



# City of Oakland

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

## Meeting Minutes - FINAL Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board

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Tuesday, June 2, 2020

1:30 PM

City Council Chamber, 3rd Floor

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**Please See The Agenda To Participate In The Meeting**

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Role Call, the meeting was convened at 1:31 PM.

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## 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/81833138129> 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 Webinar ID: 818 3313 8129  
If asked for a participant ID or code, press #.

### COMMENT:

DUE TO THE SUSPENSION OF THE SUNSHINE ORDINANCE AND COUNCIL'S RULES OF PROCEDURES 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 Asha Reed, Assistant City Clerk at [AReed@oaklandca.gov](mailto:AReed@oaklandca.gov).

- Office of the City Clerk

## ROLL CALL / CITY COUNCIL

**Present** 8 - Nikki Bas, Lynette McElhaney, Loren Taylor, Sheng Thao, Larry Reid, Noel Gallo, Dan Kalb, and Rebecca Kaplan

**1 PUBLIC COMMENT**

**COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT AT THIS TIME.  
COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING  
OPEN FORUM.**

*There were 38 speakers on these items.*

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

*COUNCIL PRESIDENT KAPLAN RELINQUISHED THE CHAIR AT 2:48 PM AND  
COUNCILMEMBER TAYLOR PRESIDED AS CHAIRPERSON FOR THE  
GEOLOGICAL HAZARD AND ABATEMENT DISTRICT.*

**AT 2:48 PM, THE JOINT METING OF THE LEONA QUARRY AND OAKLAND AREA  
GEOLOGICAL HAZARD ABATEMENT DISTRICTS CONVENED**

- 2.1** Subject: Leona Quarry and Oakland Area GHAD  
From: Oakland Area Geologic Hazard Abatement District Staff  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Oakland Area GHAD Resolution No. 2020/01 Adopting The GHAD Budget For  
Fiscal Year 2020/21 And Updating GHAD Manager Payment Limit Under Consulting  
Services Agreement; And  
[20-0404](#)

Attachments: [View Report](#)

[2.1-1 CMS](#)

*The GHAD Chairperson Councilmember Taylor, made a motion, seconded by  
Councilmember McElhaney to modify the Leona Quarry GHAD budget that reflects  
a suspension of the GHAD assessment for the 2020-21 fiscal year and to direct the  
GHAD manager to conduct a series of at least two town hall meetings that are open  
to the public in partnership with the Monte Vista Villas HOA and the District 6  
council office prior to bringing back a recommendation for the Leona Quarry  
GHAD 2021-2022 Fiscal year budget.*

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

2) A Leona Quarry GHAD Resolution No. 2020/01 Adopting The Annual GHAD Budget For Fiscal Year 2020/21, Updating GHAD Manager Payment Limits Under The Existing Consulting Services Agreement, And Reducing The Per Residential Unit Levy [20-0405](#)

**Attachments:** [View Resolution](#)  
[View Revised Attachment](#)  
[2.1-2 CMS](#)

*The GHAD Chairperson Councilmember Taylor, made a motion, seconded by Councilmember McElhaney to modify the Leona Quarry GHAD budget that reflects a suspension of the GHAD assessment for the 2020-21 fiscal year and to direct the GHAD manager to conduct a series of at least two town hall meetings that are open to the public in partnership with the Monte Vista Villas HOA and the District 6 council office prior to bringing back a recommendation for the Leona Quarry GHAD 2021-2022 Fiscal year budget.*

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**AT THIS TIME, THE JOINT MEETING OF THE LEONA QUARRY AND OAKLAND AREA GEOLOGICAL HAZARD AND ABATEMENT DISTRICTS WILL BE ADJOURNED**

***Approval of the Consent Agenda***

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**2.2** Subject: FY 2020-21 Budget Options  
From: Finance Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Suspending The Contributions To The Other Post-Employment Benefits Trust For Fiscal Years 2019-20 And 2020-21 Pursuant To Section 5 Of The City Of Oakland Other Post-Employment Benefits Funding Policy (Resolution No. 87551 C.M.S.); And  
[20-0391](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88136 CMS](#)

**This City Resolution was Adopted.**

2) A Resolution Authorizing The Use Of One-Time Revenues To Balance The Fiscal Year 2020-21 Budget Pursuant To Section 1, Part D Of The City Of Oakland Consolidated Fiscal Policy (Ordinance No. 13487 C.M.S.); And  
[20-0412](#)

**Attachments:** [View Report](#)  
[88137 CMS](#)

**This City Resolution was Adopted.**

3) A Resolution Authorizing The City Administrator To Restructure The Negative Funds Repayment Schedule Adopted By Resolution No. 87759 C.M.S. As Part Of The City's Fiscal Year 2020-21 Budget By Postponing The Fiscal Year 2020-21 Payment And Extending The Final Payment Date By One Year  
[20-0413](#)

**Attachments:** [View Report](#)  
[88138 CMS](#)

**This City Resolution was Adopted.**

- 2.3** Subject: 7th & Campbell Affordable Housing Unsecured Predevelopment Loan  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Authorizing The Increase Of An Unsecured Predevelopment Loan To Oakland And The World Enterprises, Inc. And McCormack Baron Salazar, Or Affiliated Entities, To Support The Development Of Affordable Housing At The 7th & Campbell Project Site By \$1,550,000 From The Previously Approved \$650,000 To A Total Predevelopment Loan Amount Not To Exceed \$2,200,000; And Making California Environmental Quality Act Findings For This Action  
[20-0386](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
[88139 CMS](#)

**This City Resolution was Adopted.**

- 2.4** Subject: One Year Extension of City Lobbyist Contracts  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Amending City Council Resolution No. 86906 C.M.S. To Authorize A One-Year Contract Extension With Townsend Public Affairs To Serve As The City Of Oakland State Lobbyist From October 1, 2020 To September 30, 2021 For A Total Amount Not To Exceed \$150,000, For A Total Contract Amount Of \$600,000 (For A Total Of Four Years); And, To Serve As The City Of Oakland Federal Lobbyist From October 1, 2020 To September 30, 2021 For An Amount Not Exceed \$72,000, For A Total Contract Amount Of \$288,000 (For A Total Of Four Years); And Waiving The Advertising And Request For Proposal/Qualifications Requirement Associated With Said Contracts  
[20-0392](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Report - Attachment C](#)  
[View Legislation](#)  
[88140 CMS](#)

***Vice Mayor Reid made a motion to increase the contract from 1 year to 2 years. The body agreed to adopt this resolution as is, and comeback with a request amend the adopted legislation. The motion died due to lack of a second.***

**This City Resolution was Adopted.**

- 2.5** Subject: Planning Commission Re-Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of  
Jonathan Fearn To The City Planning Commission  
[20-0402](#)

**Attachments:** [View Report](#)  
[View Report - Resume](#)  
[View Legislation](#)  
[View Report - Letter Of Appointment](#)  
[88141 CMS](#)

**This City Resolution was Adopted.**

- 2.6** Subject: Local Early Action Planning Grant Funds  
From: Planning & Building Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee  
To Apply For, Accept And Appropriate Funds From The Local Government Planning  
Support Grant Program, Also Known As The Local Early Action Planning Grant Program,  
From The California Department Of Housing And Community Development In An Amount  
Not To Exceed Seven Hundred And Fifty Thousand Dollars (\$750,000) To Provide  
Funding From July 1, 2020 Through December 31, 2023 For The Preparation, Adoption,  
And Implementation Of Plans And Policies That Streamline Housing Approvals,  
Accelerate Housing Production, And Increase Housing Stock  
[20-0394](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[88142 CMS](#)

**This City Resolution was Adopted.**

- 2.7** Subject: Department Of Water Resources Courtland Creek Restoration Project Grant  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds In An Amount Not-To-Exceed One Million Dollars (\$1,000,000) From The California Department Of Water Resources (DWR) Urban Streams Restoration Program To Implement The Courtland Creek Restoration Project (Project), And To Enter Into A Grant Agreement With DWR To Implement The Project  
[20-0383](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Attachment D](#)  
[View Legislation](#)  
[88143 CMS](#)

**This City Resolution was Adopted.**

- 2.8** Subject: City Of Oakland V. Nerine Cherepy, 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 City Of Oakland V. Nerine Cherepy, Et Al., Alameda County Superior Court Case No. RG18896713 For Payment To The City Of Oakland In The Amount Of Four Hundred Fifty Thousand Dollars And No Cents (\$450,000.00) Arising From Damage To Cavendish Road In Approximately February 2017 Caused By A Homeowner And Her Contractors.  
[20-0403](#)

**Attachments:** [View Report](#)  
[View Resolution](#)  
[88144 CMS](#)

**This City Resolution was Adopted.**



- 2.9** Subject: 2020-2021 Oakland Landscaping And Lighting Assessment District  
From: Finance Department  
Recommendation: Adopt A Resolution Repealing Resolution No. 88101 C.M.S. And 1)  
Reinitiating The Fiscal Year 2020-2021 Assessment Process For The City Of Oakland  
Landscaping And Lighting Assessment District (“LLAD”); 2) Approving The City Of  
Oakland LLAD Preliminary Engineer’s Report; 3) Declaring The Intention To Levy And  
Collect The Annual LLAD Assessment; And 4) Setting June 16, 2020 At 1:30 P.M. As  
The Date And Time For The Public Hearing  
[20-0411](#)

**Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Legislation](#)  
[88145 CMS](#)

**This City Resolution was Adopted.**

- 2.10** Subject: Local Health Emergency For Oakland’s Black And Latinx Residents  
From: Vice Mayor Reid, Councilmember Gallo, McElhaney And Taylor  
Recommendation: Adopt A Resolution Amending Resolution No. 88118 C.M.S., Which  
Declared A Local Health Emergency For Oakland’s Black Residents Due To The Spread  
Of Covid-19 Locally And Its Devastating And Disparate Impact On Oakland’s Black  
Residents Pursuant To Government Code Section 8630, The Oakland City  
Administrator’s Proclamation Of Local Emergency On March 9, 2020, Ratified By The  
City Council On March 12, 2020, And The Emergency Health Orders Of The Alameda  
County Health Department And Governor Of The State Of California Related To  
Covid-19; To Extend The Declaration Of Local Health Emergency To Oakland’s LatinX  
Residents  
[20-0410](#)

**Attachments:** [View Resolution](#)  
[88146 CMS](#)

**This City Resolution was Adopted.**

- 2.11** Subject: FY 20-21 Cost-Of-Living Tax Adjustment, Fixing Rate Of Tax, & Levying Tax  
From: Finance Department  
Recommendation: Adopt An Ordinance 1) Authorizing A Fiscal Year 2020-21 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 2020-21 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)  
[20-0355](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Supplemental Memo 5/22/2020](#)  
[13595 CMS](#)

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

- 2.12** Subject: Miscellaneous Planning Code Amendments  
From: Planning And Building Department  
Recommendation: Adopt An Ordinance, As Recommended By The Planning Commission, Amending Oakland Planning Code Regulations Related To: The Appeals Process; Expiration Of A Variance; Home Occupation Regulations; Group Assembly Commercial Activities In The D-BV Zone; Appeal Of Determinations Regarding General Plan Consistency; Front Setbacks On Small Lots In The RM Zones; Location Of Commercial Facilities Above Residential Facilities; Consideration Of Design Review And Conditional Use Permit Applications With Subdivisions; Sidewalk Width Required For Sidewalk Cafes; Use Of Barbed And Razor Wire At Construction Sites; Height And Distance Of Walls From Open Space Zones And The Right Of Way; Permit Requirements For A Change In Alcohol Licenses; Carshare Requirements In The Downtown Zones; Timeframe Required To Approve A Final Planned Unit Development Permit; Defining Small Project Design Review As A Discretionary Project Under The California Environmental Quality Act; And Parking Requirements For Group Assembly Commercial Activities; And Make Appropriate California Environmental Quality Act Determinations  
[20-0350](#)

**Attachments:** [View Report](#)  
[View Attachment](#)  
[View Legislation](#)  
[View Exhibit](#)  
[View Notice And Digest](#)  
[View Supplemental Report 5/28/2020](#)  
[View Supplemental Legislation 5/28/2020](#)  
[View Supplemental Report 5/28/2020 - Exhibit A](#)  
[13596 CMS](#)

This Ordinance was Approved for Final Passage.

### **3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:**

Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 3:27 p.m.

0 individuals spoke on this item.

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

- 3.1 Subject: Auto Repair In The D-BV-4 Zone  
From: Planning And Building Department  
Recommendation: Adopt An Ordinance, As Recommended By The Planning  
Commission, Amending Oakland Planning Code Regulations To Conditionally Permit  
Auto Repair And Cleaning Commercial Activities In The Broadway Valdez District - 4  
Zone  
[20-0384](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
[View Exhibit A](#)  
[View Report - Notice & Digest](#)  
[View Supplemental Legislation- 6/4/2020](#)  
[13598 CMS](#)

**This Ordinance be Approved On Introduction and Scheduled for Final Passage.to  
go before the \* Concurrent Meeting of the Oakland Redevelopment Successor  
Agency and the City Council to be heard 6/9/2020**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- 2) A Resolution Approving A Conditional Use Permit And Regular Design Review For  
An Automotive Repair Facility At 401 27th Street And The Associated CEQA Exemption,  
As Recommended By The Planning Commission  
[20-0385](#)

**Attachments:** [View Legislation](#)  
[View Exhibit A](#)  
[88147 CMS](#)

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

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Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 3:36 p.m.

0 individuals spoke on this item.

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

**3.2** Subject: Delinquent Business Tax  
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 Business Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[20-0388](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
[88148 CMS](#)

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, 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 Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[20-0389](#)

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

**This City Resolution be No Action Taken.**

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Business Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code  
[20-0390](#)

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

**This City Resolution be No Action Taken.**

**Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 3:36 p.m.**

**1 individuals spoke on this item.**

**President Pro Tem Kalb made a motion, seconded by Vice Mayor Reid, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Bas, Gallo, Kalb, Reid, Taylor, Thao, and Kaplan 1 Absent McElhaney**

**3.3 Subject: Delinquent Real Estate Property Transfer  
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  
[20-0393](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
[88149 CMS](#)

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

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Upon the reading of Item 3.3 by the City Clerk, the Public Hearing was opened at 3:42 p.m.

0 individuals spoke on this item.

President Pro Tempore Kalb made a motion, seconded by Vice Mayor Reid, to close the Public Hearing, and by that same motion move option 1 and hearing no objections, the motion passed by 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Kaplan.

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; Or [20-0401](#)

Attachments: [View Legislation](#)

**This City Resolution be No Action Taken.**

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 [20-0398](#)

Attachments: [View Legislation](#)

**This City Resolution be No Action Taken.**

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

*There were no report outs from closed session.*

**A motion was made that this matter be Accepted. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

5 DETERMINATION OF SCHEDULE OF OUTSTANDING COUNCIL ITEMS

[20-0414](#)

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

*Council President Kaplan made a motion to call a Special City Council Meeting concerning Emergency Action on Monday June 8, 2020 to include the following topics;*

- *Emergency Operations Plan*
- *Emergency Declaration*
- *Policy on teargas and specialty munition deployment*
- *Protecting local businesses, our local communities, and the unsheltered*
- *Transportation strategy to accommodate Curfew ordinance*

*The Threat to Facilities had been noticed for the June 4, 2020 Closed Session.*

*Councilmember McElhaney made scheduling motion, seconded by Councilmember Taylor to hear at the June 16, 2020 the following resolution; "Adopt A Resolution Establishing A Zero Tolerance Policy For Racist Practices, Behaviors, And Actions Within The Oakland Police Department and Across The City of Oakland And Directing The City Administrator To Not Hire Or To Fire Police Officers Who Demonstrate Alt-right, Neo-Nazi, And Racist Beliefs And Conduct".*

*President Pro Tem Kalb made a motion to have a Public Works Committee on July 20, 2020 at 1:30 PM, and reaffirmed the Life Enrichment Committee for July 6, 2020.*

**A motion was made that this matter be Accepted. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0



Subject: Zero Tolerance Policy For Racist Practices  
From: Vice Mayor Reid, Councilmembers Gallo, McElhaney, And Taylor  
Recommendation: Adopt A Resolution (1) Establishing A Zero Tolerance Policy For Racist Practices, Behaviors, And Actions Within The Oakland Police Department And All City Departments, Agencies And Divisions, And Units; (2) Urging The Civil Service Commission, Pursuant To Its Jurisdiction, To Adopt Rules Requiring The Disqualification Of Any Applicant For Employment For Specified Reasons, Including But Not Limited To The Uniformed Ranks Of The Oakland Police Department; And (3) Directing The City Administrator Not To Hire, And To Fire Police Officers And Other Employees For Such Specified Reasons  
[20-0441](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Revised Legislation](#)  
[View Revised Legislation V2](#)  
[88167 CMS](#)

**This City Resolution be Referred to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/16/2020**

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

6 Subject: Support For ACA-5 (Weber, Gipson, And Santiago)  
From: Councilmember McElhaney, President Pro Tem Kalb And City Attorney Parker  
Recommendation: Adopt A Resolution In Support Of ACA 5 (Weber) A Ballot Initiative To Overturn Proposition 209 That Prevents The City Of Oakland And Other California Public Agencies From Remediating Discrimination  
[20-0396](#)

**Attachments:** [View Report](#)  
[View Report - Bill Analysis](#)  
[View Legislation](#)  
[View Report - Bill](#)  
[88150 CMS](#)

**A motion was made by Lynette McElhaney, seconded by Sheng Thao, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- 7 Subject: Resolution In Support Of Senate Bill 1190 (Durazo)  
From: President Pro Tem Kalb  
Recommendation: Adopt A Resolution In Support Of Senate Bill 1190 (Durazo) That Would (1) Extend The Protection Of Civil Code Section 1946.7 To Allow A Tenant To Terminate Their Tenancy If They Are A Victim Of A Crime That Caused Physical Injury, Emotional Injury And The Threat Of Physical Injury, Or Death; And (2) Give Local Governments Authority To Enforce The Tenant Protection Act Of 2019  
[20-0409](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Report - Bill](#)  
[88151 CMS](#)

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- 3.4 Subject: Mandatory Delinquent Trash Fees 2020  
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 October, November, December 2019, January, February, March 2020 And Quarterly Periods Of January-March, April-June 2020 (Option 1); Or

[20-0397](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[View Report - Attachment A](#)  
[88152 CMS](#)

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

Upon the reading of Item 3.4 by the City Clerk, the Public Hearing was opened at 5:58 p.m.

0 individuals spoke on this item.

President Pro Tem Kalb made a motion, seconded by Vice Mayor Reid, to close the Public Hearing, and by that same motion move option 1 and hearing no objections, the motion passed by 7 Ayes: Bas, Gallo, Kalb, Reid, Taylor, Thao, and Kaplan 1 Absent McElhaney

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 October, November, December 2019, January, February, March 2020 and Quarterly Periods Of January-March, April-June 2020 (Option 2); or [20-0399](#)

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

**This City Resolution be No Action Taken.**

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 October, November, December 2019, January, February, March 2020 and Quarterly Periods Of January-March, April-June 2020 (Option 3). [20-0400](#)

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

**This City Resolution be No Action Taken.**

**3.5** Subject: Fiscal Year 2020-21 Master Fee Schedule  
From: Finance Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13533 C.M.S. (The Fiscal Year 2019-20 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 [20-0371](#)

**Attachments:** [View Report](#)  
[View Attachment A](#)  
[View Legislation](#)  
[View Supplemental Legislation - 6/9/2020](#)  
[13599 CMS](#)

**A motion was made by Lynette McElhaney, seconded by Rebecca Kaplan, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 6/9/2020. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**Upon the reading of Item 3.5 by the City Clerk, the Public Hearing was opened at 4:39 p.m.**

**0 individuals spoke on this item.**

**Councilmember McElhaney made a motion, seconded by President Kaplan, to close the Public Hearing, and by that same motion approving as amended upon introduction to strike the Tow and Survey Fee Increase and hearing no objections, the motion passed by 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Kaplan.**

- 8 Subject: FY 2020-21 Mid Cycle Budget Amendments  
From: Finance Department  
Recommendation: Adopt A Resolution Amending Resolution No. 87759 C.M.S., Which Adopted The City Of Oakland's Fiscal Year 2019-21 Biennial Budget, To Make Mid-Cycle Budget Adjustments To: (1) Fiscal Year 2020-21 General Purpose Fund Revenue Projections; (2) Fiscal Year 2020-21 General Purpose Fund Appropriations; And (3) Fiscal Year 2020-21 Non-General Purpose Fund Revenue Projections And Appropriations  
[20-0406](#)

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

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[View Supplemental Report - 5/29/2020 Measure D Informational  
Memo](#)

[View Supplemental Report 5/29/2020 Kaplan](#)

[View Supplemental Report Q&A #1- 5/29/2020](#)

[View Supplemental Report Q&A #2- 6/12/2020](#)

[View Supplemental Report Q&A #3- 6/12/2020](#)

[View Supplemental Report - Errata #2 - 6/12/2020](#)

[View Supplemental Report - Errata #2 All Exhibits - 6/12/2020](#)

[View Supplemental Report - Bas 6/15/2020](#)

[View Supplemental Report - Kaplan 6/15/2020](#)

[View Supplemental Report Q&A #4- 6/18/2020](#)

[View Supplemental Report - Kaplan 6/19/2020](#)

[View Supplemental Report - Errata #3 6/19/2020](#)

[View Supplemental Legislation- 6/19/2020](#)

[View Supplemental Report - Bas 6/22/2020](#)

[View Supplemental Amendment Spreadsheet - Kaplan 6/22/2020](#)

[View Supplemental Memo - Reid, Gallo, McElhaney & Taylor  
6/22/2020](#)

[View Supplemental Report - Reid, Gallo, McElhaney & Taylor  
6/22/2020](#)

**A motion was made by Lynette McElhaney, seconded by Sheng Thao, that this matter be Continued to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/16/2020. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

## **COUNCILMEMBER ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

*Council President Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of George Floyd, Breonna Taylor, Ahmaud Arbery, David Patrick Underwood, Tony McDade and 99 Anniversary of the Greenwood District Tulsa Oklahoma Massacre (Councilmembers McElhaney, Reid, Taylor, Thao and Bas asked to be associated with the above adjournments)*

*Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Edward Fitzpatrick (Vie Mayor Reid asked to be associated with this adjournment)*

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

### **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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### **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 in memory of George Floyd, Breonna Taylor, Ahmaud Arbery, David Patrick Underwood, Tony McDade, 99 Anniversary of the Greenwood District - Tulsa, Oklahoma Massacre and Edward Fitzpatrick at 6:45 p.m.*

**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.**

**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.**