

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, February 16, 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/85405987671> 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: 854 0598 7671

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 1:31 PM

ROLL CALL / CITY COUNCIL

Excused 1 - Sheng Thao

Present 7 - Nikki Bas, Loren Taylor, Carroll Fife, Noel Gallo, Dan Kalb, Treva Reed, and Rebecca Kaplan

1 PUBLIC COMMENT:

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

There was 22 speakers on this item

2 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

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

Excused: 1 - Thao

Aye: 7 - Bas, Taylor, 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
[21-0080](#)

Attachments: [View Report](#)
[88512 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
[21-0081](#)

Attachments: [View Report](#)
[88513 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
[21-0082](#)

Attachments: [View Report](#)
[88514 CMS](#)

This City Resolution was Adopted.

- 2.4** Subject: Honoring Executive Director Of Oakland Parks & Recreation Foundation Ken Lupoff
From: Councilmember Kalb And President Pro Tempore Thao
Recommendation: Adopt A Resolution Honoring And Expressing Appreciation To Ken Lupoff For His 10 Years Of Dedicated Service To The Residents Of The City Of Oakland As The Executive Director Of Oakland Parks And Recreation Foundation
[21-0074](#)

Attachments: [View Report](#)
[88515 CMS](#)

This City Resolution was Adopted.

- 2.6** Subject: Mosswood Park Master Plan And CEQA Determination Adoption
From: Oakland Public Works Department
Recommendation: Adopt A Resolution (1) The Mosswood Park Master Plan; And (2) The Related California Environmental Quality Act (CEQA) Negative Declaration; And (3) Accepting And Appropriating: (A) A Donation From The Oakland Parks And Recreation Foundation Which Received Funds From The Kaiser Permanente Northern California Community Benefit Program In An Amount Up To Three Million Five Hundred Thousand Dollars (\$3,500,000.00) For Use On The Mosswood Project; And (B) MacArthur Transit Village Development Impact Funds In The Amount Of One Hundred Twenty Five Thousand Dollars (\$125,000.00) For Use On The Project
[21-0071](#)

Attachments: [1awzView Report](#)
[View Report 2](#)
[View Report Attachment B](#)
[View Legislation](#)
[88516 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 was no oral report of final decisions made during Closed Session

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF FEBRUARY 2, 2021
[21-0083](#)

Attachments: [View Report](#)

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

Excused: 1 - Thao

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

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 2.5** Subject: Local Tax Software Solution
From: Finance Department
Recommendation: Adopt A Resolution Waiving The Competitive Bidding Process And Authorizing The City Administrator To Renew The Processional Services Agreement With HdL Software, LLC For An Additional Three-Year Term With And Option To Renew For One Additional Two-Year Term In An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000) For All Five Years For The Provision Of Technical Support, On Going Maintenance, And Upgrades For The City's Local Tax Software
[TITLE CHANGE]
[21-0033](#)

Attachments: [View Report](#)
[View Legislation](#)
[88517 CMS](#)

The February 16, 2021 City Council Agenda was modified to show this item taken out of order

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

Excused: 1 - Thao

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

NO VOTE: 0

- 6** Subject: Reimagining Public Safety Task Force Update
From: Council President Fortunato Bas And Councilmember Taylor
Recommendation: Receive An Informational Report From The Reimagining Public Safety Task Force On The Process And Status To Develop Recommendations For The Council's Consideration Per Resolution No. 88269, Which Created The Reimagining Public Safety Task Force To Create A Plan To Dramatically Shift Resources From Enforcement And Punishment To Prevention And Wellness For Integration In The Fiscal Year (FY) 2021-23 Budget
[21-0073](#)

Attachments: [View Report](#)

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

Excused: 1 - Thao

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

NO VOTE: 0

- 7 Subject: Local Business Empowerment Through Contracting (LBETC) Costing
From: Councilmember Taylor
Recommendation: Receive An Informational Report Directing The City Administrator To Provide A Costing Analysis Including Staff Impacts And Dollar Amounts For The Local Business Empowerment Through Contracting (LBETC) Ordinance Which Amends Ordinance 13101 Which Revised Oakland's Local And Small Local Business Enterprise (L/SLBE) Program Brought To Council On December 15, 2020 And January 12, 2021 To Empower Oakland's Local And Small Business Community And Responds To The Racial And Gender Disparities Identified In The 2017 Racial And Gender Disparities Report
[21-0048](#)

Attachments: [View Report](#)
[View Report - Attachment A](#)
[View Report - CM Taylor](#)

Councilmember Reid requested to be added as a Co-Sponsor

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

Excused: 1 - Thao

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

NO VOTE: 0

- 8 Subject: Local Business Empowerment Through Contracting (LBETC)
From: Councilmember Taylor And Councilmember McElhaney
Recommendation: Adopt An Ordinance Amending Ordinance No. 13101 C.M.S., Which Revised Oakland's Local And Small Local Business Enterprise (L/SLBE) Program Provisions, To Change Local And Small Local Trucking Participation Requirements, Add New Local Business Categories And Certification Criteria, Change The Definition Of "Substantial Presence," Define "Local-Based Manufacturer, Add And Change Bid Discounts, Limit Modifications To L/SLBE Schedules After Bid Opening, And Provisions Related To Disposition And Development Agreements And Cooperative Agreements, And Update The List Of Applicable Schedules, As Set Forth In Exhibit A Attached Hereto [20-0755](#)

Attachments: [View Memo](#)
[View Legislation](#)
[View Report - Attachment A](#)
[View Supplemental Report - 12/11/2020](#)
[View Supplemental Report Attachment A -12/11/2020](#)
[View Supplemental Legislation - 12/11/2020](#)
[View Supplemental Report Exhibit A - 12/11/2020](#)
[View Supplemental Legislation - 12/23/2020](#)
[View Supplemental Report Exhibit A - 1/8/2021](#)
[13640 CMS](#)

Councilmember Reid requested to be added as a Co-Sponsor

A motion was made by Treva Reed, seconded by Loren Taylor, that this matter be Approved for Final Passage. The motion carried by the following vote:

Excused: 1 - Thao

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

NO VOTE: 0

- 9 Subject: Informational Update On The City's Equal Pay Policy
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Update Regarding The City's Equal Pay Policy That Exist For The Employees Of The City Of Oakland And Include The Sate And Federal Pay Act And The Lilly Ledbetter Act
[21-0045](#)

Sponsors: Kaplan

Attachments: [View Report](#)

Council President made note that she will work with the city attorney on next steps for this item

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

Excused: 1 - Thao

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

NO VOTE: 0

- 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](#)

[View Supplemental Report - 2/5/2021](#)

[88518 CMS](#)

The Council Approved as amended to approve staffs recommendations and return in September 2022 with an evaluation and feedback report

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

Excused: 1 - Thao

Aye: 6 - Bas, Taylor, Gallo, Kalb, Reed, and Kaplan

No: 1 - Fife

NO VOTE: 0

- 11 Subject: Accept Irrevocable Offer Of Dedication At 389 9th Avenue
From: Transportation Department
Recommendation: Adopt A Resolution Accepting An Irrevocable Offer Of Dedication For
Public Sidewalk Purposes From The City Of Oakland And The Housing Authority Of
Oakland, Collectively The Parcel A Owners Of 389 9th Avenue
[21-0053](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Report Exhibit A](#)
[View Supplemental Report - 2/11/2021](#)
[88519 CMS](#)

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

Excused: 1 - Thao

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

NO VOTE: 0

12 Subject: Emergency Rental Assistance Funding
From: Housing And Community Development Department
Recommendation: Adopt A Resolution: 1) Accepting Emergency Rental Assistance Program (“ERAP”) Funds In The Amount Of Twelve Million Eight Hundred Seventy Four Thousand Seven Hundred Sixty-Four Dollars (\$12,874,764) Awarded By The United States Department Of The Treasury (“US Treasury”) To The City Of Oakland (“City”) To Provide Financial Assistance, Including Rental Assistance, And Housing Stability Services To Eligible Households Impacted By COVID-19; 2) Appropriating The Twelve Million Eight Hundred Seventy-Four Thousand Seven Hundred Sixty Four Dollars \$12,874,764 In ERAP Funding From The US Treasury To Be Budgeted And Identified As One-Time Stimulus Funding In Fund 2071, Organization 89919, Project Code To Be Determined, Account 54011; 3) Authorizing The City Administrator Or Designee To Take All Steps Necessary For The City To Receive The ERAP Funds Awarded By The US Treasury, Including, But Not Limited To, Signing And Submitting The US Treasury Acceptance Of Award Terms Form, Without Returning To Council; 4) Awarding Grant Agreements For The Provision Of Rental Assistance To Eligible Households To Bay Area Community Services, Inc., Catholic Charities Of The Diocese Of Oakland, Doing Business As Catholic Charities East Bay, Centro Legal De La Raza, Inc. And Collective Legal Services - The Eviction Defense Center, A Non-Profit Law Corporation In A Total Amount Not To Exceed Nine Million Seven Hundred Fifty Thousand Dollars (\$9,750,000); 5) Authorizing The City Administrator Or Designee To Select Additional ERAP Fund Sub-Recipients And To Award Grant Agreements To Said Sub-Recipients For The Provision Of Financial Assistance, Including Rental Assistance, And Housing Stability Services To Eligible Households, Without Returning To Council; And 6) Authorizing The City Administrator To Amend Grant Agreements Awarded Pursuant To This Resolution To Increase The Amount Of The Grants Or To Reallocate Funding Between Grants If Necessary, To Ensure Timely Expenditure Of ERAP Funds, Without Returning To Council
[21-0093](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[View Legislation](#)
[88520 cms](#)

The Council Committee approved as amended staffs recommendation to strike from section 5 & 6 of the title without returning to council.

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

Excused: 1 - Thao

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

NO VOTE: 0

- 13** Subject: 3050 International Boulevard LDDA & Lease
From: Office Of The City Administrator's
Recommendation: Adopt An Ordinance (A) Authorizing The City Administrator Or Designee To Negotiate And Execute (1) A Lease Disposition And Development Agreement With, Jointly, Satellite Affordable Housing Associates, Inc., And Native American Health Center, A California Non Profit, And/ Or Affiliated Entities (Each, A "Developer") For The Development Of An Affordable Housing Project And Health Center ("Project") On City-Owned Property Located At 3050 International Boulevard ("Property"); And (2) A Lease Of A Portion Of The Property To Each Developer To Operate And Manage The Project, For Up To 99 Years, Including Extensions, For A One-Time Payment Equal To \$2,400,000, To Be Paid Pro-Rata By Each Developer; And (B) Adopting Requisite Findings Under The California Environmental Quality Act [21-0086](#)

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

A motion was made by Noel Gallo, seconded by Loren Taylor, that this matter be Approved 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 3/2/2021. The motion carried by the following vote:

Excused: 1 - Thao

Recused: 1 - Reed

Aye: 6 - Bas, Taylor, Fife, Gallo, Kalb, and Kaplan

NO VOTE: 0

- 14 Subject: City Council Strategic Planning Retreat
From: Council President Fortunato Bas
Recommendation: Receive An Informational Report From The Council President And Councilmember Gallo On The Council Retreat, Including The Goals, Process, Timeline And Facilitation And A Recommendation From Councilmember Gallo On The Development Of A Council Strategic Plan
[21-0094](#)

Attachments: [View Report](#)
[View Report - 2](#)

Council President Bas noted she would bring a scheduling request

A motion was made by Nikki Bas, seconded by Noel Gallo, that this matter be Received and Filed. The motion carried by the following vote:

Excused: 1 - Thao

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

NO VOTE: 0

ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF

Councilmember Taylor took a point of personal privilege and requested that the meeting be adjourned in memory of Claudell Bernard Leon

A motion was moved, seconded and carried to extend the meeting past 6:30 p.m.

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

7 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)

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Claudell Bernard Leon at 6:41 p.m.

Americans With Disabilities Act

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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.