



City of Oakland

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City
Clerk

Meeting Minutes - DRAFT Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

Tuesday, April 7, 2020

11:00 AM

Teleconference

Please see the agenda to participate in the meeting

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://zoom.us/j/183574264> at the noticed meeting time. Instructions on how to join a meeting by video conference is available at: <https://support.zoom.us/hc/en-us/articles/201362193> - Joining-a-Meeting
- 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):

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COMMENT:

DUE TO THE SUSPENSION OF THE SUNSHINE ORDINANCE AND COUNCIL'S RULES OF PROCEDURES 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 make public comment within the time allotted for public comment on an eligible Agenda item.

- 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 under "eComment" for the corresponding meeting. Please note that eComment submissions 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 then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be 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 request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone.

If you have any questions, please email Asha Reed, Assistant City Clerk at AReed@oaklandca.gov.

- Office of the City Clerk

PLEDGE OF ALLEGIANCE

ROLL CALL / CITY COUNCIL

*The Concurrent Meeting of the Oakland City Council and Successor
Redevelopment Agency was held on the above date. The meeting was convened at
11:04 A.M.*

Present 8 - Dan Kalb, Larry Reid, Lynette McElhaney, Noel Gallo, Sheng Thao, Loren Taylor,
Nikki Bas, and Rebecca Kaplan

1 PUBLIC COMMENT

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

There were 18 speakers on this item.

2 Adopt The Following Actions to Authorize Needed Contracts and Leases:

A Subject: On-Call Paving Contract Extension
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution To Waive Advertising And Competitive Bidding And Increase The
As-Needed Pavement Rehabilitation Services Contract With McGuire & Hester By An
Amount Of Eleven Million Dollars (\$11,000,000.00) From Ten Million, Nine Hundred And
Eighty-Two Thousand, Two Hundred Dollars (\$1 0,982,200.00) To A Total Contract
Amount Of Twenty-One Million, Nine Hundred And Eighty-Two Thousand, Two Hundred
Dollars (\$21 ,982,200.00); And
[20-0274](#)

Attachments: [View Report](#)
[View Report - Resolution](#)
[88083 CMS](#)

This City Resolution be Adopted.

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

NO VOTE: 0

2) A Resolution To Waive Advertising And Competitive Bidding And Increase The As-Needed Pavement Rehabilitation Services Contract With Gallagher & Burke, Inc. By An Amount Of Eleven Million Dollars (\$11,000,000.00) From Ten Million, Nine Hundred And Ninety-Four Thousand, Six Hundred Dollars (\$10,994,600.00) To A Total Contract Amount Of Twenty-One Million, Nine Hundred And Ninety Four Thousand, Six Hundred Dollars (\$21,994,600.00)

[20-0276](#)

Attachments: [View Report](#)

[88084 CMS](#)

This City Resolution be Adopted.

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

NO VOTE: 0

B Subject: Contract Award For Safe Routes To Transit Improvements
From: Transportation Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Ray's Electric Inc., For Safe Routes To Transit Improvements On College Avenue From Broadway To Alcatraz Avenue, Project No. 1000653, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Two Million Two Hundred Ninety-Two Thousand Five Hundred Ninety -Nine Dollars And Fifty Cents (\$2,292,599.50)

[20-0271](#)

Attachments: [View Report](#)

[View Report - Attachment A](#)

[View Report - Attachment B](#)

[View Report - Attachment C](#)

[View Report - Attachment D](#)

[View Report - Attachment E](#)

[View Report - Attachment F](#)

[View Report - Attachment G](#)

[View Report - Attachment H](#)

[View Report - Attachment I](#)

[View Report - Resolution](#)

[88085 CMS](#)

This City Resolution be Adopted.

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

NO VOTE: 0

- C** Subject: Ordinance Authorizing Emergency Shelter Leases
From: Office Of The City Administrator
Recommendation: Adpot An Ordinance: 1) Authorizing The City Administrator To Enter Into Three-Year Leases, Each At No Monthly Rent, With Covenant House On Caltrans Property Leased By The City, Roots Community Health Center On The City-Owned Home Base Lot, And Youth Spirit Artworks On The Home Base Lot In Exchange For The Foregoing Entities Agreement To Provide Emergency Shelter And Services To Oakland Residents; 2) Awarding Agreements For Professional Services, At No Cost To The City, To Covenant House, Roots Community Health Center, And Youth Spirit Artworks For The Provision Of Emergency Shelter And Services To Oakland Residents; 3) Waiving The Competitive Bidding Process; And 4) Adopting California Environmental Quality Act (CEQA) Exemption Findings
[20-0277](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Exhibit A](#)
[View Exhibit B](#)
[View Exhibit C](#)
[View Supplemental Legislation 4/14/2020](#)
[View Supplemental Redline Legislation - 4/16/2020](#)
[View Supplemental Legislation - 4/16/2020](#)
[View Supplemental Exhibit A- 4/16/2020](#)
[View Supplemental Legislation 5/1/2020](#)

This Ordinance be Approved On Introduction and Scheduled for Final Passage.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 4/21/2020

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

NO VOTE: 0

E Subject: Annual Physical Examination For Oakland Firefighters
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Enter Into An Agreement With Emeryville Occupational Medical Center To Provide Annual Physical Examinations Of Sworn Oakland Fire Department Employees For The Period Of March 1, 2020 Through February 28, 2022, In An Amount Not To Exceed Seven Hundred And Fifty Thousand Dollars (\$750,000.00), With An Optional Two-Year Extension At A Cost Up To Seven Hundred And Fifty Thousand Dollars (\$750,000.00), For A Total Amount Not To Exceed One Million And Five Hundred Thousand Dollars (\$1,500,000)

[20-0280](#)

Attachments: [View OFD Annual Firefighters Exam Report](#)

[View Legislation](#)

[88086 CMS](#)

This City Resolution be Adopted.

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

NO VOTE: 0

F Subject: Professional Auditing Services, FY 2020-22
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Contract To Macias Gini & O'connell, LLP To Provide Professional Auditing Services For Fiscal Years Ending June 30, 2020 And June 30, 2021 In An Amount Not To Exceed \$1,340,850 (Of Which \$1,292,950 Will Be Funded By The City Of Oakland And \$47,900 Will Be Funded By The Oakland Redevelopment Successor Agency), With Three Possible One-Year Extensions For Audit Services For Fiscal Years Ending June 30, 2022, June 30, 2023, And June 30, 2024 For A Total Contract Amount Not To Exceed \$3,506,953, Contingent On Available Funding; And

[20-0309](#)

Attachments: [View External Auditor Report](#)

[View External Auditor Legislation](#)

[88087 CMS](#)

This City Resolution be Adopted.

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

NO VOTE: 0

2) An Oakland Redevelopment Successor Agency Resolution Authorizing The Agency Administrator To Award A Contract To Macias Gini & O'connell, LLP To Provide Professional Auditing Services For Fiscal Years Ending June 30, 2020 And June 30, 2021 In An Amount Not To Exceed \$1,340,850 (Of Which \$1,292,950 Will Be Funded By The City Of Oakland And \$47,900 Will Be Funded By The Oakland Redevelopment Successor Agency), With Three Possible One-Year Extensions For Audit Services For Fiscal Years Ending June 30, 2022, June 30, 2023, And June 30, 2024 For A Total Contract Amount Not To Exceed \$3,506,953, Contingent On Available Funding
[20-0268](#)

Attachments: [View Legislation](#)
[2020-002 CMS](#)

This ORSA Resolution be Adopted.

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

NO VOTE: 0

G Subject: Contract With GRM Information Management Services
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Waiving The Request For Proposals/Qualifications Process And Authorizing The City Administrator To Execute The Fifth And Final Amendment To The Contract With GRM Information Management Services ("GRM") To Extend The Contract Under The Current Contract Terms Through June 30, 2020 In An Additional Amount Not To Exceed \$96,000
[20-0319](#)

Attachments: [GRM Reso](#)
[Report GRM Contract Ext](#)
[88088 CMS](#)

This City Resolution be Adopted.

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

NO VOTE: 0

H Subject: Animals Services Contract
From: Animal Services Contract
Recommendation: Adopt A Resolution Waiving Advertising And The Request For Proposals/Qualifications Process And Authorizing The City Administrator To Extend The Agreement Under The Same Terms And Conditions With East Bay Society For The Prevention Of Cruelty To Animals ("EBSPCA") For As- Needed Spay/Neuter And Other Veterinary Services From December 31, 2019 Through June 30, 2020, In An Amount Not To Exceed One Hundred Eighty Three Thousand Five Hundred Six Dollars (\$183,506.00), For A Total Contract Amount Of Four Hundred Thirty Three Thousand Five Hundred Five Dollars And Ninety Nine Cents (\$433,505.99)
[20-0313](#)

Attachments: [View EBSPCA Report](#)
[View Legislation](#)
[View Supplemental Agenda Report](#)
[View Supplemental OAS - EBSPCA Legislation](#)
[88098 CMS](#)

This City Resolution be Withdrawn and Rescheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 4/21/2020

3 Adopt the Following Actions Authorizing Grants:

This be Approve as Submitted.

A Subject: AC-OCAP 2020-2022 CSBG Grantee Resolution
From: Human Services Department
Recommendation: Adopt A Resolution: 1. Awarding Grants To Anti -Poverty Service Providers For The Alameda County - Oakland Community Action Partnership (AC-OCAP) 2020 Community Services Block Grant (CSBG) Program Year; 2. Waiving The Competitive Request For Proposals/Qualifications Process And Authorizing Procurement Of Advertising Services For The AC-OCAP Anti -Poverty Program; 3. Authorizing Amendments To The Grants And Procurement From The Service Providers: A. For Extensions Through The 2021 And 2022 CSBG Program Years; And B. To Increase The Amounts If Additional CSBG Funding Becomes Available During The 2020-2022 Three-Year CSBG Funding Cycle
[20-0275](#)

Attachments: [View Report](#)
[View Report - Resolution](#)
[88089 CMS](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

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

NO VOTE: 0

- B** Subject: Head Start-Early Head Start Grant Application FY 2020-21
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing: 1. The City To Apply For, Accept And Appropriate Federal Head Start Grants For Fiscal Year (FY) 2020-2021 In An Amount Not To Exceed \$17,179,680; And 2. Award Of Grants To Providers Of Comprehensive Early Care, Education And Family Services For The City's Head Start Program From July 1; 2020 To June 30, 2021; And 3. Approving A 1.00 Full-Time Equivalency Health And Human Services Planner, Pending Council Approval In The Midcycle Adopted Budget; And 4. Acceptance And Appropriation Of Additional Funding That Becomes Available For The Same Purposes During The Same Grant Term And Amendment Of The Agreements Without Returning To Council; And 5. A Contribution From The General-Purpose Fund In An Estimated Amount Of \$2,437,623 For FY 2020-2021 Central Services Overhead Charges
[20-0282](#)

Attachments: [View Report](#)
[View Report - Attachment A](#)
[View Report - Resolution](#)
[88090 CMS](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

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

NO VOTE: 0

- C** Subject: Major Encroachment Permit At 255 9th Avenue
From: Transportation Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Zarison-OHP I, LLC, To Allow Portions Of The New Building Above Grade To Encroach Into The Public Right-Of-Way On 8th Avenue, Clinton Lane, And 9th Avenue, Major Encroachment Permit ENMJ19065
[20-0263](#)

Attachments: [View Report](#)
[View Report - Resolution](#)
[88091 CMS](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

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

NO VOTE: 0

- D** Subject: Graffiti Abatement Mural
From: Councilmember Loren Taylor
Recommendation: Adopt A Resolution Rescinding Resolution No. 85568 And Awarding Grants From Councilmember Loren Taylor's Graffiti Abatement Mural And Green Wall Fund To: 1) Higher Gliffs, Inc. (Doing Business As Community Rejuvenation Project) In An Amount Not To Exceed \$7,500 For A Mural At 7134 International Boulevard In District 6, And 2) Occur In An Amount Not To Exceed \$42,500 For The Administration Of A Mural Program In District 6
[20-0320](#)

Attachments: [View Report](#)
[View Supplemental Legislation - 4/6/2020](#)
[88092 CMS](#)

The City Attorney read a title change into record

This City Resolution be Adopted as Amended.

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

NO VOTE: 0

4 Adopt the Following Actions Authorizing Governor Pardons:

This be Approve as Submitted.

- A** Subject: Urging Pardons To Southeast Asian Refugee Communities
From: Councilmember Thao And Bas
Recommendation: Adopt A Resolution Condemning Deportations Of Southeast Asian Refugee Communities By The Trump Administration's Immigration And Customs Enforcement (ICE); Respectfully Urging Governor Newsom To Grant Pardons To Sakhone Lasaphangthong And Somdeng "Danny" Thongsy To Allow Them To Remain In The United States And To Protect Our Lao, Hmong, Lu-Mien, Khmu, And Immigrant Community
[20-0302](#)

Sponsors: Bas

Attachments: [View Thongsy Lasaphangthong Pardon Memo](#)
[View Thongsy and Lasaphangthong Pardon Legislation](#)
[88093 CMS](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

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

NO VOTE: 0

- B** Subject: Resolution Calling For The Immediate Release Of Kelly Gonzalez Aguilar
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Calling For The Immediate Release Of Kelly Gonzalez Aguilar From United States Immigration And Customs Enforcement Custody [20-0307](#)

Attachments: [View Aguliar Report And Legislation](#)
[88094 CMS](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

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

NO VOTE: 0

- 5** Subject: Mobile ID Privacy Policy
From: Oakland Police Department
Recommendation: Adopt A Resolution Approving The Oakland Police Department (OPD) Mobile Identification Device (MID) Use Policy And Surveillance Impact Report [20-0262](#)

Attachments: [View Report And Legislation](#)
[View Attachment A](#)
[View Attachment B](#)
[88095 CMS](#)

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

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

NO VOTE: 0

- 6** Subject: Amendment To The Salary Ordinance For Various Classifications
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Ethics Analyst III; To Add The Full-Time Classification Of Sign Shop Coordinator; To Amend The Title Of The Full-Time Classification Of Fire Prevention Bureau Inspector (Civilian) To Fire Inspector; And To Amend The Salary Of The Part-Time Classification Of Senior Aide To Ensure Compliance With The City Of Oakland's Minimum Wage
[20-0166](#)

Attachments: [View Salary Ordinance Report](#)
[View Salary Ordinance](#)
[13590 CMS](#)

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

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

NO VOTE: 0

- D** Subject: Downtown Oakland Specific Plan And EIR
From: Planning & Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Professional Services Contract Between The City Of Oakland And Dover, Kohl & Partners In The Amount Of Two Hundred Fourteen Thousand One Dollars (\$214,001), Plus An Additional Project Contingency Amount Of Twenty-One Thousand, Four Hundred Dollars (\$21,400) For Enhanced Services Related To The Downtown Oakland Specific Plan And Environmental Impact Report
[20-0234](#)

Attachments: [View Downtown Specific Plan Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)
[88096 CMS](#)

There was a motion by Councilmember Bas, seconded by Councilmember Thao to approve staff recommendations and also directing staff to release an informational memo addressing citizen concerns to be released in 4 weeks.

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

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

NO VOTE: 0

Vice Mayor Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Dr. Wheatley Audi Wheatley

Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Barbara Johnson Hopper and Aileene Laughlin

Councilmember Thao took a point of personal privilege and requested that the meeting be adjourned in memory of all those who have lost their lives to Covid-19

Councilmember Kalb made a scheduling motion, seconded by Councilmember McElhaney to schedule an Oral Status Report from the City Administration on the local financial impacts of the COVID-19 crisis on the Fiscal Year (FY) 2019-21 budget, and financial impacts, challenges and available assistance to our public sector workers, and to Oakland small businesses and their employees, on the April 21, 2020 City Council meeting. The scheduling motion passed with a vote of 8 Ayes (Bas, Gallo, Kalb, McElhaney, Reid, Taylor, Thao and President Kaplan)

Subject: Financial Impacts Of COVID-19

From: Councilmember Kalb

Recommendation: Receive An Oral Status Report From The City Administration On The Local Financial Impacts Of The COVID-19 Crisis On The Fiscal Year (FY) 2019-21 Budget, And Financial Impacts, Challenges And Available Assistance To Our Public Sector Workers, And To Oakland Small Businesses And Their Employees
[20-0321](#)

Attachments: [View COVID-19 Informational Memo](#)

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

There were 2 speakers on this item

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Dr. Wheatley, Barbara Hopper, Aileen Laughlin and all those who have lost their lives to the Covid-19 virus at 1:59 p.m.

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote Of The Council)

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.