

# 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 Agenda - SUPPLEMENTAL**

**Thursday, September 24, 2020**

**10:30 AM**

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

**Tele-Conference**

### **\*Rules & Legislation Committee**

*Oakland City Hall, 1 Frank H. Ogawa Plaza,  
Oakland, California, 94612*

*City of Oakland Website: <http://www.oaklandca.gov>*

**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/83754058446> 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: 837 5405 8446  
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](mailto:AReed@oaklandca.gov).

- Office of the City Clerk

**Roll Call / Call To Order**

**COMMITTEE MEMBERSHIP:**

*Council President Rebecca Kaplan, At-Large; Nikki Bas, District 2; Lynette McElhaney, District 3; Chairperson: Sheng Thao, District 4*

**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.**

**2 There Are No Draft Minutes For Your Approval**

**3 New Scheduling Items**

- 3.1** Subject: Violence Reduction Efforts Through Measure Z Of 2014  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report From The Oakland Police Department, Department Of Violence Prevention, Oakland Fire Department And Department Of Race And Equity On Efforts To Reduce Violence In Oakland Through The Measure Z - Public Safety And Services Violence Prevention Act Of 2014 Presented To The City Council, Safety And Services Oversight Commission, Community Policing Advisory Board, Police Commission, And The Reimagining Public Safety Task Force; On The September 29, 2020 Special City Council Agenda  
**20-0673**
- 3.2** Subject: Schedule Future Closed Sessions As A Regular Agenda Item  
From: Office Of The City Attorney  
Recommendation: Schedule A Regular Agenda Item On The Rules And Legislation Committee To Hear The City Attorney's Announcement Of Items To Be Scheduled For Future Closed Sessions Of The City Council  
**20-0658**

**3.3** Subject: More Effective Methods Of Speeding Enforcement  
 From: Council President Kaplan  
 Recommendation: Adopt A Resolution Supporting State Legislation That Would Give Municipalities The Flexibility To Adopt More Effective Methods For Speeding Enforcement

[OLD TITLE]

Adopt A Resolution Requesting The State Legislature To Enact Legislation That Would Give Municipalities The Flexibility To Adopt More Effective Methods For Speeding Enforcement

[NEW TITLE]

**20-0633**

Legislative History

9/17/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Council President Kaplan, And Councilmembers Bas and Thao requested to be honored as cosponsors.</i>
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**3.4** Subject: Analysis And Report Regarding The Lilly Ledbetter Equal Pay Act Of 2009  
 From: Member Of The Public: Gene Hazzard  
 Recommendation: Schedule An Analysis And Report To The City Council Meeting Of September 29, 2020 Or By The First City Council In October From The Office Of The City Attorney Regarding The Lilly Ledbetter Equal Pay Act Of 2009  
**20-0666**

**3.5** Subject: Lease Of The Property Located At 9812 Bigge Street Oakland, Ca  
 From: Economic & Workforce Development Department  
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute A Lease Agreement Between The City, As Tenant, And The California Yards, LLC, As Landlord, For Landlord's Warehouse Located At 9812 Bigge Street For A Term Of Up To Five And A Half (5.5) Years At An Initial Rate Of Thirty Thousand And Twenty-Seven Dollars (\$30,027.00) Per Month, Adjusted Annually To A Maximum Rate Of Forty-Five Thousand Three Hundred And Eleven Dollars (\$45,311.00), For The Purpose Of Providing An Emergency Response Facility Consistent With The Federal Emergency Management Agency (FEMA) Urban Search And Rescue Unit (US&R) Grant Funds, And Terminable Upon A Twelve (12) Month Notice In The Event Of Inadequate Future Funding; On The October 6, 2020 City Council Agenda On Consent  
**20-0669**

**3.6** Subject: 2020 FEMA Grant Agreement  
 From: Oakland Fire Department  
 Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator, Or Designee To: (A) Enter Into A Grant Agreement With The Federal Emergency Management Agency (FEMA) For Receipt Of Funds For The Period September 1, 2020 To August 31, 2023, In The Amount Of One Million Two Hundred Sixty-Six Thousand And Six Hundred Thirty-One Dollars (\$1,266,631); (B) Accept And Appropriate Said FEMA Funds For The Fire Department’s Urban Search And Rescue Task Force; (C) Expend the FEMA Funds In Accordance With The Preliminary Spending Plan And Government Pricing Schedules Without Further Council Approval; and (2) Waiving The City’s Advertising And Competitive Bidding And Purchasing Requirements; On The October 6, 2020 City Council Agenda On Consent  
[20-0671](#)

**3.7** Subject: Police Commission Appointments  
 From: Office Of The City Administrator’s  
 Recommendation: Adopt A Resolution Accepting The Selection Panel’s Slate Of Two Police Commissioners (Sergio Garcia And Tyfahra Singleton) To Serve On The City Of Oakland Police Commission; On The October 6, 2020 City Council Agenda As A Consent Item  
**20-0644**

Legislative History

9/17/20	*Rules & Legislation Committee	Rescheduled to the *Rules & Legislation Committee
<i>This item was not scheduled, and deferred to the next Rules and Legislation Committee of September 24, 2020 to be scheduled.</i>		

**3.8** Subject: Slavery Era Disclosure Ordinance  
 From: Office Of The City Attorney  
 Recommendation: Adopt A Resolution Directing The City Administrator To 1) Fully Implement The City Of Oakland Slavery Era Disclosure Ordinance Codified At Oakland Municipal Code Chapter 9.60; 2) Provide An Initial Informational Report To Council Regarding The Status Of Slavery Era Disclosures And The Associated Fund At A Council Meeting Before The End Of 2020; 3) Provide An Annual Informational Report At Council Meetings To Supplement The Ordinance’s Annual Reporting Regarding The Status Of The Implementation Of The Ordinance; And 4) After Consultation With The City Attorney, Make Publicly Available On The City’s Website All Completed Affidavits And Reports Regarding Slavery Era Disclosures; On The October 6, 2020 City Council Agenda On Non Consent  
**20-0678**

- 3.9** Subject: Police Commission Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of James Jackson To Serve On The Oakland Police Commission As Commissioner, And Brian Hauck To Serve On The Police Commission As Alternate Commissioner: On The October 8, 2020 Rules And Legislation Committee  
**20-0677**
- 3.10** Subject: BAAQMD Inclusion Of Oakland Representation  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Seeking Representation For The City Of Oakland, A Community Heavily Impacted By Air Pollution, On The Board Of The Bay Area Air Quality Management District (BAAQMD); On The October 20, 2020 City Council Agenda On Consent  
**20-0667**
- 3.11** Subject: Banning Carotid Restraint And All Forms Of Asphyxia  
From: Oakland Police Department And The Oakland Police Commission  
Recommendation: Adopt One Of The Following Pieces Of Legislation:
- 1) A Resolution Adopting Oakland Police Department Special Order 9205, Banning Of The Carotid Restraint And All Forms Of Asphyxia, As Recommended By The Oakland Police Department; Or  
**20-0664**
- 2) A Resolution Adopting Oakland Police Department Special Order 9205, Banning Of The Carotid Restraint And All Forms Of Asphyxia, As Recommended By The Oakland Police Commission; On The October 13, 2020 Public Safety Committee Agenda  
**20-0663**
- 3.12** Subject: Informational Report On 2020 Disparity Study  
From: Council President Kaplan  
Recommendation: Receive An Informational Report On The 2020 City Of Oakland Disparity Study; On The October 20, 2020 City Council Agenda On Non Consent  
**20-0657**
- 3.13** Subject: Gun Violence Top Law Enforcement Priority  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Directing Guns To Be The Top Law Enforcement Priority For Oakland Police Department; Supporting The Decrease Of Illegal Guns And Gun Violence By Increasing Gun Tracing And Improving Shotspotter Response Time Level Of Service In The City Of Oakland And Receive An Informational Report On The Response Time Level Of Service Among Other Shot Spotter Related Questions; On The October 20, 2020 City Council Agenda On Non Consent  
**20-0670**

**3.14** Subject: 2020 Supplemental Encampment Management Policy  
 From: The Life Enrichment Committee  
 Recommendation: Adopt A Resolution Adopting The Administration’s Proposed Encampment Management Policy, To Be Implemented Upon Adoption By The Administration [TITLE CHANGE]  
[20-0239](#)

- Attachments:**
- [View Report](#)
  - [View Attachment A](#)
  - [View Attachment B](#)
  - [View Report - Taylor](#)
  - [View Attachment B - Taylor](#)
  - [View Supplemental Report - 9/11/2020](#)
  - [View Supplemental Report - Attachment A 9/11/2020](#)
  - [View Supplemental Report - Attachment B 9/11/2020](#)
  - [View Supplemental Report - Attachment C 9/11/2020](#)
  - [View Supplemental Report - Attachment D 9/11/2020](#)
  - [View Supplemental Legislation - 9/11/2020](#)
  - [View Supplemental Report - Exhibit A 9/11/2020](#)
  - [View Supplemental Legislation - 9/18/2020](#)
  - [View Supplemental Report - Exhibit A 9/18/2020](#)

**Legislative History**

2/25/20	*Special Life Enrichment Committee	Scheduled to the *Rules & Legislation Committee
3/5/20	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
7/6/20	*Special Life Enrichment Committee	Continued to the *Special Life Enrichment Committee <i>The Committee continued the item, with no specific date, to further the discussion.</i>

**3.15** Subject: Information On Impact Fees  
 From: Council President Kaplan  
 Recommendation: Receive An Informational Report On The Status Of: 1) The City Of Oakland's Current Efforts To Complete An Assessment Of The Affordable Housing, Jobs/Housing, And Transportation And Capital Improvements Impact Fee Programs From July 2016 To June 2019, And 2) Affordable Housing Impact Fee (AHIF) Collections, Budgeting For 2019/21 And Deployment

[18-2061](#)

**Attachments:**

- [View Report](#)
- [View Supplemental Report 11/8/2019](#)
- [View Supplemental Report 11/27/2019](#)
- [View Supplemental Report 2/7/2020](#)
- [View Supplemental Report - 9/11/2020](#)
- [View Supplemental Report - Attachment A 9/11/2020](#)
- [View Supplemental Report - Attachment B 9/11/2020](#)

**Legislative History**

6/27/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
9/10/19	*Community & Economic Development Committee	* Withdrawn and Rescheduled to the *Community & Economic Development Committee
9/12/19	*Rules & Legislation Committee	Withdrawn with No New Date
10/31/19	*Special Rules and Legislation Committee <i>The Committee Accepted a Title Change read into record</i>	Scheduled to the *Community & Economic Development Committee
11/12/19	*Community & Economic Development Committee	Continued to the *Community & Economic Development Committee <i>The Committee continued this item to the December 3, 2019 and directed staff to update the list to include the Top 30 project applicants and add the following 5 lines to the spreadsheet;</i>

1. Amount Assessed
2. 1st Installment Pay Day
3. 2nd Installment Pay Day
4. Exemptions/Waivers
5. How many onsite affordable housing units.

*There were 11 speakers on this item.*

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12/3/19	*Special Community & Economic Development Committee <i>The Committee requests supplemental information on building permits, CAFER, and the housing elements discrepancies.</i>  <i>There were 10 speakers on this item.</i>	Continued to the *Community & Economic Development Committee
1/14/20	*Special Community & Economic Development Committee <i>There were 8 speakers on this item</i>	Continued to the *Community & Economic Development Committee
2/11/20	*Community & Economic Development Committee <i>There were 3 speakers on this item</i>	Continued to the *Community & Economic Development Committee
7/21/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Vice Mayor Reid Made a Scheduling Motion to hear the report regarding The "Housing Impact Fee" at the 1st CED committee meeting in September 2020</i>	Scheduled to the *Community & Economic Development Committee
9/22/20	*Community & Economic Development Committee <i>The Committee requested to return with a break down of fees per project, including break down of expenditures and exemption. Look into the different levels of Impact fee based on criteria and all relevant fees,</i>  <i>The Committee continued this item to the October 27, 2020 Community And Economic Development Committee Meeting with request to convert the appendix to a workable excel spread sheet and directing administration to return to Rules Committee for scheduling a Fee Deferment Program item.</i>	Continued to the *Community & Economic Development Committee

**4** Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
[20-0632](#)

- Attachments:**
- [View Rules Pending List](#)
  - [View Finance Management Committee Pending List](#)
  - [View Public Works Committee Pending List](#)
  - [View Community And Economic Development Committee Pending List](#)
  - [View Life Enrichment Committee Pending List](#)
  - [View Public Safety Committee Pending List](#)
  - [View Draft Calendar](#)
  - [View Draft Ed Partnership Oct 5, 2020](#)
  - [View Draft Council Agenda Oct 6, 2020](#)
  - [View Draft Rules Oct 8, 2020](#)

5 Determinations Of Closed Session

[20-0630](#)

Attachments: [View Report](#)

*This item was placed on the agenda Pursuant to Rule 28.*

*This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.*

**Open Forum (Total Time Available: 15 Minutes)**

**Adjournment**

**Americans With Disabilities Act**

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

**Office of the City Clerk - Agenda Management Unit**

**Phone: (510) 238-6406**

**Fax: (510) 238-6699**

**Recorded Agenda: (510) 238-2386**

**Telecommunications Relay Service:711**

**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM**

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