-Six Thousand Eighteen Dollars And Nineteen Cents (\$36,018.19)

[22-0981](#)

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

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 1/23/2023

- 3.17** Subject: East Bay Greenway Segment II Project Construction Contract Award
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Gruendl Inc. DBA Ray’s Electric, For The East Bay Greenway Segment II Project, Project No. 1005033, The Lowest, Responsible And Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor’s Bid In The Amount Of Four Million Two Hundred Eighty-Two Thousand One Hundred Twenty-Five Dollars And Twenty Cents (\$4,282,125.20); Authorizing The City Administrator To Amend The Maintenance Agreement With The Bay Area Rapid Transit (BART); And Adopting Appropriate California Environmental Quality Act (CEQA)

Findings
[22-1000](#)

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

This City Resolution be Scheduled.to go before the *Public Works Committee to be heard 1/24/2023

- 3.18** Subject: Oakland 2045 General Plan Update: 2023-2031 Housing Element Adoption
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution (1) Adopting The 2023-2031 Housing Element As A General Plan Amendment To The Oakland General Plan And (2) Determining That The Adoption Of The 2023-2031 Housing Element Is Exempt From The California Environmental Quality Act ("CEQA") Pursuant To Each As An Independent Basis: (A) CEQA Guidelines Section 15061(B)(3), (B) CEQA Guidelines Section 15283 And California Government Code Section 65584(G), (C) CEQA Guidelines Section 15262 And California Public Resources Code Sections 21102 And 21150, And (D) CEQA Guidelines Section 15308
[22-0982](#)

Attachments: [View Report](#)

[View Attachment A - State HCD Feedback on the Revised 2023-2031 Housing Element](#)

[View Attachment B-1 Public Comments Received](#)

[View Attachment B-2 - Response to Public Comments](#)

[View Attachment C - Excerpt from REIA - Equity Impacts of Housing Action Plan](#)

[View Attachment D - Deeply Rooted Informational Flyer on Housing Element](#)

[View Legislation](#)

[View Exhibit A-1 Public Hearing Draft 2023-2031 Housing Element Ch.1-4](#)

[View Exhibit A-2 Appendix A - Evaluation of the 2015-2023 Housing Element](#)

[View Exhibit A-3 Appendix B - Housing Needs Assessment](#)

[View Exhibit A-4 Appendix C - Sites Inventory](#)

[View Exhibit A-4b Exhibit for Appendix C Project-Details-2018-2020](#)

[View Exhibit A-4c Table C-26 Sites Inventory](#)

[View Exhibit A-5a- Appendix D - Assessment of Fair Housing, D1-3](#)

[View Exhibit A-5b- Appendix D - Assessment of Fair Housing, D4](#)

[View Exhibit A-5c- Appendix D - Assessment of Fair Housing, D5-7](#)

[View Exhibit A-6 Appendix E - Housing Resoures and Opportunities](#)

[View Exhibit A-7 Appendix F - Housing Constraints](#)

[View Exhibit A-8 Appendix G - Opportunities for Energy Conservation](#)

[View Exhibit A-9 Appendix H - Glossary](#)

[View Exhibit A-10 Appendix I - Public Outreach Materials](#)

[View Exhibit A-11 Appendix J - Draft Zoning Proposals](#)

[View Exhibit A-12 Appendix K - K1-State HCD Letter and K2-Responses](#)

[View Exhibit A-13 Appen L-L1-Pub Com Letters; L2 - Resp to Pub Comments](#)

[View Exhibit A-14 Appendix M - Housing Inventory Public Comment Site](#)

[View Supplemental Memo 1/19/2023](#)

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

[View Revised Exhibit A -1 1/27/2023](#)

[View Revised Exhibit A-5c- Appendix D 1/27/2023](#)

[View Supplemental Presentation 1/27/2023](#)

[View Revised Exhibit A-4a 1/27/2023](#)

[89565 CMS](#)

Following committee discussion, this item will be scheduled to be heard as a Public Hearing at the January 31, 2022 Special City Council meeting.

This City Resolution be Scheduled.to go before the *Community & Economic

Development Committee to be heard 1/24/2023

- 3.19** Subject: Establishing Malonga Arts Collective As Anchor Tenants Of The Malonga Arts Center
From: Councilmember Fife
Recommendation: Adopt A Resolution Directing The City Administrator To Return To Council With: (1) An Ordinance To Authorize The City Administrator To Negotiate And Execute A 10-Year Lease Between The City And Malonga Arts Collective (“Mac”), A Nonprofit Corporation, For Office, Studio, And Performance Spaces At The Malonga Casquelourd Center For The Arts (“MCCA”), Including One 5-Year Option To Extend; And Setting Rent Significantly Below Fair Market Value Due To The Cultural And Social Benefits To The Community Pursuant To OMC Section 2.24.110; And (2) A Report On How The City Currently Coordinates With Mac And Its Members And Recommendations For How The City Can Collaborate With Mac To Develop And Implement A Master Plan For Cultural Arts Programming At MCCA To Increase Oakland Residents’ Ability To Take Advantage Of The Center’s Unique Resources
[TITLE CHANGE]
[22-1005](#)

Attachments: [View Legislation](#)

This City Resolution be Scheduled.to go before the *Community & Economic Development Committee to be heard 1/24/2023

- 3.20** Subject: Oakland City Council Orientation And Overview - City Priorities And Departments - Public Safety, Emergency Response, Public Infrastructure, And Constituent Services
From: Office Of The City Administrator
Recommendation: Receive An Informational Report That Provides An Overview Of Public Safety, Violence Prevention, Emergency Operations/Response, Public Infrastructure, And Constituent Services In The City Of Oakland That Shall Include Presentations From The City Administrator’s Office, Oakland Fire Department, Oakland Police Department, Department Of Violence Prevention, Office Of The Inspector General, Community Police Review Agency/Police Commission, Oakland Public Works And Oakland Department Of Transportation
[22-1014](#)

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

The January 27, 2022 Special City Council Meeting has been called for the City Council Orientation, convening at 9:30 AM

This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/27/2023

3.21 Subject: Oakland City Council Orientation And Overview - City Priorities And Departments - Finance And Budget, Administration, Resiliency And Community Supports, And Communications
From: Office Of The City Administrator
Recommendation: Receive An Informational Report That Provides An Overview Of Finance And Budget, Administration, Resiliency And Community Supports, And Communications In The City Of Oakland That Shall Include Presentations From The City Administrator's Office, Finance Department, Department Of Race & Equity, Department Of Workplace And Employment Standards, Information Technology Department, Oakland Animal Services, Oakland Public Library, Human Services Department, Oakland Parks Recreation And Youth Development, Housing And Community Development Department, And The Planning And Building Department
[22-1015](#)

Attachments: [View Report](#)

[View Presentation 1 of 3](#)

[View Presentation 2 of 3](#)

[View Presentation 3 of 3](#)

[View Supplemental Presentation 2 of 3 1/30/2023](#)

The February 3, 2022 Special City Council Meeting has been called for the City Council Orientation, convening at 9:30 AM

This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 2/3/2023

3.22 Subject: FY2022-23 Master Fee Schedule
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance No. 13698 C.M.S. (Which Adopted The Fiscal Year 2022-23 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By The City Of Oakland
[22-0914](#)

Attachments: [View Report](#)

[View Legislation and Exhibits](#)

[View Supplemental Legislation 1/26/2023](#)

[View Supplemental Report - 2/3/2023](#)

A Title change for the subject and recommendation was read into record.

This Ordinance be Scheduled.to go before the *Finance & Management Committee to be heard 1/23/2023

3.23 Subject: In Celebration Of Black History And Heritage Month
From: Councilmember Fife
Recommendation: Adopt A Resolution In Celebration Of Black History Month In February 2023 By Honoring Black Change-Makers In The City Of Oakland Working Towards A Transformative Future That Seeks To Dismantle Oppressive Systems And Advance True Liberation, Safety, And Opportunities In Our Community
[22-1003](#)

Attachments: [View Legislation](#)

As A Ceremonial.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/7/2023

RECOMMENDATIONS FROM THE DECEMBER 12, 2022 SPECIAL PUBLIC WORKS COMMITTEE

3.24 Subject: Contracts For Heavy Equipment Repair Service
From: Public Works Department
Recommendation: Adopt A Resolution: (1) Awarding A Contract To Kelly's Truck Repair, The Lowest Responsive And Responsible Bidder, To Provide Vehicle Diagnostic And Repair Services In The Amount Not-To-Exceed \$650,000 Per Year For A Two-Year Term, November 1, 2022 To October 30, 2024, With Two (2) Options To Extend The Agreement Annually, For Up To Two (2) One-Year Periods In An Amount Not-To-Exceed \$650,000 Per Year For A Total Not-To-Exceed Contract Amount Of \$2,600,000 Over A Four-Year Term; And (2) Waiving The Local Business/Small Local Business Enterprise Program Utilization Requirement
[22-0908](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Legislation - 12/16/2022](#)

[View Supplemental Report - 12/16/2022](#)

[89544 CMS](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Non Consent.

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

3.25 Subject: Deployment Of Solar And Battery Energy Systems In Partnership With East Bay Community Energy (EBCE)
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Evaluate The Potential Deployment Of Solar And Battery Energy Systems At Critical Municipal Facilities In Partnership With East Bay Community Energy
[22-0915](#)

Attachments: [View Report](#)
[View Legislation](#)
[89536 CMS](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

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

3.26 Subject: Safe Work Zone Ordinance
From: Public Works Department
Recommendation: Adopt An Ordinance Adding Chapter 9.06 To The Oakland Municipal Code To (1) Allow The City To Establish Safe Work Zones For City Employees Carrying Out Their Duties On Public Property And (2) Make Willful Failure To Leave A Designated Safe Work Zone, After Request By A Peace Officer, A Misdemeanor
[22-0904](#)

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

This item was withdrawn and not scheduled.

This Ordinance be No Action Taken.

RECOMMENDATIONS FROM THE DECEMBER 12, 2022 PUBLIC SAFETY COMMITTEE

- 3.27** Subject: Oakland Police Department Negotiated Settlement Agreement Status Update
From: Oakland Police Department
Recommendation: Receive An Informational Report From Oakland Police Department (OPD) On OPD’s Progress Toward Compliance With The Negotiated Settlement Agreement (NSA) In The Case Of Delphine Allen, Et Al., V. City Of Oakland, Et Al.
[22-0838](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Supplemental Report - 1/4/2023](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the January 17, 2023 City Council Agenda on Non Consent.

This Informational Report be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2023

- 3.28** Subject: OPD RSI Helicopter Maintenance Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Professional Services Agreement With Rotorcraft Support, Inc. (RSI) To Provide Helicopter Maintenance Services To The Oakland Police Department (OPD) For The Period Of July 1, 2023 To June 30, 2027 In An Amount Not To Exceed Eight Hundred Fifty Thousand Dollars (\$850,000) Per Year For A Total Contract Not To Exceed Three Million, Four Hundred Thousand Dollars (\$3,400,000)
[22-0886](#)

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

The Rules Committee accepted the Committees recommendation and continued this item to the January 23, 2023 Public Safety Committee.

This City Resolution be Continued.to go before the *Public Safety Committee to be heard 1/23/2023

- 3.29** Subject: OPD Quarterly Crime Report
From: Oakland Police Department
Recommendation: Receive A Quarterly Informational Report From The Oakland Police Department (OPD) On Crime, Crime Trends And Crime Reduction Activities In The City Of Oakland
[22-0902](#)

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

This Informational Report be Received and Filed.

NO VOTE: 0

RECOMMENDATIONS FROM THE DECEMBER 12, 2022 LIFE ENRICHMENT COMMITTEE

3.30 Subject: Report On The Cost Of Oakland's Homelessness Crisis
From: Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator On How Much Staff Time And Resources From The Following City Departments Are Dedicated To Providing Services Or Responding To Issues Associated With Oakland's Homelessness Crisis: The City Administrator's Office, Human Services Department, Housing And Community Development Department, Public Works Department, Fire Department, And Oakland Police Department; And Provide An Assessment Of How To Redirect Resources Towards Placing Chronically Unhoused Individuals In Supportive Housing
[22-0413](#)

Attachments: [View Report](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

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

RECOMMENDATIONS FROM THE DECEMBER 13, 2022 SPECIAL FINANCE AND MANGEMENT COMMITTEE

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

[22-0919](#)

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Attachment D](#)

[View Attachment E](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

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

3.32 Subject: CPUC LATA Grant Acceptance 2022
From: Information Technology Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Of Five Hundred Thousand Dollars (\$500,000.00) From The California Public Utilities Commission (CPUC), Local Agency Technical Assistance Program To Fully Reimburse The City's Costs Of A Last-Mile Broadband Connectivity Planning & Design Project For The Period Of November 2, 2022 To December 31, 2024

[22-0922](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Attachment A - 12/15/2022](#)

[89537 CMS](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

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

3.33 Subject: Revenue And Expenditure Report (R&E) FY 2021-22 Q4 And FY 2022-23 Q1
From: Finance Department
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2021-22 Fourth Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds, Fiscal Year (FY) 2022-23 First Quarter Revenue And Expenditure (R&E) Year-End Projections For The General Purpose Fund (GPF, 1010) And Select Funds, And A Two Year Revenue And Expenditure Projection For Fiscal Years 2023-24 And 2024-25
[22-0928](#)

- Attachments:** [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Appendix AA](#)
[View Appendix BB](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

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

3.34 Subject: Public Bank East Bay Viability Study
From: Councilmember Fife
Recommendation: Adopt The Following Pieces Of Legislation:

- 1) A Resolution Accepting The Public Bank East Bay Viability Study; And [TITLE CHANGE]
[22-0931](#)

- Attachments:** [View Report](#)
[View Attachment](#)
[View Legislation](#)
[View Supplemental Presentation - 12/14/2022](#)
[89540 CMS](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Non Consent.

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

2) A Resolution Of Intention To Form The Public Bank East Bay With The City Of Oakland As A Founding Member Along With The Cities Of Berkeley And Richmond
[TITLE CHANGE]

[22-0986](#)

Attachments: [View Legisaltion](#)

[89541 CMS](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Non Consent.

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

3.35 Subject: Enhanced Infrastructure District Timeline And Procedural Recommendation
From: Finance Department

Recommendation: Receive An Informational Report From The City Administrator Outlining The Timeline And Process For A Proposal To Establish An Enhanced Infrastructure Financing District (EIFD) Exclusively For East Oakland, Exclusively For West Oakland, And For East And West Oakland Combined

[22-0971](#)

Attachments: [View Report](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

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

RECOMMENDATIONS FROM THE DECEMBER 13, 2022 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

3.36 Subject: Analysis Of The Potential Impacts Of The Oakland Waterfront Ballpark District At The Howard Terminal Proposed By The Oakland Athletics
From: Councilmember Gallo
Recommendation: Receive An Informational Report From City Staff Regarding Documents From Maritime Industry Groups On Potential Economic Issues Related To The Oakland Waterfront Ballpark District At The Howard Terminal Proposed By The Oakland Athletics Including A Report On Analysis Conducted By: Professor Nola Agha, Ph.D., The University Of San Francisco, Professor Of Sport Management, Report Entitled "Evaluation Of The Revenues, Costs, And Impacts Of The Proposed Oakland Waterfront Ballpark District At Howard Terminal On The City Of Oakland," And Summary Of The Report By Professor Agha
[TITLE CHANGE]
[22-0800](#)

Attachments: [View Report](#)
[View Report 12/2/2022](#)

This Informational Report be Received and Filed.

3.37 Subject: Proposition 64 Grant Contract Amendments
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Amending Resolution Number 88735 C.M.S., Which Among Other Things Authorized The Acceptance And Appropriation Of Nine-Hundred And Ninety-Seven Thousand Six Hundred And Ninety-Four Dollars (\$997,694) In State Of California Proposition 64 Public Health And Safety Grant Program Cohort Two Funds (Proposition 64 Grant) And The City's Funding Of Services To Support Oakland Cannabis Businesses And Address The Public Health Impacts Of Cannabis On Youth By: (A) Authorizing An Increase In Funding For The City's Existing Agreement With The Public Health Institute From One Hundred And Sixty-Three Thousand Three Hundred And Six Dollars (\$163,306) To Four-Hundred And Forty-Three Thousand Three Hundred And Six Dollars (\$443,306) For Additional Services To Be Provided Including Substance Use Preventative And Intervention Activities For Youth; (B) Authorizing An Increase In Funding For The City's Existing Agreement With LMB Creative Group, LLC From Fifty Thousand Dollars (\$50,000) To Eighty Thousand Dollars (\$80,000) To Ensure Sufficient Resources For Data Collection And Local Evaluation Reporting To Meet Proposition 64 Grant Requirements; (C) Authorizing An Increase In Funding For The City's Existing Agreement With Make Green Go From Seventy Thousand Dollars (\$70,000) To Seventy-Five Thousand Dollars (\$75,000) To Provide A Public Awareness Campaign For Support Of Equity-Owned Cannabis Businesses; And (D) Waiving The Request For Proposal/Qualification Requirements For The Proposed Contract Increases With The Public Health Institute, LMB Creative Group, LLC, And Make Green Go
[22-0966](#)

Attachments: [View Report](#)
[View Legislation](#)
[89538 CMS](#)

The Rules Committee accepted the Committees recommendation and scheduled this item to the December 20, 2022 City Council Agenda on Consent.

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

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[22-0964](#)

Attachments: [December 20, 2022 City Council Agenda](#)

[CANCELLED DECEMBER 22, 2022 RULES AND LEGISLATION COMMITTEE AGENDA](#)

[Finance And Management Committee Pending List](#)

[Public Works Committee Pending List](#)

[Community And Economic Development Committee Pending List](#)

[Life Enrichment Committee Pending List](#)

[Public Safety Committee Pending List](#)

[Education Partnership Committee Pending List](#)

[Rules And Legislation Committee Pending List](#)

[CANCELLED DECEMBER 26, 2022 PUBLIC WORKS COMMITTEE AGENDA](#)

[CANCELLED December 26, 2022 PUBLIC SAFETY COMMITTEE AGENDA](#)

[CANCELLED DECEMBER 26, 2022 LIFE ENRICHMENT COMMITTEE AGENDA](#)

[CANCELLED DECEMBER 27, 2022 FINANCE AND MANAGEMENT COMMITTEE AGENDA](#)

[CANCELLED DECEMBER 27, 2022 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA](#)

[CANCELLED DECEMBER 29, 2022 RULES AND LEGISLATION COMMITTEE AGENDA](#)

3 Changes were made to the December 20, 2022 City Council Agenda.

This Report and Recommendation be Accepted as Amended.

NO VOTE: 0

CHANGES MADE TO THE PREVIOUSLY DISTRIBUTED DECEMBER 20, 2022 CITY COUNCIL AGENDA

Subject: 'Women, Life, Freedom' A Resolution Supporting Iranian And Kurdish Women And Protesters In Iran

From: Council President Bas And President Pro Tempore 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](#)

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

[89564 CMS](#)

This item was withdrawn from the December 20, 2022 City Council agenda and rescheduled to the January 31, 2023 Special City Council meeting at the December 15, 2022 Rules And Legislation Committee.

This City Resolution be * Withdrawn and Rescheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 1/31/2023

Subject: Oakland Hydrogen Hub
From: Councilmember Kaplan And President Pro Tempore Kalb
Recommendation: Adopt A Resolution: 1) Supporting The Alliance For Renewable Clean Hydrogen Energy Systems (ARCHES) And Its Mission To Accelerate Green Hydrogen's Contribution To Decarbonizing The Economy In California; 2) Highlighting Oakland's Leadership In Hydrogen Adoption And Requesting That Oakland Be Considered As A Location For A Potential Statewide Green Hydrogen Hub To Accelerate Hydrogen's Contribution To Decarbonizing The Economy Using Electrolysis Powered By Renewable Energy; 3) Declaring The City's Intent To Enter Into A Memorandum Of Commitment (MOC) (Attached Hereto As Exhibit A) To Join ARCHES; And 4) Authorizing The City Administrator To Execute The MOC And To Negotiate And Execute A More Formal Agreement With ARCHES H2 LLC On The City's Behalf
[TITLE CHANGE]

[22-0988](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Exhibit A](#)
[View Revised Report 1/26/2023](#)
[View Revised Legislation 1/26/2023](#)
[View Revised Exhibit A 1/26/2023](#)

This item was withdrawn from the December 20, 2022 City Council agenda with no new date at the December 15, 2022 Rules And Legislation Committee.

This City Resolution be Withdrawn with No New Date.

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](#)

[View Amended Legislation 1/26/2023](#)

This item was withdrawn from the December 20, 2022 City Council agenda and rescheduled to the January 17, 2023 City Council Agenda on Non Consent at the December 15, 2022 Rules And Legislation Committee.

This Ordinance be Rescheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/17/2023

5 Determinations Of Closed Session

No Closed Session Report Out from the City Attorney.

This be Accepted.

Open Forum

4 speakers spoke during Open Forum.

Adjournment

Americans With Disabilities Act

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

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Relay Service:711

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 8:30AM TO 5:00PM

* In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.