

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 - DRAFT

Tuesday, June 16, 2020

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**

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. The meeting was convened at 1:36 PM.

2 ROLL CALL / CITY COUNCIL

Present 8 - Nikki Bas, Noel Gallo, Dan Kalb, Lynette McElhaney, Laurence E. Reid, Loren Taylor, Sheng Thao, 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.**

Councilmember McElhaney Made A Motion, Seconded By Councilmember Thao To Withdraw And Reschedule Items 2.10 And 2.13 To The June 23, 2020 Special City Council Meeting, And Hearing No Objections, The Motion Passed By With The Following Vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney , Reid, Taylor, Thao, And Council President Kaplan

Council President Kaplan Made A Motion, Seconded By Councilmember McElhaney To Move Item 2.8 To Non Consent, As A Public Hearing And Hearing No Objections, The Motion Passed By With The Following Vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney , Reid, Taylor, Thao, And Council President Kaplan

Councilmember Taylor Made A Motion, Seconded By Vice Mayor Reid To Move Item 2.21 To Non Consent, And Hearing No Objections, The Motion Passed By With The Following Vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney , Reid, Taylor, Thao, And Council President Kaplan

215 speakers spoke during Public Comment.

2 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

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

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

NO VOTE: 0

- 2.1** Subject: Increase Contract Amount with BiRITE Foodservice Distributors
From: Finance Department
Recommendation: Adopt A Resolution: 1. Increasing The Contract Purchase Order Award Amount To BiRite Food Service Distributors (BiRite), For The Purchase Of Food And Non-Food Items, By Three Hundred Fifty-Five Thousand Dollars (\$355,000), For A Total Not-To-Exceed Contract Amount Of Six Hundred Thousand Dollars (\$600,000) Through July 31, 2021; And 2. Authorizing Amendment Of Said Contract Purchase Order With BiRite In The Amount Set Forth Above
[20-0420](#)

Attachments: [View Report](#)
[View Legislation](#)
[88153 CMS](#)

This City Resolution was Adopted.

- 2.2** Subject: Section 130 RR Grade Crossing Improvements
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Accept And Appropriate Four Hundred Fifty-Six Thousand Two Hundred Twenty-Seven Dollars (\$456,227.00) In Transportation Funds From The State Of California Section 130 Grade Crossing Improvement Program For The Railroad Crossing At 29th Avenue, To Award A Construction Contract To The Lowest Responsive And Responsible Bidder In An Amount Not To Exceed The Grant Amounts, Including Additional Funds From The Funding Agency If Needed, And Authorizing The City Administrator, Or His Designee, The Director Of The Department Of Transportation Or The Assistant Director Of The Department Of Transportation, To Negotiate And Execute Agreements With Union Pacific Railroad (UPRR) For Right Of Entry, Crossing Improvements And Maintenance, In Accordance With California Public Utility Commission (CPUC) Regulations At 29th Avenue; And
[20-0224](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Attachment](#)
[88154 CMS](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator To Accept And Appropriate Two Hundred Fifty-Two Thousand Two Hundred Thirty-Six Dollars (\$252,236.00) In Transportation Funds From The State Of California Section 130 Grade Crossing Improvement Program For The Railroad Crossing At 85th Avenue, To Award A Construction Contract To The Lowest Responsive And Responsible Bidder In An Amount Not To Exceed The Grant Amounts, Including Additional Funds From The Funding Agency If Needed, And Authorizing The City Administrator, Or His Designee, The Director Of The Department Of Transportation Or The Assistant Director Of The Department Of Transportation, To Negotiate And Execute Agreements With Union Pacific Railroad (UPRR) For Right Of Entry, Crossing Improvements And Maintenance, In Accordance With California Public Utility Commission (CPUC) Regulations At 85th Avenue; And

[20-0225](#)

Attachments: [View Legislation](#)

[View Attachment](#)

[88155 CMS](#)

This City Resolution was Adopted.

3) A Resolution Authorizing The City Administrator To Accept And Appropriate Three Hundred Fourteen Thousand Eighty-Five Dollars (\$314,085.00) In Transportation Funds From The State Of California Section 130 Grade Crossing Improvement Program For The Railroad Crossing At 105th Avenue, To Award A Construction Contract To The Lowest Responsive And Responsible Bidder In An Amount Not To Exceed The Grant Amounts, Including Additional Funds From The Funding Agency If Needed, And Authorizing The City Administrator, Or His Designee, The Director Of The Department Of Transportation Or The Assistant Director Of The Department Of Transportation, To Negotiate And Execute Agreements With Union Pacific Railroad (UPRR) For Right Of Entry, Crossing Improvements And Maintenance, In Accordance With California Public Utility Commission (CPUC) Regulations At 105th Avenue

[20-0226](#)

Attachments: [View Legislation](#)

[View Report - Attachment C](#)

[View Report - Attachment D](#)

[88156 CMS](#)

This City Resolution was Adopted.

2.3 Subject: Single Audit Report Fiscal Year 2018-19
From: Finance Department
Recommendation: Receive The Single Audit Informational Report For The Year Ended
June 30, 2019
[20-0267](#)

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

This Informational Report was Received and Filed.

2.4 Subject: Claremont Behavioral Services Inc. Agreement Extension
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend An
Agreement With Claremont Behavioral Services, Inc. ("Claremont") For Employee
Assistance Program ("EAP") And Related Services For All Non-Sworn City Employees
And The Sworn Employees Of The Oakland Fire Department ("OFD") And Respective
OFD Dependents In An Amount Not To Exceed \$270,132.64 (\$135,066.32 In Contract
Year 2020-2021 And \$135,066.32 In Contract Year 2021-2022) With Options To Extend
The Agreement In One-Year Or Two-Year Increments Provided Service Rates Do Not
Increase More Than 4% Year-Over-Year
[20-0415](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Report - Attachment A](#)
[View Report - Attachment B](#)
[View Report - Attachment C](#)
[View Report - Attachment D](#)
[View Report - Attachment E](#)
[View Report - Attachment F](#)
[88157 CMS](#)

This City Resolution was Adopted.

- 2.5** Subject: 2019-2020 Public Safety Power Shutoff (PSPS) Resiliency Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,
To: 1) Enter Into An Agreement With The State Of California To Accept 2019-20 Public
Safety Power Shutoff (PSPS) Resiliency Grant Funds In The Amount Of Five Hundred
Thousand Dollars (\$500,000); 2) Appropriate And Administer Said Funds; 3) And
Expend Said Funds To Purchase Communications Systems And Related Supplies And
Support City Resiliency Programs
[20-0416](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Report - Attachment A](#)
[View Report - Attachment B](#)
[View Report - Attachment C](#)
[88158 CMS](#)

This City Resolution was Adopted.

- 2.6** Subject: Appointment To Planning Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Leopold
Ray-Lynch To The City Planning Commission
[20-0432](#)

Attachments: [View Report](#)
[View Report - Biography](#)
[View Legislation](#)
[88159 CMS](#)

This City Resolution was Adopted.

- 2.7** Subject: FY 2020-2023 PATH Strategy
From: Human Services Department
Recommendation: Adopt A Resolution To: 1. Award Annual Grants To Specific Entities For Fiscal Years (FY) 2020-2023 For The Permanent Access To Housing (PATH) Strategy In An Estimated Total Annual Amount Of \$1,792,305 Contingent Upon Available Funding From The U.S. Department Of Housing And Urban Development (HUD); And 2. Award Grants To Specific Entities For Three Projects Funded By HUD Continuum Of Care (COC) To Meet HUD-Required Match Funding For Each FY Between 2020-2023; And 3. Waive The Competitive Bidding Process Requirements And Award Grants To (A) The Homeless Advocacy Center In An Amount Not To Exceed \$50,000, For The Provision Of Benefits Advocacy In Shelter, And (B) Alameda County Community Food Bank (ACCFB) In An Amount Not To Exceed \$200,000, For The Provision Of Food For The Brown Bag Food Distribution Program During Each FY Between 2020-2023; And 4. Accept And Appropriate Donations From Private Sources To The City's Hunger Program In Each FY Between 2020-2023, And Authorize Amendment Of ACCFB's Annual Path Grant Agreement Based Upon Such Additional Donations; And 5. Appropriate Funds From The Touraine Hotel Lease Revenues Received For Each FY Between 2020-2023 [20-0433](#)

Attachments: [View Report](#)

[View Report - Attachment A](#)

[View Report - Attachment B](#)

[View Report - Attachment C](#)

[View Report - Attachment D](#)

[View Legislation](#)

[88160 CMS](#)

This City Resolution was Adopted.

- 2.9** Subject: Fiscal Year 2018 Urban Search & Rescue (US&R) Supplemental Funding
From: Oakland Fire Department
Recommendation: Adopt A Resolution Amending Resolution 87503 No. C.M.S., Which Among Other Things Authorized The City Administrator To Enter Into An Agreement To Accept, Appropriate, And Administer Fiscal Year (FY) 2018 Urban Search And Rescue (US&R) Grant Funds In An Amount Of Up To One Million Two Hundred Thirty Seven Thousand Nine Hundred And Ninety Dollars (\$1,237,990), To Authorize The City Administrator Or His Designee To Accept, Appropriate, And Administer Supplemental FY 2018 US&R Grant Funds In The Amount Of Eighty Three Thousand Eight Hundred And Thirty Three Dollars (\$83,833), For A Cumulative FY 2018 US&R Grant Award Not To Exceed One Million Three Hundred Twenty One Thousand Eight Hundred And Twenty Three Dollars (\$1,321,823)

[20-0417](#)

Attachments: [View Report](#)

[View Report - Attachment A](#)

[View Report - Attachment B](#)

[View Legislation](#)

[88161 CMS](#)

This City Resolution was Adopted.

- 2.10** Subject: OPD RSI Helicopter Maintenance Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Professional Services Agreement With Rotorcraft Support, Inc. (RSI) To Provide Helicopter Maintenance Services To The Oakland Police Department (OPD) For The Period Of July 1, 2020 To June 30, 2022 In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000) Per Year Or One Million Five Hundred Thousand Dollars (\$1,500,000) For July 1, 2020 To June 30, 2022, With An Option To Extend The Contract For One Additional Year To June 30, 2023, At The Same Rate Of Seven Hundred Fifty Thousand Dollars (\$750,000) Per Year, For A Total Contract Not To Exceed Two Million, Two Hundred Fifty Thousand Dollars (\$2,250,000)
[20-0418](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 6/15/2020](#)
[View Supplemental Attachment - 6/19/2020](#)
[View Supplemental Report - 6/19/2020](#)
[88173 CMS](#)

Councilmember McElhaney made a motion, seconded by Councilmember Thao, to withdraw and rescheduled this item to the June 30, 2020 Special City Council meeting.

A motion was made by Lynette McElhaney, seconded by Loren Taylor, that this matter be Withdrawn and Rescheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 6/23/2020. The motion carried by the following vote:

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

NO VOTE: 0

- 2.11** Subject: Measure Q, "Distressed Homeowners"
From: Finance Department
Recommendation: Adopt An Ordinance Amending The 2020 Oakland Parks And Recreation Preservation, Litter Reduction And Homelessness Support Act To Add An Exemption From the Parcel Tax For Distressed Homeowners, As Required By The Act
[20-0419](#)

Attachments: [View Report](#)
[View Legislation](#)
[13605 CMS](#)

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 6/30/2020

2.12 Subject: Call For Consolidation Of The November 2020 Election
From: Office Of The City Clerk
Recommendation: Adopt A Ordinance Requesting Consolidation Of The City Of Oakland
General Municipal Election With The Statewide General Election To Be Held In The City
Of Oakland On Tuesday, November 3, 2020
[20-0439](#)

Attachments: [View Legislation](#)
[13604 CMS](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the Special Concurrent Meeting of the Oakland Redevelopment Successor
Agency/City Council to be heard 6/30/2020**

2.13 Subject: OPD Shotspotter Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1) Enter Into A Professional Services Agreement With Shotspotter, Inc. For Gunshot Location Detection Service Coverage, Subject To The Availability Of Funds And Approval By The City Council Of The Funds In The Oakland Police Department's Baseline Budget Proposal, For: A. Oakland Police Department (OPD) Shotspotter Geographic Area "Phase I" For April 19, 2020 Through June 30, 2020 For Nineteen Thousand, Four Hundred Forty-Eight Dollars (\$19,448); B. OPD Shotspotter Areas Phases I, II, And III, From July 1, 2020 To June 30, 2021, For An Amount Not To Exceed Five Hundred Seventy-Two Thousand, Five Hundred Sixty-Two Dollars (\$572,562); C. OPD Shotspotter Areas Phase I, II, And III, From July 1, 2021 To June 30, 2022, For An Amount Not To Exceed Six Hundred One Thousand, One Hundred Ninety Dollars (\$601,190); D. OPD Shotspotter Areas Phase I, II, And III, From July 1, 2022 To June 30, 2023, For An Amount Not To Exceed Six Hundred Thirty-One Thousand, Two Hundred Forty-Eight Dollars (\$631,248); For A Total Amount Not To Exceed One Million Eight Hundred Twenty-Four Thousand, Four Hundred Forty-Eight Dollars (\$1,824,448) For OPD Shotspotter Area Phase I For April 19, 2020 To June 30, 2020 And All Three OPD Shotspotter Phases For July 1, 2020 To June 30, 2023; 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.

[20-0421](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Report Attachment A](#)
[View Supplemental Report - 6/15/2020](#)
[View Supplemental Report - 6/19/2020](#)
[88172 CMS](#)

Councilmember McElhaney made a motion, seconded by Councilmember Thao, to withdraw and rescheduled this item to the June 23, 2020 Special City Council meeting.

A motion was made by Lynette McElhaney, seconded by Loren Taylor, that this matter be Withdrawn and Rescheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 6/23/2020. The motion carried by the following vote:

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

NO VOTE: 0

2.14 Subject: Go-Biz Grant For Cannabis Equity Program
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or Designee To: (1) Apply For And Accept Six Million Five Hundred Seventy-Six Thousand Seven Hundred And Five Dollars And Seventy-Six Cents (\$6,576,705.76) In State Of California, Office Of The Governor "Go-Biz" Equity Act Grant Funds; (2) Appropriate The Go-Biz Grant Funds By: (A) Providing Loans And Grants To Cannabis Equity Applicants And Licensees For Businesses' Start-Up And Ongoing Costs; And (B) Supporting Workforce Development Programs; (3) Award Grants In An Amount Not To Exceed Seventy-Five Thousand Dollars (\$75,000) Per Grant For Cannabis Equity Applicants And Licensees, To Be Determined And Without Return To Council; And (4) Provide Loans In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) Per Loan For Cannabis Equity Applicants And Licensees, To Be Determined And Without Return To Council; And [20-0422](#)

Attachments: [View Report](#)
[View Report - Attachment A Grant Agreement](#)
[View Report - Attachment B Equity Applicant Survey](#)
[View Report - Attachment C equity loan demographics](#)
[View Report - Attachment D-1 Elevate Impact Budget](#)
[View Report - Attachment D-2 Elevate Narrative](#)
[View Report - Attachment E-1 MGG Budget](#)
[View Report - Attachment E-2 MGG Narrative](#)
[View Report - Attachment F-1 Knox Budget](#)
[View Report - Attachment F-2 Knox and Ross Narrative](#)
[View Legislation](#)
[View Supplemental Report - 6/15/2020](#)
[88162 CMS](#)

This City Resolution was Adopted.

2) A Resolution: (1) Authorizing The City Administrator Or Designee To: (A) Negotiate And Award A New Professional Services Agreement With “4Front Partners” In An Amount Not To Exceed Three Hundred And Fifty Thousand Dollars (\$350,000) To Administer The Loan And Grant Programs For Cannabis Equity Applicants And Licensees; (B) Amend The Professional Services Agreement With “Knox And Ross” By Increasing The Funding Amount From One Hundred And Twenty Thousand Dollars (\$120,000) To An Amount Not To Exceed One Hundred And Eighty Thousand Dollars (\$180,000) To Provide Legal Services To Cannabis Equity Applicants And Licensees; (C) Negotiate And Award A New Agreement With “Make Green Go” In An Amount Not To Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) To Provide Technical Assistance To Cannabis Equity Applicants And Licensees; And (2) Waiving The Request For Proposals/Qualifications Process For The Three Professional Services Agreements Referenced Above; And

[20-0423](#)

Attachments: [View Legislation](#)

[88163 CMS](#)

This City Resolution was Adopted.

Subject: Go-Biz Grant For Cannabis Equity Program
From: Office Of The City Administrator

Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 5.80.050 And Section 5.81.060 To Allow A Cannabis Business Permit Applicant Who Previously Met The Income And Oakland Residency Criteria To Qualify As An “Equity Applicant,” To Receive Equity Assistance Program Services Up To Two Years From The Date Such Applicant Was Verified As An Equity Applicant, Regardless Of The Applicant’s Current Income Or Residency; And Adopting CEQA Exemption Findings

[20-0424](#)

Attachments: [View Legislation](#)

[View Report - Notice And Digest](#)

[13603 CMS](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 6/30/2020

2.15 Subject: City Of Oakland Investment Policy For FY 2020-21
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year
2020-2021; And
[20-0425](#)

Attachments: [View Report](#)
[View Report Redline Legislation](#)
[View Legislation](#)
[88164 CMS](#)

This City Resolution was Adopted.

2) An Oakland Redevelopment Successor Agency Resolution Pursuant To Government
Code Section 53607 Delegating Investment Authority Of The Oakland Redevelopment
Successor Agency To The Agency Treasurer For Fiscal Year 2020-2021
[20-0426](#)

Attachments: [View Legislation](#)
[2020-003 CMS](#)

This ORSA Resolution was Adopted.

- 2.16** Subject: 2020-21 Core Housing Resource Center Functions & Related Services Grant Extension
From: Human Services Department
Recommendation: Adopt A Resolution To: 1) Enter Into Grant Agreements And Amendments To Grant Agreements For, And Also Accept And Appropriate, Core Housing Resource Center (CHRC) Funds From: A. The County Of Alameda In The Estimated Amount Of \$2,587,302 For July 1 Through December 31, 2020; And B. The City Of Berkeley In The Estimated Amount Of \$28,125 For July 1, 2020 Through June 30, 2021; And C. The City Of Emeryville In The Estimated Amount Of \$25,000 For July 1, 2020 Through June 30, 2021; And 2) Award Grants To Specific Service Providers For The Grant Period Of July 1, 2020 Through June 30, 2021; And 3) Extend The 1.0 Full Time Employee (FTE) Program Analyst Ii Position To Oversee The Oakland Coordinated Entry System Through December 31, 2020; And 4) Accept And Appropriate Additional Funds That Become Available From The Same Sources For The CHRC Within The Grant Terms Of FY 2020-2021 And Amend The Grant Agreements To Adjust The Grant Amounts Without Returning To Council
[20-0434](#)

Attachments: [View Report](#)
[View Attachment](#)
[View Legislation](#)
[88165 CMS](#)

This City Resolution was Adopted.

- 2.17** 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](#)

This Ordinance was Approved for Final Passage.

- 2.18** Subject: Creation Of The Department Of Workplace & Employment Standards
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled "City Agencies, Departments And Offices" To Create The Department Of Workplace And Employment Standards Focusing On Workplace Protections And Employment Standards To Implement Measure Z (Hotel Minimum Wage And Working Conditions Ordinance (Oakland Municipal Code Chapters 5.93 And 2.44 And Sections 2.36.010(A) And 5.92.050).

[20-0259](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Memo - Bas](#)

[View Supplemental Legislation 6/11/2020](#)

[View Supplemental Redline Legislation 6/11/2020](#)

[13600 CMS](#)

This Ordinance was Approved for Final Passage.

- 2.19** Subject: Director Of Workplace & Employment Standards Salary Ordinance Amendment
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Director Of Workplace And Employment Standards

[20-0336](#)

Attachments: [View Report](#)

[View Ordinance](#)

[13601 CMS](#)

This Ordinance was Approved for Final Passage.

2.20 Subject: Support For Federal Legislation On Police Accountability
From: Councilmember McElhaney
Recommendation: Adopt A Resolution To Support For Federal Justice In Policing Act To Hold Law Enforcement Officers Accountability In Court, Improve National Transparency Through Mandatory Data Collection, And Reform Police Training And Policies
[20-0436](#)

Attachments: [View Report](#)
[View Report - Justice In Policing Act](#)
[View Report - Justice In Policing Act Text](#)
[View Legislation](#)
[88166 CMS](#)

This City Resolution was Adopted.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

2.21 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](#)

Councilmember Taylor made a motion to Amend the first further resolved of the legislation, inserting "A pattern of un-sustained complaints" in the first paragraph.

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

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

NO VOTE: 0

- 8 Subject: Salary Ordinance Amendments For Various Classification
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Rent Adjustment Program Manager, Assistant; To Add The Part-Time Classification Of Temporary Contract Services Employee, PT (Sworn); To Amend The Salary Of The Part-Time Classification Of Temporary Contract Services Employee, PT; To Amend The Salary Of The Full-Time Classification Of Manager, Capital Improvement Program; To Amend The Salary And Title Of The Full-Time Classification Of Investment Officer To Investment And Operations Manager; And To Amend The Salary Of The Classification Of Council Member To Ensure Compliance With The Oakland Public Ethics Commission's Charter Mandated Salary Adjustment

[20-0438](#)

Attachments: [View Report](#)
[View Memo](#)
[View Legislation](#)
[View Supplemental Report - 6/26/2020](#)
[View Supplemental Legislation - 6/26/2020](#)
[13602 CMS](#)

A motion was made by Noel Gallo, seconded by Lynette McElhaney, that this matter be Approved 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 6/30/2020. The motion carried by the following vote:

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

NO VOTE: 0

- 9 Subject: Resolution Urging The City Of Oakland To Halt The Use Of Tear Gas
From: Councilmember Bas
Recommendation: Adopt A Resolution Urging The City Of Oakland To Immediately Halt The Use Of Tear Gas For Crowd Control During The Covid-19 Pandemic And Requesting The Oakland Police Commission To Immediately Review And Propose Changes To The Oakland Police Department's Policy In Order To Halt Such Use

[20-0429](#)

Attachments: [View Legislation](#)
[88168 CMS](#)

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

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

No: 1 - Reid

NO VOTE: 0

10 Subject: Declaration Of A Local Emergency
From: Council President Kaplan
Recommendation: Adopt A Resolution (1) Declaring The Existence Of A Local Emergency Within The Territorial Limits Of The City Of Oakland Pursuant To Oakland Municipal Code Section 8.50 And Government Code Sections 8558 & 8630, Oakland's March 9, 2020 Declaration Of Covid-19 Emergency, Ratified On March 12, 2020 (Resolution No. 88075 C.M.S.) And Oakland's Proclamation Of Emergency In Response To Serious Threats To Local Businesses And City Facilities, Effective June 1 - June 8, 2020, Due To The Disastrous Economic And Other Impacts Of Destructive Armed Robberies And Covid-19 And Related Shutdowns On Local Businesses; And (2) Requesting That The Governor Declare A State Of Emergency In Oakland For Local Businesses Harmed By The Foregoing Events; And Make State Resources Available To The City And Impacted Entities, Including State Disaster Relief, And That He Seek Federal Disaster Relief For Oakland; And (3) Requesting That The City Administrator Make Available, As Soon As Possible, The Resources And Assistance Impacted Essential And Other Businesses And Organizations Need To Commence Or Continue Business Operations In Oakland, Including Interim Amendments To The City's Business Operation And Land Use Ordinances And Regulations, Within His Authority
[20-0437](#)

Attachments: [View Report- Kaplan](#)

[View Legislation](#)

[88169 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, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Kaplan

NO VOTE: 0

At 6:34 p.m. A motion was moved by Councilmember Gallo, seconded by Vice Mayor Reid and carried to extend the meeting past 6:30 p.m.

- 6 Subject: FY 2020-21 Appropriations Limit
From: Finance Department
Recommendation: Adopt A Resolution Establishing An Appropriations Limit For Fiscal Year 2020-21 Pursuant To Article XIII B Of The California Constitution
[20-0440](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Report - Exhibit A](#)
[88175 CMS](#)

A motion was made by Loren Taylor, seconded by Noel Gallo, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 6/23/2020. The motion carried by the following vote:

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

NO VOTE: 0

3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS

- 2.8 Subject: FY 2020-21 Landscaping And Lighting District (LLAD) - Confirmation
From: Finance Department
Recommendation: Adopt A Resolution Confirming The City Of Oakland Landscaping And Lighting Assessment District Fiscal Year (FY) 2020-21 Engineer's Report; And The Levying Of Assessments
[20-0387](#)

Attachments: [View Report](#)
[View Report - Appendix A](#)
[View Legislation](#)
[View Report - Exhibit A](#)
[88170 CMS](#)

Upon the reading of Item 2.8. by the City Clerk, the Public Hearing was opened at 6:34 p.m.

9 individuals spoke on this item.

Councilmember Gallo made a motion, seconded by Vice Mayor Reid, to adopt the resolution on Item 2.8, and by that same motion closing the public hearing, the motion passed by with the following vote: 8 Ayes: Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao, and Council President Kaplan

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

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

NO VOTE: 0

3.1 Subject: 0 Mandela Parkway Appeal
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
Following Three Options:

1) A Resolution Denying The Appeal By Unite Here Local 2850, And Thus Upholding The
Oakland Planning Commission's Approval Of 1) A Major Conditional Use Permit To
Construct A Six Story Building Consisting Of 220 Rooms Measuring Approximately
142,813 Square Feet Of Floor Area, 2) A Minor Conditional Use Permit For Transient
Habitation (Hotels) And Non-Residential Tandem Parking, 3) A Variance Of The Front
Setback And 4) Related California Environmental Quality Act (CEQA) Findings For The
Proposed Building Located At 0 Mandela Parkway Oakland Ca. (Project Case No.
PLN16394); Or
[18-1391](#)

Attachments: [View Report](#)

[View Supplemental Report 11/15/2019](#)

[View Supplemental Report 2/7/2020](#)

*Upon the reading of Item 3.1. by the City Clerk, the Public Hearing was opened at
7:15 p.m.*

17 individuals spoke on this item.

*Councilmember McElhaney made a motion, seconded by Councilmember Gallo, to
adopt the 3rd resolution on Item 3.1, and by that same motion closing the public
hearing, the motion passed by with the following vote: 7 Ayes: Bas, Gallo, Kalb,
McElhaney, Taylor, Thao, and Council President Kaplan 1 Absent: Reid*

**A motion was made that this matter be No Action Taken. The motion carried by
the following vote:**

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

Absent: 1 - Reid

NO VOTE: 0

Provided The City Council Can Make The Appropriate Findings:

- 2) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Deny the Appeal With Additional Conditions; Or
[18-2464](#)

Upon the reading of Item 3.1. by the City Clerk, the Public Hearing was opened at 7:15 p.m.

17 individuals spoke on this item.

Councilmember McElhanev made a motion, seconded by Councilmember Gallo, to adopt the 3rd resolution on Item 3.1, and by that same motion closing the public hearing, the motion passed by with the following vote: 7 Ayes: Bas, Gallo, Kalb, McElhanev, Taylor, Thao, and Council President Kaplan 1 Absent: Reid

This Report and Recommendation be No Action Taken.

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

Absent: 1 - Reid

NO VOTE: 0

- 3) Adopt A Resolution Upholding The Appeal By Unite Here Local 2850, And Thus Denying The Oakland City Planning Commission's Approval Of 1) A Major Conditional Use Permit To Construct A Six-Story Building Consisting Of 220 Hotel Rooms Measuring Approximately 142,813 Square Feet Of Floor Area, 2) A Minor Conditional Use Permit For Transient Habitation (Hotels) And Non-Residential Tandem Parking, 3) A Minor Variance For Front Setback Reduction, And 4) Related California Environmental Quality Act (CEQA) Findings For The Proposed Building Located At 0 Mandela Parkway (Project Case No. PLN16394)
[TITLE CHANGE]
[18-2465](#)

Attachments: [View Legislation](#)
[88171 CMS](#)

Upon the reading of Item 3.1. by the City Clerk, the Public Hearing was opened at 7:15 p.m.

17 individuals spoke on this item.

Councilmember McElhanev made a motion, seconded by Councilmember Gallo, to adopt the 3rd resolution on Item 3.1, and by that same motion closing the public hearing, the motion passed by with the following vote: 7 Ayes: Bas, Gallo, Kalb, McElhanev, Taylor, Thao, and Council President Kaplan 1 Absent: Reid

This Report and Recommendation be Approved.

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

Absent: 1 - Reid

NO VOTE: 0

- 7 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](#)

[View Legislation](#)

[View Attachment 2](#)

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

[View Supplemental Exhibits - 5/29/2020](#)

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

[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](#)

[88174 CMS](#)

A motion was made by Lynette McElhaney, seconded by Sheng Thao, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 6/23/2020. The motion carried by the following vote:

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

NO VOTE: 0

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

There were no final decisions made during closed session.

This be Accepted.

5 DETERMINATION OF SCHEDULE OF OUTSTANDING COUNCIL ITEMS

[20-0435](#)

Attachments: [View Report](#)

Council President Kaplan made a motion seconded by Councilmember Thao to schedule the Special Rules and Legislation Committee on Monday June 22, 2020 at 1:30 pm to hear the item regarding the "Equitable Business Tax"

Council President Kaplan made a motion seconded by Councilmember Thao to schedule a Special City Council Budget Meeting on Tuesday June 23, 2020 at Noon to hear the following items;

Item 2.10 "OPD RSI Helicopter Maintenance Contract";

Item 2.13 "OPD Shotspotter Contract";

Item 6 "FY 2020-21 Appropriations Limit"; And

Item 7 "FY 2020-21 Mid Cycle Budget Amendments"

Council President Kaplan made a motion seconded by Councilmember Thao to Special Community & Economic Development Committee Meeting on Monday June 29, 2020 at 1:00 pm to hear the following items;

"Tenant Protection, Just Cause, & Rent Ordinance Amendments"; And

"Hospitality Worker Right To Recall Ordinance"

This Report and Recommendation be Accepted.

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

NO VOTE: 0

Subject: Tenant Protection, Just Cause, & Rent Ordinance Amendments
From: City Attorney Parker, Councilmember Bas And Pro Tem Kalb
Recommendation: Adopt An Ordinance Amending Chapter 8.22 Of The Oakland Municipal Code (Residential Rent Adjustments And Evictions) To (1) Limit The Maximum Rent Increase In Any One Year To Conform To State Law; (2) Make Failure To Pay Required Relocation Benefits An Affirmative Defense To Eviction; (3) Limit Late Fees; (4) Prohibit Unilaterally Imposed Changes To Terms Of Tenancy; (5) Add One-For-One Replacement Of Roommates To The Definition Of Housing Services; (6) Prohibit Eviction Based On Additional Occupants If Landlord Unreasonably Refused Tenant's Written Request To Add Occupant(S); And (7) Strengthen Tenants' Rights And Enforcement Of Tenants' Rights Under The Tenant Protection Ordinance [TITLE CHANGE]
[20-0228](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Report 6/26/2020](#)

[View Supplemental Legislation 6/26/2020](#)

[View Amended Legislation 7/9/2020](#)

[View Supplemental City Attorney Report & PowerPoint - 7/13/2020](#)

**This Ordinance be * Withdrawn and Rescheduled.to go before the *Special
Community & Economic Development Committee to be heard 6/29/2020**

Subject: Hospitality Worker Right To Recall Ordinance
From: Councilmember Thao, President Pro Tem Kalb & Councilmember Gallo
Recommendation: Adopt A Ordinance (1) Establishing A Travel And Hospitality Worker Right To Recall; (2) Amending Chapter 2.44 Of The Oakland Municipal Code To Include Enforcement Of Right To Recall As Part Of The Duties Of The Department Of Workplace And Employment Standards
[20-0369](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Amended Legislation -7/9/2020](#)

**This Ordinance be * Withdrawn and Rescheduled.to go before the *Special
Community & Economic Development Committee to be heard 6/29/2020**

COUNCILMEMBER ACKNOWLEDGEMENTS/ANNOUNCEMENTS

President Pro Tem Kalb Made A Scheduling Motion To Hear The Following Items At The June 30, 2020 City Council Meeting;

“Adopt A Resolution Requesting The Oakland Police Commission To Immediately Review And Propose A Change To The Oakland Police Department’s Use Of Force Policy That Would Ban The Use Of Carotid Restraints And Chokeholds Under Any And All Circumstances”; And

“Adopt Resolution In Support Of California State Assembly Bill 3269 (Chiu) To Ensure That Local Governments And Relevant State Agencies Are Held Accountable For Addressing California’s Historic Homelessness Crisis”

Vice Mayor Reid Took A Point Of Personal Privilege And Requested That The Meeting Be Adjourned In Memory Of Omar Hassan.

Councilmember Thao Made A Scheduling Motion To Hear The Following Item At The June 30, 2020 City Council Meeting;

“Adopt A Resolution Proclaiming The Month Of June 2020 “Elder Abuse Awareness Month”

Councilmember Thao Took A Point Of Personal Privilege And Requested That The Meeting Be Adjourned In Memory Of Marnie Zhong

Councilmember Bas Reaffirmed The Scheduling Of The “Business Tax Measure” To June 30, 2020 Special Rules And Legislation Committee.

President Kaplan Made A Motion To Schedule The Following Standing Item To Regular City Council Meetings;

“Approval Of Draft Council Minutes”

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

20 speakers spoke during Open Forum.

Vice Mayor Reid Took A Point Of Personal Privilege And Requested That The Meeting Be Adjourned In Memory Of Erik Salgado.

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 Omar Hassan, Marnie Zhong and Erik Salgado at 9:49 p.m.

Americans With Disabilities Act

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

Office of the City Clerk - Agenda Management Unit

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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.