



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, January 19, 2023

10:30 AM

Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Oakland City Council Rules & Legislation Committee convened at 10:48 am, with Council President Fortunato Bas presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Roll Call / Call To Order

Excused 1 - Carroll Fife

Present 3 - Dan Kalb, Nikki Fortunato Bas, and Janani Ramachandran

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

11 speakers spoke

2 Approval Of The Draft Minutes From The Committee Meeting Of December 15, 2022 [23-0010](#)

Attachments: [View Report](#)

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

Excused: 1 - Fife

Abstained: 1 - Ramachandran

Aye: 2 - Kalb, and Fortunato Bas

NO VOTE: 0

3 New Scheduling Items

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

Excused: 1 - Fife

Aye: 3 - Kalb, Fortunato Bas, and Ramachandran

NO VOTE: 0

3.1 Subject: Carolyn Levy V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Carolyn Levy V. City Of Oakland, And Does 1-100 Inclusive, Alameda Superior Court Case No. RG18913570, City Attorney File No. 32579, In The Amount Of Two Hundred Thousand Dollars And No Cents (\$200,000.00) (Department Of Transportation - Dangerous Condition Of Public Property)
[23-0022](#)

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

Scheduled to 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 2/7/2023

3.2 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](#)

Scheduled to Consent and President Pro Tempore Kalb was added as Co-Author

Rule 24 was noted - Reason for bypassing committee

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

- 3.3** Subject: Letter of Intent with Alameda County for Ambulance Services
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Letter Of Intent With Alameda County Fire Department To Negotiate The Terms Of A Proposal For Ambulance Services And/Or Emergency Medical Services To Be Provided In Alameda County
[23-0031](#)

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 2/13/2023

- 3.4** Subject: Roadtrip Nation Professional Services Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Of The City Council Authorizing The City Administrator To (1) Enter Into A Professional Services Agreement With Roadtrip Nation In An Amount Not To Exceed One Hundred Twenty-Five Thousand Dollars (\$125,000) Total To Develop And Launch A Career Exploration And Storytelling Digital Community Hub Designed To Support Oakland's Youth And Young Adults Seeking Job Opportunities Through November 30, 2028; And (2) Waiving The Formal Request For Proposal/Qualifications Process For The Professional Services Agreement
[23-0029](#)

This City Resolution be Scheduled.to go before the *Community & Economic Development Committee to be heard 2/14/2023

- 3.5** Subject: OAS Informational Report
From: Oakland Animal Services Department
Recommendation: Receive An Informational Report From Oakland Animal Services On Oakland Animal Services' Operations; On The February 27, 2023 Life Enrichment Committee Agenda
[23-0030](#)

This Informational Report be Scheduled.to go before the *Life Enrichment Committee to be heard 2/27/2023

- 3.6** Subject: Starchase Utilization
From: Councilmember Kaplan
Recommendation: Receive An Informational Report On: (1) The Status Of Implementing And Utilizing Starchase Global Positioning Satellite (GPS) Technology To Avoid The Deadly Risks Of High-Speed Pursuits And To Help Solve Crimes; (2) The Number Of Vehicles Equipped With Starchase Technology And The Process Used To Designate Those Vehicles; (3) The Types Of Situations Where Starchase Is Used And For What Starchase Could Be Used (4) What Is Needed For Full Deployment Of Starchase On All OPD Vehicles That May Be Involved In Pursuits; (5) Potential Funding Gaps Which Are Preventing The Use Of Starchase; And (6) Policy, Logistical, Or Other Challenges That Could Hinder The Expanded Use Of Starchase By OPD; On The March 13, 2023 Public Safety Committee Agenda
[22-0897](#)

This City Resolution be Scheduled to go before the *Public Safety Committee to be heard 3/13/2023

3.7 Subject: Amending Section 17.104.060 Of The Oakland Planning Code, Adding Chapter 5.97 To The Oakland Municipal Code, And Amending Title 14 Of The Oakland Municipal Code To Amend The Mechanisms By Which The City Council Can Consider New Advertising Signs
From: Councilmember Gallo, Councilmember Kaplan, And Council President Bas
Recommendation:

[OLD TITLE]

Adopt An Ordinance (1) Amending Oakland Planning Code Section 17.104.060 To Specify Regulations And Procedures For Advertising Signs, (2) Adding Chapter 5.97 To The Oakland Municipal Code Establishing Application Processes For: (A) New Advertising Signs On Private Property Through City Lease And/Or Real Estate Agreement Authorized By The City Council, And (B) New Advertising Signs On City-Owned Property And City-Owned Rights-Of-Ways, (3) Amending Title 14 Of The Oakland Municipal Code To (A) Specify Agreement Types For Advertising Signs On City-Owned Property, City-Owned Rights-Of-Way, And Private Property, (B) Create Application Requirements, Physical Standards And Operational Standards For New Advertising Signs, And (C) Strike Outdated Or Non-Applicable Sections Of Title 14; And (4) Making Appropriate California Environmental Quality Act Exemption Findings

[NEW TITLE]

Adopt An Ordinance (1) Amending Oakland Planning Code Section 17.104.060 To Specify Regulations And Procedures For Advertising Signs, (2) Adding Chapter 5.97 To The Oakland Municipal Code Establishing Application Processes For New Advertising Signs, (3) Amending Title 14 Of The Oakland Municipal Code To (A) Specify Agreement Types For New Advertising Signs (B) Create Application Requirements, Physical Standards And Operational Standards For New Advertising Signs, And (C) Strike Outdated Or Non-Applicable Sections Of Title 14; And (4) Making Appropriate California Environmental Quality Act Exemption Findings; On The March 14, 2023 Community And Economic Development Committee Agenda

[22-0898](#)

Attachments: [NO WRITTEN MATERIAL WAS SUBMITTED](#)

This Ordinance be Scheduled to go before the *Community & Economic Development Committee to be heard 3/14/2023

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[23-0009](#)

- Attachments:** [January 23, 2023 Finance And Management Committee Agenda](#)
[January 23, 2023 Public Safety Committee Agenda](#)
[January 23, 2023 Life Enrichment Committee Agenda](#)
[January 24, 2023 Public Works Committee Agenda](#)
[January 24, 2023 Community And Economic Development Committee Agenda](#)
[January 26, 2023 Rules And Legislation Committee Final Agenda](#)
[January 27, 2023 Special Concurrent Meeting Of The ORSA City Council Agenda](#)
[Finance And Management Pending List](#)
[Public Works Pending List](#)
[Community And Economic Development Pending List](#)
[Life And Enrichment Pending List](#)
[Education Partnership Pending List](#)
[Public Safety Pending List](#)
[Rules And Legislation Pending List](#)
[Draft January 31, 2023 Special Concurrent ORSA And City Council Agenda](#)
[Draft February 2, 2023 Rules And Legislation Committee Agenda](#)
[Draft February 3, 2023 Special ORSA And City Council Agenda](#)

This Report and Recommendation be Accepted as Amended.

CHANGES TO THE AGENDAS AND PENDING LIST

Changes To The January 31, 2023 Draft Special Council Agenda

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](#)

Sponsors: Economic & Workforce Development Department

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

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

5 Determinations Of Closed Session

There was no Report Out

This be Accepted.

6 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](#)

The Committee approved the recommendation of staff as amended, and requested the item be forwarded to the February 7, 2023 City Council Agenda on Non-Consent as follows:

Rule 23: Rules and Legislation Committee Jurisdiction - Adding The Committee May Assign City Proposed Bailed Measures To A Subject Matter Committee As An Informational Report For Vetting and Input But Retains The Authority To Determine Whether Or Not To Forward Such Propositions To The Council

Rule 26. A.:Procedue for Placing Items on A Agenda - Striking the word Should and adding the words Shall Make Every Effort To Thoroughly Investigate Policy Issues Prior to Submitting Proposals To Committee Or The Council For Action.

Rule 29: Tie Breaking Votes By The Mayor - Adding language to further define legal requirements of recusal and not being present

Adding: effective date of March 1, 2023 and provide more clarity on the electronic speaker card process

A motion was made by Dan Kalb, seconded by Nikki Fortunato Bas, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 2/7/2023. The motion carried by the following vote:

Excused: 1 - Fife

Aye: 3 - Kalb, Fortunato Bas, and Ramachandran

NO VOTE: 0

Open Forum

6 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 12:35 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.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

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Recorded Agenda: (510) 238-2386

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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 8:30AM 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.**