# City of Oakland

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



# **Meeting Minutes - FINAL**

Tuesday, June 15, 2021 1:30 PM

Please See The Agenda To Participate In The Meeting

Virtual Tele - Conference Via Zoom

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

Pursuant to the Governor's Executive Order N-29-20, all members of the City Council as well as the City Administrator, City Attorney and City Clerk will join the meeting via phone/video conference and no teleconference locations are required

# **PUBLIC PARTICIPATION**

The public may observe and/or participate in this meeting many ways.

#### **OBSERVE:**

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on https://oakland.legistar.com/calendar.aspx and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: https://us02web.zoom.us/j/86314549423 at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Webinar ID: 863 1454 9423

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

# COMMENT:

ALL PUBLIC COMMENT ON ACTION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE MEETING UNDER ITEM 1. COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING

There are three ways to submit public comments.

- eComment. To send your comment directly to Council members and staff BEFORE the meeting starts please click on https://oakland.legistar.com/calendar.aspx and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes five (5) minutes before posted meeting time.
- To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to "Raise Your Hand" is available at: https://support.zoom.us/hc/en-us/articles/205566129 Raise-Hand-In-Webinar.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing "\*9" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute your self by pressing \*6.

If you have any questions, please email the Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

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

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. The meeting was convened at 1:30 pm.

# **ROLL CALL / CITY COUNCIL**

Present 8 - Nikki Fortunato Bas, Loren Taylor, Sheng Thao, Carroll Fife, Noel Gallo, Dan Kalb, Treva Reid, and Rebecca Kaplan

## 1 PUBLIC COMMENT:

COMMENTS ON ALL ACTION ITEMS EXCEPT PUBLIC HEARINGS WILL NOT BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

There was 20 speakers on Public Comment

# 2 CONSENT CALENDAR (CC) ITEMS:

# Approval of the Consent Agenda

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

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

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 21-0448

Attachments: View Report

88681 CMS

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

21-0449

Attachments: View Report

88682 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 <u>21-0450</u>

Attachments: View Report

88683 CMS

This City Resolution was Adopted.

2.4 Subject: Road Maintenance And Rehabilitation Account (RMRA) Funds

From: Transportation Department

Recommendation: Adopt A Resolution Adopting A List Of Projects To Be Implemented With Road Maintenance And Rehabilitation Account Funds In Fiscal Years 2021-22 And Adopting Appropriate California Environmental Quality Act (CEQA) Findings 21-0421

Attachments: View Report

View Legislation 88684 CMS

2.5 Subject: Accept and Appropriate HSIP10 Grants

From: Transportation Department

Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Accept And Appropriate Three (3) Highway Safety Improvement Program Cycle 10 (HSIP10) Grants Totaling Six Million Twenty-Three Thousand Nine Hundred Ten Dollars (\$6,023,910) To Implement Safety And Operational Improvements For Pedestrians, Bicyclists And Motorists At Various Streets And Intersections In The City Of Oakland, And 2) Allocating One Hundred Eighty-Three Thousand One Hundred Ninety Dollars (\$183,190) In Measure BB And Measure KK Infrastructure Bond Funds As The Required City Local Match; And 3) Adopt Appropriate California Environmental Quality Act (CEQA) Findings

21-0422

Attachments: View Report

View Legislation 88685 CMS

This City Resolution was Adopted.

2.6 Subject: BART-CITY Pass-Through Agreements

From: Transportation Department

Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Enter Into Fund Passthrough Agreements With The San Francisco Bay Area Rapid Transit District ("BART") And The City Of Oakland, And 2) Accepting And Appropriating Capital Funds Of Up To Two Million Three Hundred Fifty-Nine Thousand And Twenty-Six Dollars (\$2,359,026) For The East Bay Greenway Segment II Project (\$1,750,669) And The Coliseum Transit Village Area Improvements Project (\$608,357), And 3) Allocating Three Hundred Thirty-Nine Thousand Seven Hundred Fifty-Six Dollars (\$339,756) In Measure BB And Measure KK Infrastructure Bond Funds As The Required City Local Match; And 4) Adopting Appropriate California Environmental Quality Act (CEQA) Findings 21-0427

Attachments: View Report

View Legislation 88686 CMS

2.7 Subject: Active Transportation Program Funds (ATP) Cycle 5 Funding

From: Transportation Department

Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Accept And Appropriate Two (2) Active Transportation Program (ATP) Grants Totaling Thirty-One Million Four Hundred Forty-Nine Thousand Dollars (\$31,449,000) For The 7th Street Connection Project And The East Oakland Neighborhood Bike Routes Project, And 2) Committing A Match Of Up To Eleven Million Four Hundred Forty-Nine Thousand Two Hundred Thirty-Nine Dollars (\$11,449,239) In Measure BB Funds, Measure KK Infrastructure Bond Funds, Highway Safety Improvement Program Funds, Development Impact Fees, And Federal Earmarks; And 3) Adopting Appropriate California Environmental Quality Act (CEQA) Findings

<u>21-0426</u>

Attachments: View Report

View Legislation 88687 CMS

This City Resolution was Adopted.

2.8 Subject: Fiscal Year (FY) 2021-22 Local Measures M, N, Q, Z, D, And Parks Q

From: Finance Department

Recommendation: Adopt An Ordinance 1) Authorizing A Fiscal Year 2021-22 Increase In The Rate Of Property Tax Imposed By Voter-Approved Measures; And 2) Fixing The Rate Of The Property Tax And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2021-22 For The Emergency Medical Services Retention Act Of 1997 (Measure M), The Paramedic Services Act Of 1997 (Measure N), The Library Services Retention And Enhancement Act Of 2004 (Library Measure Q), The 2014 Oakland Public Safety And Services Violence Prevention Act (Measure Z), The 2018 Oakland Public Library Preservation Act (Measure D), And The 2020 Oakland Parks And Recreation Preservation, Litter Reduction, And Homelessness Support Act (Parks Measure Q)

21-0359

Attachments: View Report

View Legislation

13652 CMS

This Ordinance was Approved for Final Passage.

2.9 Subject: Extension Of Flex Streets Program
From: Office Of The City Administrator

Recommendation: Adopt An Ordinance Adding Chapter 8.62, Section 5.51.150, Section 12.08.250, And Section 17.07.060(C) Of The Oakland Municipal Code (O.M.C.) To Expand Restaurant, Retail, Café, Parklet, And Mobile Food Vending Temporary Uses Of Outdoor Private Spaces And Public Right-Of-Ways ("Oakland Flex Streets Program") Until March 31, 2022 To Encourage Healthy Outdoor Use And Enjoyment Of Businesses; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings 21-0358

Attachments: View Report 1

View Report 2
View Legislation

View Supplemental Legislation 6/10/2021

13653 CMS

This Ordinance was Approved for Final Passage.

2.10 Subject: Acceptance Of Funds For Jack London Aquatic Center Retrofit

From: Councilmember Kalb, Fife And Gallo

Recommendation: Adopt A Resolution (1) Accepting And Appropriating Gift In Place Funds And Services In The Amount Of \$250,000 From Pacific Gas & Electric ("PG&E") To Retrofit Jack London Aquatic Center To All-Electric Service; (2) Waiving Advertising And Bidding And Awarding A Construction Contract To PG&E; And (3) Adopting Appropriate California Environmental Quality Act (CEQA) Findings 21-0435

**Sponsors:** Fife and Gallo

Attachments: View Report

View Legislation

View Supplemental Report 6/10/2021

View Supplemental Legislation 6/10/2021

88688 CMS

2.11 Subject: Appointment To The Budget Advisory Commission

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Margaret

Grimsley To The Budget Advisory Commission

21-0477

Attachments: View Report

88689 CMS

This City Resolution was Adopted.

2.12 Subject: Chinatown Business Development And Safety Grant

From: Council President Fortunato Bas

Recommendation: Adopt A Resolution Awarding A Grant In The Amount Of Seventy-Five Thousand Dollars (\$75,000) To The Oakland Chinatown Chamber Of Commerce ("Chinatown COC") For Business Development And Public Safety Including Lighting, Facade Improvements And Repair And Other Small Business Development And Safety Needs As Determined By The Chinatown COC

21-0476

Attachments: View Report

View Legislation 88690 CMS

This City Resolution was Adopted.

2.13 Subject: FY 2020-21 OPD Crime Lab Coverdell Grant

From: Oakalnd Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds In An Amount Not To Exceed Fifty-Nine Thousand Eighty-Two Dollars (\$59,082) From The California Governor's Office Of Emergency Services (CalOES), For The Fiscal Year 2020-21 Paul Coverdell Forensic Science Improvement Program, During The Grant Period Of January 1, 2021 - December 31, 2021, To Support The Oakland Police Department (OPD) Crime Laboratory Operations

21-0455

Attachments: View Report

View Resolution 88691 CMS

2.14 Subject: CitySpan Contract - Tracking And Contract Management Database

From: Human Services Department

Recommendation: Adopt A Resolution Waiving Competitive Solicitation Requirements, And Awarding An Agreement To CitySpan Technologies, Inc. In An Amount Not To Exceed Ninety-Two Thousand Five Hundred Dollars (\$92,500) For Licensing And Hosting Of A Web-Based, Client-Level Tracking And Contract Management Database System For Oakland Paratransit For The Elderly And Disabled Program (OPED) And Oakland Fund For Children And Youth (OFCY) For A Three-Year Term From July 1, 2021 Through June 30, 2024

21-0456

Attachments: View Report

View Legislation 88692 CMS

This City Resolution was Adopted.

**2.15** Subject: United Together Manor Loan Modification And Extension

From: Housing And Community Development Department

Recommendation: Adopt A Resolution Amending Oakland Redevelopment Agency Resolutions No. 89-87 C.M.S., And Resolution No. 93.29 C.M.S., To Authorize The City Administrator To Modify The Loans To United Together, Inc., For The United Together Manor Project By: (1) Extending The Maturity Date From January 2025 To January 2054; And (2) Reducing The Interest Rate From Six Percent Per Annum To Three Percent Per Annum, And Adopting Appropriate California Environmental Quality Act (CEQA) Findings 21-0460

**Sponsors:** Housing And Community Development Department

Attachments: View Report

View Legislation 88693 CMS

This City Resolution was Adopted.

2.16 Subject: Proclaiming The Month Of June 2021 Elder Abuse Awareness Month

From: President Pro Tempore Thao

Recommendation: Adopt A Resolution Proclaiming The Month Of June 2021 "Elder

Abuse Awareness Month"

21-0461

Attachments: View Report

88694 CMS

2.17 Subject: In Support Of AB 43 From: Vice Mayor Kaplan

Recommendation: Adopt A Resolution In Support Of AB 43, A Bill To Allow Municipalities More Flexibility On Setting Speed Limits And Require Factors Such As Pedestrian,

Bicycle, And Child Safety To Be Considered When Setting Speed Limits

21-0463

Attachments: View Report

View Legislation 88695 CMS

This City Resolution was Adopted.

2.18 Subject: Commemorative Street Renaming In Honor Of Dorothy King

From: Councilmember Fife

Recommendation: Adopt A Resolution Commemoratively Renaming 2nd Street Between Broadway And Franklin Street As 'Dorothy King Way' Per The Process Established By Res. No. 77967 C.M.S.

21-0465

Sponsors: Fife

Attachments: View Legislation

88696 CMS

This City Resolution was Adopted.

**2.19** Subject: Senior Companion Program/Foster Grandparent Program (SCP/FGP)

Renewal Grant Applications FY 2021 - 2022

From: Human Services Department

Recommendation: Adopt A Resolution: 1. Authorizing Agreements With And To Accept And Appropriate Grant Funds From The Corporation For National And Community Services (CNCS) For Fiscal Year (FY) 2021-2022 In Amounts Not To Exceed \$287,126 For The Senior Companion Program And \$29,484 For The Foster Grandparent Program, Respectively; And 2. Authorizing The City Administrator To Amend The Above Grant Agreements For And To Accept And Appropriate Additional Grant Funds From CNCS For FY 2021-2022, Within The Grant Terms, Without Returning To Council; And 3. Authorizing A Contribution From The City's General Purpose Fund For Central Services Overhead Charges For FY 2021-2022 In An Estimated Amount Of \$32,941 21-0478

Attachments: View Report

View Legislation 88697 CMS

2.20 Subject: Centro Legal De La Raza ACILEP Grant Agreement

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Awarding A Grant Agreement To Centro Legal De La Raza In An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) To Provide Legal Support For Children And Families At Risk Of Deportation 21-0470

Attachments: View Report & Legislation

88698 CMS

This City Resolution was Adopted.

2.21 Subject: Resolution In Support Of California State Assembly Bill 988

From: Councilmember Kalb

Recommendation: Adopt A Resolution In Support Of California State Assembly Bill 988 Which Would State The Legislature's Intent To Implement A Three-Digit Phone Line, 9-8-8, For People Experiencing Suicidal And Other Immediate Mental Health Crises To Be Able To Receive Life Saving Care

21-0474

Attachments: View Report

View Legislation 88699 CMS

This City Resolution was Adopted.

2.22 Subject: Darwin Bondgraham And Ali Winston 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 Costs And Attorneys' Fees In The Case Of Darwin Bondgraham And Ali Winston V. City Of Oakland, Oakland Police Department And Susan Manheimer, Alameda County Superior Court Case No. RG20071657, City Attorney's File No. X05171, In The Amount Of One Hundred Twenty-Five Thousand Two Hundred Four Dollars And Fifty Cents (\$125,204.50) As A Result Of Alleged Public Records Act Violations (Police Department- Public Records Act)

21-0475

Attachments: View Report

View Legislation 88700 CMS

2.23 Subject: Terry Baker V. City Of Oakland

From: Office Of The City Attorney

Recommendation: Adopt A Resolution (1) Authorizing And Directing The City Attorney To Compromise And Settle The Case Of: Terry Baker V. City Of Oakland, Marcell Patterson, Individually And In The Capacity Of A Police Officer For The Oakland Police Department; And Does 1-10, Alameda County Superior Court Case No. RG20054133, In The Amount Of Twelve Million Dollars And No Cents (\$12,000,000.00) Arising From A June 5, 2019 Auto Accident Involving An OPD Vehicle At The Intersection Of Lemon Street And Curtola Parkway In Vallejo, California; And (2) Authorizing And Directing The City Attorney To Initiate Legal Action Against Oakland Police Officer Marcell Patterson For Indemnity (Oakland Police Department - Automobile Accident)

Attachments: View Report

View Legislation 88701 CMS

This City Resolution was Adopted.

**S2.24** Subject: Support For AB 257, The Fast Food Accountability And Standards Recovery

Act

From: Council President Fortunato Bas And Councilmember Fife

Recommendation: Adopt A Resolution Supporting California State Assembly Bill No. 257, "The Fast Food Accountability And Standards Recovery Act" ("Fast Recovery Act"), Introduced By Assembly Member Lorena Gonzalez To Establish The Fast Food Sector Council, Which Would Include Worker Representatives Along With Government And Industry Representatives, To Promulgate Minimum Fast Food Restaurant Employment Protections For California's One-Half Million Fast Food Workers [TITLE CHANGE]

21-0433

Attachments: View Legislation

View Supplemental Legislation 6/10/2021

88702 CMS

**S2.25** Subject: Support For AB 490, The Angelo Quinto Act Of 2021

From: Council President Fortunato Bas, Councilmember Kalb And Fife

Recommendation: Adopt A Resolution Supporting California State Assembly Bill No.490, "The Angelo Quinto Act Of 2021," Introduced By Assembly Members Gipson And Bonta, To Prohibit Law Enforcement Agencies From Authorizing Techniques Or Transport Methods That Involve A Substantial Risk Of Positional Asphyxia

[TITLE CHANGE]

21-0434

Attachments: View Legislation

View Supplemental Legislation 6/10/2021

88703 CMS

This City Resolution was Adopted.

**S2.26** Subject: Military Equipment Rules

From: Vice Mayor Kaplan, Councilmember Gallo And Kalb

Recommendation: Adopt An Ordinance Adding Chapter 9.65 To The Oakland Municipal Code Establishing Rules For The Oakland Police Department's Acquisition And Use Of Military And Militaristic Equipment

21-0340

Attachments: View Report

View Legislation

View Police Commission Memo

View Supplemental Legislation 6/4/2021

View Supplemental Legislation 6/4/2021 REDLINED

View Supplemental Report 6/10/2021

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 7/6/2021

# 3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

3.1 Subject: Mandatory Delinquent Trash Fees 2021

From: Finance Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The

Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of January, February, March 2021 And Quarterly Periods Of April-June 2021 (Option 1); Or 21-0382

Attachments: View Report

View Legislation

View Report Attachment A

88704 CMS

Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 2:55 p.m.

2 individuals spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Taylor, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Fife, Gallo, Kalb, Reid, Taylor, Thao, and Fortunato Bas 1 Abstention: Kaplan

Council requested that when this item returns to include the history of the contract

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

Abstained: 1 - Kaplan

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

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of January, February, March 2021 And Quarterly Periods Of April-June 2021 (Option 2); Or

21-0383

Attachments: View Legislation

View Report Exhibit A

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

Abstained: 1 - Kaplan

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

NO VOTE: 0

3) A Resolution Continuing The Hearing Of The Reports Of The City Administrator On Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code For The Monthly Periods Of January, February, March 2021 and Quarterly Periods Of April-June 2021 (Option 3)

21-0384

Attachments: View Legislation

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

Abstained: 1 - Kaplan

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

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 Pieces Of Legislation:

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

<u>21-0385</u>

Attachments: View Report

**View Legislation** 

View Report Exhibit A

88705 CMS

Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 3:21 p.m.

2 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Kalb, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

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

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

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 21-0387

Attachments: View Legislation

View Report Exhibit A

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

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

NO VOTE: 0

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or 21-0386

Attachments: View Legislation

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

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

NO VOTE: 0

3.3 Subject: Housing Element Annual Progress Report for Calendar Year 2020

From: Planning And Building Department And Housing And Community Development

Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Receive An Informational Report On The City Of Oakland's Housing Element Annual Progress Report For Calendar Year 2020

21-0413

Attachments: View Report

View Attachment A

View Attachment B

View Attachment C

View PowerPoint

Upon the reading of Item 3.3 by the City Clerk, the Public Hearing was opened at 3:35 p.m.

4 individuals spoke on this item.

Council President Fortunato Bas made a motion, seconded by Councilmember Taylor

to direct the City Administrator to collaborate with Councilmeber Kalb, Fife and Taylor and a working group to form a day long study session; and

close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Nikki Fortunato Bas, seconded by Loren Taylor, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

NO VOTE: 0

3.4 Subject 2021-2026 Oakland Local Hazard Mitigation Plan

From: Oakland Fire Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Adopting The 2021-2026 Oakland Local Hazard Mitigation Plan As An Amendment To The Safety Element Of The Oakland General Plan 21-0436

Attachments: View Report

View Attachment A
View Attachment B
View Resolution
View Exhibit A
88706 CMS

Upon the reading of Item 3.4 by the City Clerk, the Public Hearing was opened at 4:49 p.m.

2 individuals spoke on this item.

Councilmember Kalb made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

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

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

**NO VOTE**: 0

Vice Mayor Kaplan made a motion seconded Council President Fortunato Bas to extend the meeting past five hours

3.5 Subject: Substantial Amendments To The AAP FY 2020/21 Neighborhood Stabilization

Program

From: Housing And Community Development Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

- 1) A Resolution: (1) Authorizing The Remapping Of The Existing Neighborhood Stabilization Program (NSP) Target Area For Nsp1 To The Community Development Block Grant (CDBG) Community Development Districts To Facilitate Expenditure Of Program Funds And The Closure Of The NSP1 Grant;
- 2) Authorizing The Reprogramming Of Three Hundred Twenty-Six Thousand, Five Hundred Eighty-One Dollars (\$326,581) Of Neighborhood Stabilization Program Funds Designated For The Purchase Of Foreclosed Properties To The Acquisition And Conversion To Affordable Housing (ACAH) Program;
- 3) Authorizing The Modification Of The Eligible Activity For 1222 89th Avenue From Rehabilitation To Demolition Of A Blighted Property; And
- 4) Authorizing The City Administrator To Prepare And Submit To The United States Department Of Housing And Urban Development The City's First Substantial Amendment To Its Annual Action Plan (AAP) For Fiscal Year 2020-21, Which Is Part Of The Five-Year Consolidated Plan (Con Plan) For Fiscal Years 2020-21 Through 2024-25, To Reflect These Modifications

21-0459

**Sponsors:** Housing And Community Development Department

Attachments: View Report

View Report Attachment A

View Legislation 88707 CMS

Upon the reading of Item 3.5 by the City Clerk, the Public Hearing was opened at 5:19 p.m.

0 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter

be Adopted. The motion carried by the following vote:

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

NO VOTE: 0

- 2) A Resolution (1) Authorizing The Remapping Of The Existing Neighborhood Stabilization Program (NSP) Target Area For Nsp3 To The Community Development Block Grant (CDBG) Community Development Districts To Facilitate The Closure Of The NSP3 Grant; And
- (2) Authorizing The City Administrator To Prepare And Submit To The United States Department Of Housing And Urban Development The City's Second Substantial Amendment To Its Annual Action Plan (AAP) For Fiscal Year 2020-21, Which Is Part Of The Five-Year Consolidated Plan (Con Plan) For Fiscal Years 2020-21 Through 2024-25, To Reflect These Modifications 21-0479

<u>Sponsors:</u> Housing And Community Development Department

Attachments: View Report

View Report Attachment A

View Legislation 88708 CMS

Upon the reading of Item 3.5 by the City Clerk, the Public Hearing was opened at 5:19 p.m.

0 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

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

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

3.6 Subject: 2021/22 Consolidated Annual Action Plan

Form: Housing And Community Development Department

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following

Pieces Of Legislation:

- 1) A Resolution (1) Accepting And Appropriating An Award Of United States
  Department Of Housing & Urban Development Grant Funds In The Amount Of
  \$14,766,961 For Community Development Block Grant (CDBG), Home Investments
  Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for
  Persons With AIDS (HOPWA) programs for Fiscal Year 2021-2022;
- (2) Authorizing The City Administrator To Prepare And Submit To The United States Department Of Housing And Urban Development The Annual Action Plan For Fiscal Year 2021-22;
- (3) Appropriating \$850,000 In Revolving Loan Program Income And Any Amounts Collected In Excess Thereof For Housing Rehabilitation Activities And Other CDBG-Eligible Activities And Projects;
- (4) Authorizing The City Administrator To Negotiate And Execute Grant Agreements For The Fiscal Year 2021-2022 CDBG, HOME, ESG, And HOPWA Programs; And
- (5) Authorizing The Use Of General-Purpose FundS To Pay Central Service Overhead Charges For The Emergency Solutions Grant and Housing Opportunities for Persons With AIDS Programs; And 21-0468

Attachments: View Report

View Report Attachment A

View Report Attachment B

View Report Attachment C

View Report Attachment D

**View Legislation** 

View Report Exhibit A

88709 CMS

Upon the reading of Item 3.6 by the City Clerk, the Public Hearing was opened at 5:26 p.m.

0 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Gallo to close the Public Hearing, and hearing no objections, the motion passed by 8Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas A motion was made by Rebecca Kaplan, seconded by Noel Gallo, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

NO VOTE: 0

Agency and the City Council

- 2) A Resolution Authorizing The City Administrator To: (1) Prepare And Submit To The U.S. Department Of Housing & Urban Development A First Substantial Amendment To The City Of Oakland's Five-Year Consolidated Plan For Fiscal Years 2020-21 Through 2024-25 To Add CDBG-Eligible Backup Activities To Be Funded With CDBG Funds That Become Available As A Result Of Projects Being Completed Under Budget, Delayed Or Cancelled; And
- (2) Award, Without Returning To Council, Agreements To Third Party Contractors And Sub Recipients For Backup Projects And Activities Identified In Exhibit A Attached Hereto Using CDBG Funds That Become Available As A Result Of Projects Being Completed Under Budget, Delayed Or Cancelled In Fiscal Years 2020-21 Through 2024-25, Subject To Compliance With Any Applicable Competitive Bidding Requirements

21-0469

Attachments: View Report

View Report Attachment A

View Report Attachment B

View Report Attachment C

View Report Attachment D

View Legislation

View Report Exhibit A

88710 CMS

Upon the reading of Item 3.6 by the City Clerk, the Public Hearing was opened at 5:26 p.m.

0 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Gallo to close the Public Hearing, and hearing no objections, the motion passed by 8Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

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

Aye: 8 - Fortunato Bas, Taylor, Thao, Fife, Gallo, Kalb, Reid, and Kaplan

3.7 Subject: FY 2021-22 Master Fee Schedule

From: Finance Department

Recommendation: Adopt An Ordinance Amending Ordinance No. 13599 C.M.S. (Which Adopted The Fiscal Year 2020-21 Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland Referenced Herein 21-0228

Attachments: View Report

**View Legislation** 

View Supplemental Report 6/11/2021

View Supplemental Legislation 6/24/2021

Upon the reading of Item 3.7 by the City Clerk, the Public Hearing was opened at 5:43 p.m.

1 individual spoke on this item.

President Pro Tempore Thao made a motion, seconded by Councilmember Taylor, to Approve on introduction as amended with direction that the scheduling of the outstanging/open questions and the scooter fee info memo return in September 2021

; and close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas; 1 Excused: Gallo

A motion was made by Sheng Thao, seconded by Loren Taylor, 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 7/6/2021. The motion carried by the following vote:

Excused: 1 - Gallo

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

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MAY 26, 2021 AND JUNE 1, 2021 21-0451

Attachments: View May 26, 2021 Minutes

View June 1, 2021 Minutes

The Agenda was modified to show item 5 before item 4

Item 2.18 - moved to June 15

Item 6 - first Whereas should read "and can be easily sanitized", second Whereas, delete the second word Whereas

Item 12 - provide the requested information by the June 17 special meeting (it says June 15)

Item 14 - direction for the Administration to expedite creating community markets across the City like Akoma at for example City Hall Plaza.

A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that this matter be Approve with the following amendments. The motion carried by the following vote:

Excused: 1 - Gallo

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

NO VOTE: 0

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

A motion was made by Sheng Thao, seconded by Loren Taylor, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - Gallo

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

NO VOTE: 0

# **ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

6 Subject: Oral Report And Action To Expand ShotSpotter

From: Vice Mayor Kaplan

Recommendation: Receive A Oral Report From OPD/Administration On Current ShotSpotter Geographic Scope, Numbers Detected, Usage, And Responsive Deployments; And (2) Action On Options To Expand ShotSpotter Coverage Area 21-0191

Sponsors: Kaplan

Items 6 and 7 was taken together

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

Excused: 1 - Gallo

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

7 Subject: OPD ShotSpotter ContractFrom: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee

То

(1) Enter Into A Professional Services Agreement With Shotspotter, Inc. For Gunshot Location Detection Service Coverage For:

A. OPD Shotspotter Area Phases I, II And III, From July 1, 2021 To June 30, 2023, For An Amount Not To Exceed Six Hundred One Thousand One Hundred Eighty-Six Dollars (\$601,186) Per Year For A Total Of One Million Two Hundred Two Thousand, Three Hundred Seventy-Two Dollars (\$1,202,372), With An Optional Third Year, From July 1, 2023 To June 30, 2024 For An Amount Not To Exceed Six Hundred One Thousand One Hundred Eighty-Six Dollars (\$601,186); For A Total Not To Exceed One Million Eight Hundred And Three Thousand, Five Hundred Fifty Eight Dollars (\$1,803,558) For The Period Of July 1, 2021 Through June 30, 2024;

B. OPD Shotspotter Area Phase IV, From July 1, 2021 To June 30, 2023, For An Amount Not To Exceed One Hundred Ninety-Five Thousand, Three Hundred Dollars (\$195,300) Per Year For A Total Of Three Hundred Ninety Thousand, Six Hundred Dollars (\$390,600) With An Optional Third Year, From July 1, 2023 To June 30, 2024, For An Amount Not To Exceed One Hundred Ninety-Five Thousand, Three Hundred Dollars (\$195,300); For A Total Amount Not To Exceed Seven Hundred Ninety-Six Thousand Four Hundred Eighty Six Dollars (\$796,486) Per Year For An Overall Total Of One Million Five Hundred Ninety Two Thousand Nine Hundred Seventy Two Dollars (\$1,592,972) For OPD Shotspotter Area Phases I, II, III And IV For The Period Of July 1, 2021 Through June 30, 2023, With An Optional Additional Third Year Of OPD Shotspotter Coverage For Area Phases I, II, III And IV, For The Period Of July 1, 2023 Through June 30, 2024, In An Amount Not To Exceed Seven Hundred Ninety Six Thousand Four Hundred Eighty Six (\$796,486); And

(2) Waive The Competitive Request For Proposal/ Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business (L/SLB) Enterprise Program Provisions For The Contracts With Shotspotter, Inc. 21-0279

Attachments: View Report

View Report Attachment A
View Report Attachment B
View Report Attachment C

**View Legislation** 

View Supplemental Report 6/10/2021

88711 CMS

Councilmember Taylor made a motion seconded by Vice Mayor Kaplan to approve staff recommendations with direction that the City Administrator follow up with the privacy commission on an audit

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

Excused: 1 - Gallo

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

NO VOTE: 0

8 Subject: Fiscal Year 2020-21 Budget Actions

From: Finance Department

Recommendation: Receive An Informational Report On Actions Taken To Bring Fiscal

Year 2020-21 Expenditures In Line With The Budget

21-0400

Attachments: View Report

View Supplemental Report 6/11/2021

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

Excused: 1 - Gallo

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

NO VOTE: 0

**9** Subject: Homelessness Regional Action Plan

From: Councilmember Taylor

Recommendation: Receive An Informational Report From The City Administrator Or His Designee On The Regional Action Plan On Homelessness From The Regional Impact Council

21-0447

Attachments: View Memo

View Report

View Supplemental Report 6/10/2021

Councilmember Taylor made motion seconded by Councilmember Reid to continue this item to the Life Enrichment Committee Pending list No Date Specific

A motion was made by Loren Taylor, seconded by Treva Reid, that this matter be \* Withdrawn and Rescheduled to go before the \*Life Enrichment Committee. The motion carried by the following vote:

Excused: 2 - Thao, and Gallo

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

NO VOTE: 0

10 Subject: City Of Oakland Investment Policy For FY 2021-22

From: Finance Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year 2021-2022; And

21-0431

Attachments: View Report

View Legislation 88712 CMS

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

Excused: 2 - Thao, and Gallo

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

NO VOTE: 0

2) A Resolution Pursuant To Government Code Section 53607 Delegating Investment Authority Of The Oakland Redevelopment Successor Agency To The Agency Treasurer For Fiscal Year 2021-2022

21-0432

Attachments: View Report

View Legislation
2021-003 CMS

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

Excused: 2 - Thao, and Gallo

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

11 Subject: Paratransit Measure B & BB Funds For Fiscal Year 2021-2022

From: Human Services Department Recommendation: Adopt A Resolution:

- (1) Accepting And Appropriating Direct Local Program Distribution Measure B Funds In The Amount Of \$1,128,925 And Measure Bb Funds In The Amount Of \$1,054,926 For Fiscal Year (FY) 2021-2022 From The Alameda County Transportation Commission To Provide Paratransit Services; And
- (2) Awarding Agreements For Paratransit Services For FY 2021-2022 In The Amounts Of \$500,000 (Five Rivers Transit Solutions, Inc.), \$363,800 (Quality Transit, LLC), \$150,000 (Bay Area Charters, Inc.), \$100,000 (Bell Transit Corporation), \$25,000 (One Access Medical Transportation), And \$100,000 (Gogo Technologies, Inc.); And
- (3) Awarding A Grant Agreement To The City Of Emeryville For Paratransit Services For FY 2021-2022 In An Amount Of \$50,000; And
- (4) Authorizing The City Administrator To Accept And Appropriate Any Additional Direct Local Distribution Funds That May Become Available From The Same Funding Sources For FY 2021-2022; And
- (5) Authorizing The City Administrator To Increase The Award Amounts And Authorize Amendments Of The Aforementioned Agreements Accordingly Within Their Terms, Without Returning To Council 21-0457

Attachments: View Report

View Legislation 88713 CMS

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

Excused: 2 - Thao, and Gallo

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

Absent: 1 - Fortunato Bas

Subject: Multipurpose Senior Service Program FY 2021-2022 Standard Agreement

From: Human Services Department Recommendation: Adopt A Resolution:

- (1) Authorizing The City Administrator To Apply For, Enter Into An Agreement With, And To Accept And Appropriate From The California Department Of Aging (CDA) Funds In The Amount Of \$1,756,834 For The Multipurpose Senior Services Program (MSSP) For Fiscal Year (FY) 2021-2022; And
- (2) Waiving The City's Competitive Procurement Process For Purchasing Goods And Services For MSSP Participants;
- (3) Authorizing The City Administrator To Procure MSSP Related Goods From, And To Award Professional Services Agreements To, Private Entities For FY 2021- 2022, Without Returning To Council; And
- (4) Authorizing A Contribution From The General Purpose Fund In An Estimated Amount Of \$460,330 For Central Services Overhead Charges 21-0458

Attachments: View Report

View Legislation 88714 CMS

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

Excused: 2 - Thao, and Gallo

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

NO VOTE: 0

## ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF

**OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)** 

6 speakers 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)

There being no further business, and upon the motion duly made, the Council adjourned the meeting at 8:25 p.m.

# **Americans With Disabilities Act**

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Office of the City Clerk - Agenda Management Unit

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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.