

# 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, May 31, 2022**

**1:30 PM**

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

**Virtual Tele- Conference Via Zoom**

**Special Concurrent Meeting of the Oakland  
Redevelopment Successor Agency/City Council**

Pursuant to California Government Code Section 54953(e), the City Council has found that an imminent risk to the health of attendees due to the COVID-19 pandemic continues to exist. Therefore, all City Councilmembers will particulate in the meeting via phone/video conference without notice of their teleconference locations

## 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/85841187063> 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) Meeting ID: 858 4118 7063

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 the Agenda Management Unit at [cityclerk@oaklandca.gov](mailto:cityclerk@oaklandca.gov)

- Office of the City Clerk

**The Concurrent Meeting of the Special Oakland City Council and Successor Redevelopment Agency was convened at 1:33 PM.**

## ROLL CALL / CITY COUNCIL

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

### 1 PUBLIC COMMENT: COMMENTS ON ALL ITEMS WILL BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

*89 Speakers spoke during public comment.*

**S6** Subject: Celebrating Queer And Transgender Asian And Pacific Islander Week  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution To Proclaim May 29-June 4, 2022, As Queer And Transgender Asian And Pacific Islander (QTAPI) Week And Commend The Bay Area QTAPI Coalition For Organizing, Mobilizing, And Inspiring Our QTAPI Community, And For Uplifting The Numerous Contributions Made By The QTAPI Community Locally, Nationally, And Globally  
[22-0456](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89203 CMS](#)

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

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

**NO VOTE:** 0

**5** Subject: Economic Consulting Services Agreement  
From: Finance Department  
Recommendation: Adopt A Resolution Waiving The Competitive Bidding Process And Authorizing The City Administrator To Amend The Professional Services Agreement With Blue Sky Consulting Group For Economic Consulting Services To Increase The Amount By One Hundred Fifty Thousand Dollars (\$150,000) For A Total Contract Amount Not To Exceed Five Hundred Ninety-Five Thousand Dollars (\$595,000)  
[22-0449](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89204 CMS](#)

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

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

NO VOTE: 0

**S7** Subject: Edith Guillen v. City Of Oakland Police Department  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Edith Guillen V. City Of Oakland Police Department, Araina Richards, Annie Sloan, Renee Sykes And Does 1 Through 100, Alameda County Superior Court Case No. Rg19027309, City Attorney File No. X04822-1, In The Amount Of Three Hundred Fifty Thousand Dollars And Zero Cents (\$350,000.00) (City Administrator - Employment Discrimination)  
[22-0457](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89205 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, Reid, Kaplan, Gallo, and Kalb

NO VOTE: 0

**S8** Subject: Scott Rietz v. City Of Oakland, Berry Bros. Towing & Transport Inc  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Scott Rietz V. City Of Oakland, Berry Bros. Towing & Transport Inc., And Does 1-40, Inclusive, Alameda County Superior Court Case No. Rg21087166, City Attorney's File No. 33413, In The Amount Of One Hundred Thousand Dollars And No Cents (\$100,000) (Department Of Transportation - Dangerous Condition Of Public Property)  
[22-0458](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[89206 CMS](#)

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

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

NO VOTE: 0

- 2 Subject: Ordinance To Modify The CPI Rent Adjustment  
From: Councilmember Fife  
Recommendation: Adopt An Ordinance Amending Chapter 8.22 Of The Oakland Municipal Code (Residential Rent Adjustments And Evictions) To (1) Make The Annual Permissible Rent Increase For Covered Units 60% Of The Percentage Increase In The Consumer Price Index Or 3%, Whichever Is Lower And (2) Align Annual Adjustment Period With State Law  
[22-0377](#)

**Attachments:** [View Report](#)  
[View Legislation](#)  
[13693 CMS](#)

*Councilmember Fife made a motion, seconded by Council President Bas to adopt the ordinance on introduction, and schedule final passage for June 7, 2022.*

*Councilmember Taylor made a substitute motion, seconded by Councilmember Gallo, to amend the Ordinance to include the following;*

**OMC 8.22.070 Rent Adjustment For Occupied Covered Units; Section B**

**• Calculation of the CPI Rent Adjustment. Beginning in 2002 until July 31, 2022. the CPI Rent Adjustment is the average of the percentage increase in the CPI—All items and the CPI—Less shelter for the twelve (12) month period starting on March 1 of each calendar year and ending on the last day of February of the following calendar year calculated to the nearest one tenth of one percent.**

**Beginning on August 1, 2022, the CPI Rent Adjustment is (1) sixty percent (60%) of the percentage increase in the CPI - All Items published for April of that calendar year from April of the immediately preceding calendar year calculated to the nearest one tenth of one percent, or (2) three percent (3%), whichever is lower.**

**• If the percentage increase in the CPI-All Items exceeds three percent, the amount by which the percentage increase in the CPI-All Items exceeds three percent (3%) may be banked and taken in subsequent years when the CPI All Items is less than three percent, up to a maximum of three percent, to offset that year's CPI Rent Adjustment."**

**The Substitute motion failed with a vote of 6 Noes 2 Ayes Taylor and Gallo.**

**The Main motion passed with a vote of 6 Ayes 1 No Gallo 1 Abstained Taylor**

**A motion was made by Carroll Fife, seconded by Nikki Fortunato Bas, that this matter be Approved As Amended On Introduction and Scheduled for Final**

Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/7/2022. The motion carried by the following vote:

**Abstained:** 1 - Taylor

**Aye:** 6 - Thao, Fortunato Bas, Fife, Reid, Kaplan, and Kalb

**No:** 1 - Gallo

**NO VOTE:** 0

- 3** Subject: FY 2021-22 Q3 R&E Report  
From: Finance Department  
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2021-22 Third Quarter Revenue And Expenditure (R&E) Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Select Funds  
[22-0396](#)

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

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

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

**NO VOTE:** 0

- 4 Subject: FY 2021-23 Midcycle Budget Amendments  
From: Finance Department  
Recommendation: Adopt A Resolution: (1) Adopting The Midcycle Budget For Fiscal Year 2022-23 And Appropriating Funds To Cover Expenditures Approved By Said Budget; And (2) Authorizing The City Administrator To Transfer Funds Between Departments, Programs And Funds As Necessary To Support Departmental Operations And Reorganization As Set Forth In The Adopted Midcycle Budget For Fiscal Years 2022-23  
[22-0397](#)

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

[View Legislation](#)

[View Supplemental Report - Reid 6/16/2022](#)

[View Supplemental Report 2 - Reid 6/16/2022](#)

[View Supplemental Report - Bas 6/17/2022](#)

[View Supplemental Report- Taylor 6/16/2022](#)

[View Supplemental Report - Reid 6/27/22](#)

[View Supplemental Report - Kaplan 6/27/22](#)

[View Supplemental Report - Kalb 6/27/2022](#)

[View Supplemental Report - Thao 6/27/22](#)

[View Supplemental Report - Bas 6/27/2022](#)

[View Supplemental Report \(2\) - Bas 6/27/2022](#)

**A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that this matter be Continued to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/21/2022. The motion carried by the following vote:**

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

**NO VOTE:** 0

## OPEN FORUM

*6 speakers spoke during open forum.*

## ADJOURNMENT OF COUNCIL SESSION

**(Meeting Shall Conclude No Later Than 6:30 P.M., Unless Extended By Majority Vote Of The Council)**



## **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**

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

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