

City of Oakland

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



CITY OF OAKLAND

Meeting Minutes - FINAL

Tuesday, January 19, 2021

1:30 PM

Please See The Agenda To Participate In The Meeting

Tele-Conference

*** 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/89630050945> 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 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) Webinar ID: 896 3005 0945

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 Asha Reed, Assistant City Clerk at AReed@oaklandca.gov.

- Office of the City Clerk

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 1:30 P.M.

ROLL CALL / CITY COUNCIL

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

Subject: Appropriating \$10 Million From The Oakland-Alameda County Coliseum Authority

From: Vice Mayor Kaplan And Councilmember Reid

Recommendation: Adopt A Resolution Directing City Council Representatives On The Oakland-Alameda County Coliseum Joint Powers Authority Board To Seek Board Approval To Disburse Up To Ten Million Dollars (\$10,000,000) To The City Of Oakland, And Accepting And Appropriating Any Disbursement In An Amount Up To Ten Million Dollars (\$10,000,000) To The City Of Oakland From The Oakland-Alameda County Coliseum Authority

[21-0051](#)

Attachments: [View Report](#)

[View Legislation](#)

Vice Mayor Kaplan made a scheduling motion seconded by President Pro Tempore Thao to schedule this item to the January 25, 2021 Special Finance & Management Committee Meeting Agenda

This City Resolution be Scheduled to go before the *Special Finance & Management Committee to be heard 1/25/2021

Subject: Prevent Certain Budget Cuts, Including To Fire Services

From: Vice Mayor Kaplan And President Bas

Recommendation: Adopt A Resolution Amending Resolution No. 88174, Which Adopted The Fiscal Year 2020-21 Mid-Cycle Amendments, To Among Other Things, Prevent Cuts To Fire Services

[21-0052](#)

Attachments: [View Report](#)

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Vice Mayor Kaplan made a scheduling motion seconded by President Pro Tempore Thao to schedule this item to the January 25, 2021 Special Finance & Management Committee Meeting Agenda

This City Resolution be Scheduled to go before the *Special Finance & Management Committee to be heard 1/25/2021

MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS

The Council Committee Motioned to Withdraw Item 2.9 regarding "Cannabis Regulation And Youth Peer Support Grant

Councilmember Fife motioned seconded by President Bas to move items 2.5 and 2.10 to the Non-Consent portion of the agenda

1 PUBLIC COMMENT:

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

12 speakers spoke during open forum

2 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

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

Aye: 8 - Bas, Taylor, Thao, Fife, Gallo, Kalb, Reed, 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
[20-0936](#)

Attachments: [View Report](#)

[88484 CMS](#)

This City Resolution was Adopted.

- 2.2** Subject: Declaration Of Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
[20-0937](#)

Attachments: [View Report](#)

[88485 CMS](#)

This City Resolution was Adopted.

- 2.3** Subject: Declaration Of A Local Emergency On Homelessness
From: Council President 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
[20-0938](#)

Attachments: [View Report](#)
[88486 CMS](#)

This City Resolution was Adopted.

2.4 The Item regarding "Surplus Land Declaration For The Former Raiders Training Facility" was remove by the January 14, 2021 Rules and Legislation Committee and rescheduled to the February 2, 2021 City Council Meeting Agenda

- 2.6** Subject: Sanitary Sewer Sub-Basin Rehabilitation
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes
Construction, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With
Project Plans And Specifications For Sanitary Sewer Rehabilitation Sub-Basin 81-201
(Project No. 1003201) And With Contractor's Bid For An Amount Not To Exceed Three
Million One Hundred Fifty Thousand Seven Hundred Thirty Dollars (\$3,150,730.00)
[21-0009](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Legislation](#)
[88487 CMS](#)

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

Aye: 7 - Bas, Taylor, Thao, Gallo, Kalb, Reed, and Kaplan

No: 1 - Fife

NO VOTE: 0

- 2.7** Subject: Recognized Obligation Payment Schedule FY2021-22
From: Finance Department
Recommendation: Adopt A Resolution Approving The Submission Of A Recognized Obligation Payment Schedule ("ROPS") And ORSA Administrative Budget For July 1, 2021, Through June 30, 2022, And Transmit Both To The Countywide Oversight Board, The Alameda County Auditor Controller And The State Department Of Finance For Approval

[21-0001](#)

Sponsors: Finance Department

Attachments: [View Report](#)
[View Legislation](#)
[2021 001 CMS](#)

This City Resolution was Adopted.

- 2.8** Subject: Parking Garage Revenue Control System Maintenance Agreement
From: Transportation Department
Recommendation: Adopt A Resolution Awarding A Maintenance And Service Agreement To Scheidt And Bachmann, U.S.A., Inc. For Maintenance And Support Of The Parking Access And Revenue Control System Used At City Parking Garages For A Period Of Three Years At An Average Annual Cost Of \$225,710.67, For A Total Contract Cost Of \$677,132.00; And Waiving The Advertising, Bidding And The Request For Qualifications/Proposal Competitive Selection Requirements

[21-0002](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Legislation](#)
[88488 CMS](#)

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

Aye: 7 - Bas, Taylor, Thao, Gallo, Kalb, Reed, and Kaplan

No: 1 - Fife

NO VOTE: 0

2.9 Subject: Cannabis Regulation And Youth Peer Support Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Endorsing The Oakland Police Department's Application For A California Board Of State And Community Corrections (BSCC) Proposition 64 "Round 2" Grant In Collaboration With The East Bay Asian Youth Council And UCSF Benioff Children's Hospital, In Support Of AUMA Public Health And Safety Implementation Programs
[21-0004](#)

Sponsors: Oakland Police Department

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

This City Resolution be Withdrawn with No New Date.

2.11 Subject: CZU Fire OPD-Santa Cruz County Mutual Aid Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Agreement ("MOA") Between The City Of Oakland And The County Of Santa Cruz Pertaining To Assistance Provided By The Oakland Police Department (OPD) To The County Of Santa Cruz Under The Law Enforcement Mutual Aid Plan In Regard To The August 2020 CZU Fire
[21-0027](#)

Attachments: [View Report](#)
[View Legislation](#)
[88489 CMS](#)

This City Resolution was Adopted.

- 2.12** Subject: Amend Professional Services Agreements With HCD Consultants
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Extend The Terms And Increase The Amounts Of Two Professional Services Agreements With The Following Consultants Who Will Provide Critically Needed Services To The Housing And Community Development Department And Waive The Request For Proposals Process: 1. Amy Hiestand Consulting, LLC Extending The Term From December 31, 2020 To December 31, 2021, And Increasing The Amount Of The Agreement From \$49,999 To An Amount Not To Exceed \$99,999; And 2. Kenneth Jones Extending The Term From June 30, 2020, To December 31, 2021, And Increasing The Amount Of The Agreement From \$49,500 To An Amount Not To Exceed \$99,500
[21-0008](#)

Attachments: [View Report](#)
[View Legislation](#)
[88490 CMS](#)

This City Resolution was Adopted.

- 2.13** Subject: Council President Appointment To Association Of Bay Area Governments
From: Council President Bas
Recommendation: Adopt A Resolution Reappointing Councilmembers Loren Taylor And Nikki Fortunato Bas And Appointing Councilmember Carroll Fife As Delegates To Represent The City Of Oakland To The Association Of Bay Area Governments (ABAG) Executive Board And Reappointing Councilmember Dan Kalb As An Alternae
[TITLE CHANGE]
[21-0028](#)

Attachments: [View Legislation](#)
[View Supplemental Report - 1/15/2021](#)
[88491 CMS](#)

President Bas made a motion seconded by Councilmember Taylor to approve the urgency finding on item 2.13 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action 1) is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;

Motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

This City Resolution was Adopted.

S2.14 Subject: Resolution Endorsing AB 15, The Tenant Stabilization Act of 2021
From: Council President Bas, Councilmember Kalb And Fife
Recommendation: Adopt A Resolution Endorsing AB 15, The Tenant Stabilization Act Of 2021, And Urging Governor Newsom And The California State Legislature To Pass Assembly Bill 15 With Urgency, Without Preemption Of Critical Local Protections, Allowing City And County Governments To Address The Effects Of The Covid-19 Pandemic And Stabilize Their Communities
[21-0049](#)

Sponsors: Kalb

Attachments: [View Legislation](#)
[View Report](#)
[88492 CMS](#)

This City Resolution was Adopted.

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

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

There were no finale decisions made during closed session

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

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

NO VOTE: 0

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF DECEMBER 15, 2020 AT 1:00 PM DECEMBER 15, 2020 AT 4:30PM, DECEMBER 23, 2020 AND JANUARY 4, 2021
[20-0933](#)

Attachments: [View December 15, 2020, 1PM Draft Minutes](#)
[View December 15, 2020, 4:30PM Draft Minutes](#)
[View December 23, 2020 Draft Minutes](#)
[View January 4, 2021 Draft Minutes](#)

A motion was made by Noel Gallo, seconded by Sheng Thao, that this matter be Approved. The motion carried by the following vote:

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

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 2.5** Subject: Increase Landscape Maintenance Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Waive Advertising And Competitive Bidding To Increase The Current Two Year Landscape Maintenance Contract With Bay Construction, Inc. At Gateway Industrial District At The Oakland Army Base (Community Facilities District 2015-1) By An Amount Of One Hundred Forty Three Thousand Two Hundred Dollars (\$143,200.00) From One Hundred Ninety Eight Thousand Dollars (\$198,000.00) For A Total Contract Amount Of Three Hundred Forty One Thousand Two Hundred Dollars (\$341,200.00)
[TITLE CHANGE]
[21-0003](#)

Attachments: [View Report](#)

[View Report Attachment A](#)

[View Report Attachment B](#)

[View Legislation](#)

[View Supplemental Legislation - 1/22/2021](#)

[View Supplemental Report - 1/29/2021](#)

[View Supplemental Attachment A - 1/29/2021](#)

The Agenda was modified to show this item taken out of order to be heard on Non-Consent

The Council Committee scheduled this item to the February 2, 2021 City Council on Non-Consent, correct the title at Rules committee and bring forth a report on the standard out-reach process

A motion was made by Carol Fife, seconded by Rebecca Kaplan, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 2/2/2021. The motion carried by the following vote:

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

NO VOTE: 0

- 2.10** Subject: OPD POST Virtual Reality Training System Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept On Behalf Of The City Of Oakland A Meggitt Training Systems Virtual Reality Decisions And Tactics Training System From The California Commission On Police Officer Standards And Training (POST) At No Cost To The City Of Oakland
[21-0010](#)

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

The Agenda was modified to show this item taken out of order to be heard on Non-Consent

The Committee continued this item to the February 16, 2021 City Council agenda and requested CPRA Director to report back on the Virtual Reality machine donated by Police Officer Standards And Training (POST): brand type, technology and consumer use analysis

This City Resolution be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/16/2021

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

NO VOTE: 0

- 6** Subject: Emergency Paid Sick Leave Extending And Amending
From: President Pro Tempore Thao, Councilmember Kalb And Gallo
Recommendation: Adopt An Emergency Ordinance Extending And Amending Chapter 5.94 Of The Oakland Municipal Code To Extend Emergency Paid Sick Leave For Oakland Employees During The Novel Coronavirus (Covid-19) Pandemic
[21-0018](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Presentation -1/15/2021](#)
[13638 CMS](#)

A motion was made by Sheng Thao, seconded by Noel Gallo, that this matter be Approved for Final Passage. The motion carried by the following vote:

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

NO VOTE: 0

7 Subject: Informational Report On Cares Act Spending
From: Council President Kaplan
Recommendation: Receive An Informational Report And Update On The Coronavirus
Aid, Relief And Economic Security (CARES) Act Relief Fund Expenditures, Last Report
Received October 20, 2020
[20-0848](#)

Attachments: [View Report](#)

[View Supplemental Report - 11/25/2020](#)

[View Supplemental Attachment A - 11/25/2020](#)

[View Supplemental Report - 1/8/2021](#)

[View Supplemental Report Attachment A - 1/8/2021](#)

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

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

NO VOTE: 0

**Councilmember Reid took a point of personal privilege and requested that the meeting be
adjourned in memory of Earl Keith Johnson**

CONTINUATION OF OPEN FORUM

3 speaker spoke during open forum

ADJOURNMENT OF COUNCIL SESSION

**(Meeting Shall Conclude No Later Than 5 HOURS ., 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 Earl Kenneth Johnson at 4:44 p.m.*

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