

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

Monday, March 29, 2021

1:00 PM

Please See The Agenda To Participate In The Meeting

Tele - Conference

**Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/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/82170645584> at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Webinar ID: 821 7064 5584

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 Special Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. The meeting was convened at 1:01p.m.

ROLL CALL / CITY COUNCIL

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

1 PUBLIC COMMENT:

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

There were 30 speaker on Public Comment

2 CONSENT CALENDAR (CC) ITEMS:

Council President Fortunato Bas made a motion seconded by President Pro Tempore Thao to move item 2.4 regarding Lake Merritt Working Group moved to Non-Consent and Items 3 and 4 will be taken at the end of Non-Consent

Approval of the Consent Agenda

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

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

NO VOTE: 0

- 2.1 Subject: Honoring Dorothy King
From: Vice Mayor Kaplan, President Pro Tempore Thao And Councilmember Fife
Recommendation: Adopt A Resolution In Honor Of Dorothy King For Her Contributions As An Entrepreneur And Activist, And For Her Commitment To Social Justice For The People Of Oakland; And Declaring June 25th As Dorothy King Day In The City Of Oakland

[21-0209](#)

Attachments: [View Report](#)

[View Legislation](#)

[88566 CMS](#)

Councilmember Reid and Gallo requested to be added as co-sponsors/support of this item

This City Resolution was Adopted.

- 2.2** Subject: Honoring Cesar Estrada Chavez Day
From: Councilmember Gallo
Recommendation: Adopt A Resolution In Celebration Of Cesar Estrada Chavez Day And Honor His Legacy As A Civil Rights Activist And Co-Founder Of The United Farm Workers Association
[21-0210](#)

Attachments: [View Report](#)
[88567 CMS](#)

Councilmember Reid requested to be added as co-sponsors/support of this item

This City Resolution was Adopted.

- 2.3** Subject: Condemning Intolerance Against Asian Americans And Pacific Islanders
From: President Pro Tem Thao, Council President Fortunato Bas, Taylor And Kalb
Recommendation: Adopt A Resolution Condemning And Combating Racism, Xenophobia, And Intolerance Against Asian Americans And Pacific Islanders
[21-0208](#)

Attachments: [View Legislation](#)
[88568 CMS](#)

Councilmember Reid and Gallo requested to be added as co-sponsors/support of this item

This City Resolution was Adopted.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 2.4 Subject: Lake Merritt Working Group
From: Office Of The City Administrator
Recommendation: Approve A Report And Recommendations From The City Administrator To Continue To Support The Safe And Equitable Use Of Lake Merritt By Providing For An Authorized Street Vending Program On Weekends, Alternative Traffic Control Measures, Develop An Alternative Program To Manage Activities At The Lake Such As A Park Ambassador Program, And Seek An Ongoing Funding Source To Cover The Costs Associated With These Efforts On A Year-Round Basis
[21-0170](#)

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Attachment D](#)

[View Supplemental Report 3/25/2021](#)

[View Supplemental Attachment A 3/25/2021](#)

[View Supplemental Attachment B 3/25/2021](#)

President Fortunato Bas made a motion, seconded by Vice Mayor Kaplan, to approve the report and recommendation with direction to remove line item #7 OPW (18 high capacity animal proof trash cans), line item #8 (additional crew deployment on weekends to address garbage collection), starting immediately, operate Lake Merritt Weekend Management until Labor Day, seek additional funding sources to cover cost year around and allow for City of Oakland staff overtime until solution are found. hearing no objections, the motion passed by with the following vote: 7 Ayes: Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas, 1 Abstained- Fife

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

Abstained: 1 - Fife

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

NO VOTE: 0

- 5** Subject: Emergency Reserve And American Rescue Plan Act Funds
From: Council President Fortunato Bas And Vice Mayor Kaplan
Recommendation: Adopt A Resolution: (1) Directing The City Administrator, In Consultation With The City Attorney, To Explore, And Bring Back To Council, Options For Providing Additional Protections For The 7.5% General Purpose Fund (“GPF”) Emergency Reserve, Including But Not Limited To The Creation Of A Separate Fund For The GPF Emergency Reserve; And (2) Clarifying That No Expenditure Of The American Rescue Plan Act (“ARPA”) Funds, Which The City Expects To Receive In The Estimated Amount Of One Hundred Ninety-Two Million Eighty-Four Thousand One Hundred Five Dollars (\$192,084,105), Shall Be Made Except For The Purpose And In The Manner Specified By The City Council Following A Public Process And Public Vote Pursuant To Charter Section 806

[21-0216](#)

Attachments: [View Report](#)
[View Legislation](#)
[88569 CMS](#)

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

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

NO VOTE: 0

- 6** Subject: Memorandum Of Agreement (MOA) For 1086 Annerley Road
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Agreement (MOA) With The City Of Piedmont Establishing That The City Of Piedmont Will Process Planning And Building Entitlements For The Development Of An Accessory Dwelling Unit (ADU) At 1086 Annerley Road, A Property Located Within Both Jurisdictions; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

[21-0199](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Legislation](#)
[View Report Exhibit A](#)
[88570 CMS](#)

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

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

NO VOTE: 0

- 7 Subject: Support Of AB 854 (Lee)
From: Councilmember Kalb And Councilmember Fife
Recommendation: Adopt A Resolution In Support Of Assembly Bill 854 (Lee) That Would Prohibit A Rental Housing Owner From Removing A Building From The Market Pursuant To The Ellis Act Unless All Owners Of The Property Have Held Their Ownership Interest For At Least Five Years, Which Helps Put An End To Speculator Evictions

[21-0202](#)

Attachments: [View Report AB 854](#)
[View Report Fact Sheet - AB 854](#)
[View Legislation](#)
[88571 CMS](#)

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

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

NO VOTE: 0

- 8 Subject: On-Call Permit Support Services
From: Planning & Building Department
Recommendation: Adopt A Resolution: 1. Authorizing The City Administrator To Award Two Contracts To Interwest Consulting Group, Inc. ("Interwest") And 4Leaf, Inc. In An Amount Not To Exceed Two Hundred and Fifty Thousand Dollars (\$250,000) Each For As Needed On-Call Permit Support Services For A One (1) Year Term With The Option To Extend For An Additional One Year Term Based On A Request For Proposal ("RFP") Completed February 16, 2021 And Waiving The City's Local/Small Local Business (L/SLBE) Program Requirements; 2)Waiving The Request For Proposal Requirement And Waiving the City's L/SLBE Program Requirements To Award Two Contracts To West Coast Code Consultants, Inc. ("WC3") And The Code Group, Inc. (DBA VCA Code) In An Amount Not To Exceed Two Hundred and Fifty Thousand Dollars (\$250,000) Each For As Needed On-Call Permit Support Services For A One (1) Year Term With The Option To Extend For An Additional One (1) Year Term; And 3)Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year (FY) 2020-21 Mid-Cycle Budget Amendments, To Appropriate One Million Dollars (\$1,000,000) From The Development Services Fund (Fund 2415) Fund Balance To Finance The Four (4) Contracts Awarded To Provide As Needed On-Call Permit Support Services

[TITLE CHANGE]

[21-0211](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report - 4/9/2021](#)
[View Supplemental Legislation - 4/9/2021](#)
[88605 CMS](#)

This City Resolution be Withdrawn with No New Date.

- 9** Subject: Hult Lodge Agreement
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee
To: (1) Negotiate And Execute An Agreement For The City To Occupy Up To 92 Rooms In The Former Dormitory Located At 2332 Harrison Street In Oakland Owned By Vima Harrison 1 LLC (Hult Lodge), For An Initial Term Ending September 30, 2021, At A Maximum Daily Rate Of \$132 Per Room For One Occupant And \$50 For Each Additional Occupant, For The Purpose Of Providing Emergency Non-Congregate Shelter To Unhoused Individuals At High-Risk From COVID-19; (2) Extend The Term Of The Hult Lodge Agreement At The Same Rate For A Cumulative Term Up To Twelve (12) Months, If The Federal Emergency Management Agency (FEMA) Extends The Period For Obtaining Reimbursement For Providing Said Emergency Non-Congregate Shelter; And (3) Select An Entity And Award A Grant Or Professional Services Agreement To The Selected Entity For Operations Of Hult Lodge, For A Term Of Up To One Year In A Total Amount Not To Exceed \$3.5 Million

[21-0214](#)

Attachments: [View Report](#)
[View Legislation](#)
[88572 CMS](#)

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

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

NO VOTE: 0

- 3** Subject: Analysis From Harvey Rose On Budget Items
From: Council President Fortunato Bas And Vice Mayor Kaplan
Recommendation: Receive An Informational Report From The Administration And Analysis From Harvey Rose Associates Containing The Following: (1) Which Administrative Reductions Were Implemented From December 20, 2020 Memo, (2) Which Administrative Restorations Were Made To Date, (3) Amount And Uses Of Additional Administrative Overspending Between First Quarter (Q1) And Second Quarter (Q2), (4) Amount Of Current General Purpose Fund (GPF) Shortfall, (5) Amount Needed To Restore The GPF Emergency Reserve To 7.5%, (6) New Real Estate Transfer Tax (RETT) Revenue, And Any Other Revenue Or Expenditure Amounts, Not Included In The Q2 Report, (7) Cash On Hand, (8) What Other Policies Are Triggered By Receiving New Funds (E.G., Is The City Required To Put 7.5% Of The Federal America Rescue Plan Act (ARPA) Funds Into Reserves? What Are Kids First Set-Asides?), (9) For What Purposes Can The ARPA Funds Be Spent, And (10) What Other New Funds (E.G., Special-Purpose) Are The City Of Oakland Receiving That Are Not Already Covered In The Budget

[21-0201](#)

Attachments: [View Report - Council President Fortunato Bas](#)

[View Report](#)

[View Supplemental Report - 4/9/2021](#)

[View Supplemental Report 2 - 4/9/2021](#)

[View Powerpoint 4/9/2021](#)

President Fortunato Bas made a motion, seconded by Vice Mayor Kaplan, to continue the report to the April 12, 2021 Special City Council Agenda with direction for Council Committee to forward questions to the Finance Director and any questions for Harvey and Rose to Council President Fortunato Bas.

A motion was made by Nikki Bas, seconded by Rebecca Kaplan, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 4/12/2021. The motion carried by the following vote:

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

NO VOTE: 0

A motion was moved by Present Fortunato Bas, seconded by Councilmember Taylor and carried to extend the meeting past 5 p.m.

- 4 Subject: Amendment To Fiscal Year 2020-2021 Budget
From: Council President Fortunato Bas
Recommendation: Approve A Report And Regarding Amendment Of The Fiscal Year 2020-21 Budget To: (1) Balance The Budget; (2) Appropriate And Allocate The American Rescue Plan Act ("ARPA") Dollars In The Estimated Amount Of One Hundred Ninety-Two Million Eighty-Four Thousand One Hundred Five Dollars (\$192,084,105) To The ARPA Fund (Fund 2072); (3) Allocate The Ten Million Dollars (\$10,000,000) The City Will Receive From The Oakland-Alameda County Joint Powers Authority ("JPA"); (4) Restore Services Affected By Fiscal Year 2020-21 Administrative Reduction Actions; (5) Fund Services That Are Needed To Address The Negative Health, Safety, Welfare, And Fiscal Effects Of The Pandemic; And (6) Make Such Additional Or Alternative Adjustments To The FY 2020-21 Budget As May Be Determined To Be Necessary Or Appropriate By The City Council
[21-0215](#)

Attachments: [View Report](#)
[View Report Attachment 1](#)
[View Attachment - Vice Mayor Kaplan](#)

A motion was made by Dan Kalb, 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 4/12/2021. The motion carried by the following vote:

Excused: 1 - Kaplan
Aye: 6 - Thao, Fortunato Bas, Fife, Gallo, Kalb, and Reid
Absent: 1 - Taylor
NO VOTE: 0

ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF

OPEN FORUM

7 Speakers spoke during Open Forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 5:00 P.M., Unless Extended By Majority Vote Of The Council)

There being no further business, and upon the motion duly made, the Council adjourned the meeting at 6:05 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.

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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.