

City of Oakland

*Office of the City Clerk
Oakland City Hall,
1 Frank H. Ogawa Plaza, Room 201
Oakland, California 94612*



CITY OF OAKLAND

Meeting Agenda - FINAL

Tuesday, November 9, 2021

1:00 PM

Please See The Agenda To Participate In The Meeting

Virtual Tele - Conference Via Zoom

***Special Public Safety Committee**

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/82206418475> 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: 822 0641 8475

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

- Office of the City Clerk

COMMITTEE MEMBERSHIP:

**Councilmember Noel Gallo, District 5; Vice Mayor Rebecca Kaplan, At-Large;
Councilmember Treva Reid, District 7; Chairperson: Councilmember Carroll Fife, District
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Roll Call / Call To Order

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**

2 Approval Of The Draft Minutes From The Committee Meeting Of October 12, 2021

[21-0792](#)

3 Determination Of Schedule Of Outstanding Committee Items

[21-0793](#)

Attachments: [View Report](#)

4 Subject: Report On Independent Investigation On Bey Cases

From: Vice Mayor Kaplan

Recommendation: Receive An Informational Report On The Investigation Into The Bey
Cases, And Discuss Recommendations For Action To Bring About Reconciliation And
Restoration

[20-0692](#)

Attachments: [View Report](#)

[View Supplemental Report - 5/7/2021](#)

[View Supplemental Report - 5/14/2021](#)

[View Supplemental Report Oakland's Black Officers Association - 5/14/2021](#)

[View Supplemental Report - 7/2/2021](#)

Legislative History

10/1/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/12/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>This item was taken out of order</i>	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/28/21	*Rules & Legislation Committee <i>For Scheduling</i>	Continued to the *Rules & Legislation Committee

2/4/21	*Rules & Legislation Committee <i>The Committee approved this item to go to the April 20, 2021 City Council Agenda on Non-Consent</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/4/21	*Rules & Legislation Committee <i>The Committee approved that this item be withdrawn from the February 16, 2021 City Council Agenda and reschedule to the April 20, 2021 City Council Agenda on Non-Consent</i>	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
4/20/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>Council referred this item to Rules and Legislation Committee for Scheduling</i>	Referred to the *Rules & Legislation Committee
4/22/21	*Rules & Legislation Committee <i>The Committee accepted the Title Change</i>	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
5/18/21	Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board <i>The Council Committee approved to continue this item to the July 6, 2021 City Council Agenda with any additional information staff may have</i>	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
7/6/21	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
9/21/21	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>The Council Committee Referred this item to Rules for Scheduling</i>	Referred to the *Rules & Legislation Committee
9/23/21	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee

5 Subject: Prohibition Against City Employees Cannabis Metabolites Testing
 From: Vice Mayor Kaplan, Pro Tem Thao, Councilmember Kalb & President Fortunato Bas
 Recommendation: Adopt An Ordinance To Establish That The City Of Oakland Shall Not Have A Local Policy Of Requiring Prospective And Current City Employees To Undergo Testing Or Penalties For Off The Job Cannabis Usage - Also Known As The Presence Of Marijuana Metabolites As A Condition Of Employment; And To Clarify That When Such Is Required By A Superseding Agency (E.g., A Federal Requirement) That Oakland's Actions Shall Not Exceed The Externally Required Actions, And That Oakland Shall Advocate With Such Other Agency To Seek To End Testing And/OR Penalties For Off-The-Job Cannabis Usage

[21-0696](#)

Legislative History

9/23/21	*Rules & Legislation Committee <i>The Rules And Legislation Committee approved the item be scheduled to November 9, 2021 Public Safety Committee and adding Councilmembers Thao, Kalb and Bas as co-sponsors</i>	Scheduled to the *Public Safety Committee
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6 Subject: Informational Report On Outside Law Enforcement Agencies
 From: Councilmember Fife
 Recommendation: Receive An Informational Report From The City Administrator Regarding The Presence And Operations Of Outside Law Enforcement Agencies, Including The Federal Bureau Of Investigation (FBI) And California Highway Patrol (CHP), In The City Of Oakland; Including Any Information Related To The Recent Killing Of Michael Jonathan Cortez By An FBI Agent, The Existence Of Any Contracts Or Use Of Public Dollars To Support These Outside Agencies, How Investigations Concerning These Agencies' Activities Are Being Handled, And The City's Public And Media Communications Policy With Regards To How These Entities Operate In Our Community

[21-0727](#)

Attachments:

- [View Report](#)
- [View Attachment A](#)
- [View Attachment B](#)

Legislative History

9/30/21	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
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7 Subject: Measure Z Compliance And The Hiring Plan
 From: Office Of The City Administrator
 Recommendation: Approve A Report And Recommendations Including The Following; (1) An Update On Current And Projected Police Department Sworn-Staffing Levels; (2) Proposed Modifications To Police Department's Hiring Plan To Restore Sworn Staffing To Levels At Or Above Measure Z Staffing Requirements

[21-0768](#)

Legislative History

10/14/21	*Rules & Legislation Committee <i>A Title Change was read into record and deferred to the Rules Committee of October 21st 2021 for scheduling.</i>	Withdrawn and Rescheduled to the *Rules & Legislation Committee
10/28/21	*Rules & Legislation Committee <i>Continued to The next Rules for Scheduling</i>	Continued to the *Rules & Legislation Committee

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

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

Americans With Disabilities Act

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

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Relay Service: 711

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