

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

Thursday, March 4, 2021

10:30 AM

Please See The Agenda To Participate In The Meeting

Tele - Conference

***Rules & Legislation 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/87529531780> at the noticed meeting time.
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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 Oakland City Council Rules & Legislation Committee convened at 10:30 A.M. with President Pro Tempore Thao presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Roll Call / Call To Order

Present 4 - Sheng Thao, Nikki Bas, Carroll Fife, and Dan Kalb

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 speakers spoke during public comment

- 2** Approval Of The Draft Minutes From The Committee Meeting Of February 18, 2021
[21-0099](#)

Attachments: [View Report](#)

A motion was made by Nikki Bas, seconded by Sheng Thao, that this matter be Accepted. The motion carried by the following vote:

Aye: 4 - Thao, Bas, Fife, and Kalb

NO VOTE: 0

DUE TO THE PRESENCE OF VICE MAYOR KAPLAN, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE RULES AND LEGISLATION COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 10:38 A.M.

3 New Scheduling Items

A motion was made by Nikki Bas, seconded by Dan Kalb, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - Thao, Bas, Fife, and Kalb

NO VOTE: 0

- 3.1 Subject: Discussion Of Administrator Authority Legal Memo
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Report Of The Legal Memo, "Authority Of City Administrator To Implement Budget Reductions Affecting Levels Of Services," Dated February 12, 2021
[21-0169](#)

Attachments: [View Report - 1](#)
[View Report - 2](#)

President Pro Tempore Thao made a motion seconded by Council President Fortunato Bas to approve the urgency finding on item 3.1 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

Motion passed by 4 Ayes: Fife, Kalb, Kaplan, Thao, and Fortunato Bas

The Committee accepted the title change read into record

This Report and Recommendation be Scheduled to go before the *Finance & Management Committee to be heard 3/8/2021

- 3.2 Subject: Study Of Four-Plexes In Single-Family Areas
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution Requesting Bureau Of Planning Staff To Study And The Planning Commission To Consider (1) Allowing Four-Plexes In Areas Currently Designated For Single-Family Residences, Especially In High Resource Areas, And (2) Options For Protecting Existing Tenants From Displacement, And To Forward Any Recommendations For Action To The City Council
[21-0174](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation 3/12/2021](#)

Approved for Non-Consent

The Committee accepted the title change read into record

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

- 3.3** Subject: Fiscal Year 2021-26 Five-Year Financial Forecast
From: Finance Department
Recommendation: Receive An Informational Report On The City Of Oakland Five-Year Financial Forecast Prepared In Accordance With The City Of Oakland's Consolidated Fiscal Policy, Ordinance No. 13279 C.M.S.
[21-0165](#)

Attachments: [View Report](#)

Approved for Non-Consent

This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

- 3.4** Subject: Ordinance Amending City's Anti-Nepotism Ordinance
From: Human Resources Management Department
Recommendation: Adopt A Ordinance Amending City's Anti-Nepotism Ordinance, Oakland Municipal Code Chapter 2.40, To Grant The Personnel Director Specific Authority To Make Alternate Arrangements Regarding Employees In The Police And Fire Departments To Minimize Their Supervision And/Or Influence Over The Terms And Conditions Of Employment Of Any Individual With Whom They Have A Family Relationship, Consensual Romantic Relationship, Or Cohabitant Relationship; On The March 16, 2021 City Council Agenda On Non-Consent
[21-0166](#)

The Committee approved this item be scheduled to the April 12, 2021 Finance and Management Committee Agenda

This Ordinance be Scheduled.to go before the *Finance & Management Committee to be heard 4/12/2021

3.5 Subject: HUD Continuum Of Care (CoC) & SSA Match Funding FY 21-22, 22-23
From: Human Services Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution: (1) Authorizing The City Administrator To Apply For, Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In The Amount Of \$5,602,748 Each Year For Fiscal Years (F Y) 2021-2022 And 2022-2023 To Fund HUD Continuum Of Care (CoC) Programs, And To Allocate \$224,110 Of City Administrative Funds As Designated Herein; And (2) Awarding Nine Grant Agreements Each Year For F Y 2021-2022 And 2022-2023, Subject To Available Appropriated HUD Funds, In The Total Cumulative Annual Grants Amount Of \$5,378,638 For The Provision Of Transitional And Permanent Housing And Support Services Under Hud's CoC Program; And (3) Authorizing The City Administrator To Accept And Appropriate Additional Funds That Become Available From HUD For The Same Purposes For FY 2021-2022 Or 2022-2023, And Authorizing Amendments Of The Grant Agreements To Adjust The Grant Amounts, Without Returning To Council; And (4) Authorizing A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$31,143 Each Year For FY 2021-2022 And 2022-2023; And

[21-0171](#)

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

Approved for Non-Consent

This City Resolution be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

2) A Resolution: (1) Authorizing The City Administrator To Accept And Appropriate Social Services Agency (SSA) Grant Funds From Alameda County In An Amount Of \$350,004 Each Year For Fiscal Year (FY) 2021-2022 And 2022-2023 To Fund The Henry J. Robinson Multi Service Center (HRMSC); And (2) Awarding A Grant To Bay Area Community Services (BACS), Subject To Available Appropriated SSA Funds, In An Amount Of \$340,004 Each Year For FY 2021-2022 And 2022-2023, For The Provision Of Transitional Housing And Supportive Services At The HRMSC; And (3) Authorizing The City Administrator To Accept And Appropriate Additional SSA Funds That Become Available From Alameda County For FY 2021-2022 Or 2022-2023, And Authorizing Amendment Of The Grant Agreements With BACS To Adjust The Grant Amount, Without Returning To Council; And (4) Authorizing A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$5,168 Each Year For FY 2021-2022 And 2022- 2023

[21-0172](#)

Attachments: [View Legislation](#)

Approved for Non-Consent

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

3.6 Subject: Reallocate Funds For Urban Forest Master Plan Community Engagement
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To (1) Increase The Contract For The Citywide Street And Urban Park Tree Inventory And Oakland's Urban Forest Master Plan (UFMP) With Davey Resource Group, Inc. (DRG) In The Amount of Forty-Six Thousand (\$46,000), From Six Hundred And Twenty-Five Thousand Dollars (\$625,000) To A Grand Total Amount of Six Hundred And Seventy-One Thousand Dollars (\$671,000) So That DRG May Subcontract With Local Community Organizations That Will Provide Equitable Community Engagement Process Support Services, And (2) Waive The Request For Proposals/Qualifications Requirement

[21-0168](#)

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

Approved for Non-Consent

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

3.7 Subject: Accela Contract Renewal And Strategic Enhancements to Permitting Systems
From: Planning And Building Department
Recommendation: Adopt A Resolution: 1. Amending The City’s Current Contract With Accela For The Continued Maintenance, Hosting, Licensing And Professional Service To Support The Accela System, By Extending The Term Of That Contract For An Additional Three Years And Increasing The Previously Authorized Amount Of That Contract By An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) For A Total Contract Amount Of Three Million Eight Hundred And Eleven Thousand Four Hundred And One Dollars (\$3,811,401); 2. Authorizing The City Administrator To Award Contracts To Accela Certified Vendors And Other Information Technology Consultants To Implement The Permitting System Service Enhancements Proposed Under The City’s Reimagining One Stop Permitting (ROSP) Initiative In An Amount Not To Exceed Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000), Which Includes A Seven Hundred Fifty Thousand Dollar (\$750,000) Contingency, For A Three-Year Term Beginning As Soon As Possible Following Adoption Of This Resolution, Without Returning To Council; 3. Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Adjustments, To Appropriate Up To Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000) From The Development Services Fund (Fund 2415) Fund Balance To Finance The Contracts Awarded To Accela Certified Vendors And Other Information Technology Consultants; And 4. Waiving The Multi-Step Solicitation Process For The Above-Referenced Contracts

[TITLE CHANGE]

[21-0173](#)

Attachments: [View Report](#)

[View Legislation](#)

Approved for Non-Consent

The Committee accepted the title change read into record

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

3.8 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](#)

This Report and Recommendation be Scheduled.to go before the *Life Enrichment Committee to be heard 3/22/2021

3.9 Subject: Informational Report On The Safe Oakland Streets (SOS) Initiative
From: Transportation Department
Recommendation: Receive An Informational Report From The Department Of Transportation, The Oakland Police Department, The Department Of Race And Equity, And The City Administrator’s Office On Comprehensive Traffic Safety Strategies That Effectively Reduce Injuries, Advance Equity And Address Speeding, Including Infrastructure Changes, Enforcement Strategies, Policy Changes, And Programs In Place Or Under Consideration In Oakland
[21-0167](#)

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

This Informational Report be Scheduled.to go before the *Public Works Committee to be heard 3/23/2021

- 3.10** Subject: Youth Ventures JPA Appointments
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Appointing Mayor Libby Schaaf, Council President Nikki Fortunato Bas, President Pro Tempore Sheng Thao, Chief Of Police Leronne Armstrong, And Director Of The Human Services Department Sara Bedford, To The Board Of Trustees Of The Youth Ventures Joint Powers Authority And Assistant Chief Of Police Darren Allison As The Official Alternate For Chief Of Police Leronne Armstrong
[TITLE CHANGE]
[21-0175](#)

Attachments: [View Legislation](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

- 3.11** Subject: East Bay Economic Development Alliance Appointments
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Appointing Councilmember Loren Taylor To The Executive Committee Of The East Bay Economic Development Alliance And Appointing Councilmember Treva Reid As Alternate Member Of The Executive Committee Of The East Bay Economic Development Alliance
[21-0176](#)

Attachments: [View Legislation](#)

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

- 3.12** Subject: Equitable, Inclusive And Transparent Alameda County Redistricting Process
From: Councilmember Kalb And Councilmember Reid
Recommendation: Adopt A Resolution Urging The Alameda County Board Of Supervisors To Allocate Adequate Resources To Establish An Independent Redistricting Commission And Create Policies To Ensure An Equitable, Inclusive And Transparent Redistricting County Process Consistent With AB 849 And AB 1276 And The Best Practice Guide Of The Asian Americans Advancing Justice-Asian Law Caucus
[21-0177](#)

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

Councilmember Reid Requested to be added as a co-sponsor

The Committee accepted the title change read into record

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[21-0100](#)

- Attachments:** [View Previously Distributed March 8, 2021 Finance and Management Agenda](#)
[View Previously Distributed March 9, 2021 Public Safety Agenda](#)
[View Previously Distributed March 11, 2021 Rules and Legislation Agenda](#)
[View Finance And Management Committee Pending List](#)
[View Public Works Committee Pending List](#)
[View Community And Economic Development Committee Pending List](#)
[View Life Enrichment Committee Pending List](#)
[View Public Safety Committee Pending list](#)
[View Rules And Legislation Committee Pending List](#)
[View Draft March 16, 2021 City Council Agenda](#)
[View Draft March 19, 2021 Rules And Legislation Committee Agenda](#)

A motion was made by Nikki Bas, seconded by Dan Kalb, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye: 4 - Thao, Bas, Fife, and Kalb

NO VOTE: 0

CHANGES MADE TO DRAFT AGENDAS, PENDING LISTS AND COUNCIL & COMMITTEE MEETINGS

CHANGES MADE TO THE COMMITTEE PENDING LIST

The Committee Accepted the following changes to the pending list

CHANGES MADE TO THE LIFE ENRICHMENT COMMITTEE PENDING LIST

Subject: Clarifying Alternative Shelter
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending Resolution Number 88077 C.M.S. Requesting The City Administrator To Follow The Center For Disease Control (CDC) Interim Guidelines On Homelessness And Covid-19 To Only Clear Encampments If Individual Housing Units Or Alternative Shelter Is Provided; Clarifying The Requirements For The Provision Of Individual Housing Units And Alternative Shelter
[20-0759](#)

- Attachments:** [View Report](#)
[View Legislation](#)
[View Report - Bas & Kaplan](#)
[View Supplemental Legislation - Kaplan & Bas 1/8/2021](#)

The Committee accepted this item be withdrawn and moved to Pending No Date Specific

This City Resolution be Withdrawn with No New Date.

CHANGES MADE TO THE PUBLIC SAFETY COMMITTEE PENDING LIST

Subject: Oakland Police Department Speeding Enforcement
From: President Pro Tempore Kalb
Recommendation: Approve A Report And Recommendation Including Enforcement And Safety From The Oakland Police Department, City Administration And The Department Of Transportation On The Protocols And Policies In Place To Enforce Laws Against Speeding, Recent History Of Speeding Enforcement Citations, Constraints, If Any, On The City's Ability To Enforce Speeding Laws, Processes The City Engages In To Monitor And Discourage The Speeding Of Motor Vehicles, And Infrastructure Priorities And Policies In Place Or Under Consideration To Inhibit The Speeding Of Motor Vehicles In Oakland; On The April 28, 2020 Public Safety Committee Agenda
[20-0138](#)

The Committee accepted staffs recommendations to Sunset this item

This Report and Recommendation be Accepted.

CHANGES MADE TO THE DRAFT MARCH 16, 2021 CITY COUNCIL AGENDA

Subject: Support Of AB 1400 (Kalra, Lee, & Santiago) Guaranteed Healthcare For All
From: Pro Tem Thao, Councilmember Kalb, Fife And President Fortunato Bas
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1400 (Kalra, Lee, & Santiago), The CalCare Act, Which Would Establish A Comprehensive Universal Single-Payer Health Care Coverage Program And A Health Care Cost Control System For The Benefit Of All Residents Of The State
[21-0143](#)

Attachments: [View Report - 1](#)
[View Report - 2](#)
[View Legislation](#)

The Committee accepted the title change read into record

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

Subject: To Allow Local Agencies To Enact Taxes On Sugar-Sweetened Beverages
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution Urging The California State Legislature And Governor Gavin Newsom To Repeal Assembly Bill 1838 To Allow Local Agencies To Tax Sugar-Sweetened Beverages To Improve Public Health
[21-0144](#)

Attachments: [View Report - 1](#)
[View Report - 2](#)
[View Report - 3](#)
[View Legislation](#)

The Committee accepted the title change read into record

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 3/16/2021

5 Determinations Of Closed Session

Open Forum (Total Time Available: 15 Minutes)

3 speakers spoke during open forum

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Rules & Legislation Committee adjourned the meeting at 11:46 a.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 8:30AM TO 5:00PM

*** In the event 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.**