

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, September 21, 2021

1:00 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 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/84614872331> 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: 846 1487 2331

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

The Special Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. The meeting was convened at 1:00 P.M.

ROLL CALL / CITY COUNCIL

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

ACTIONS ON SPECIAL ORDERS OF THE DAY (Ceremonial Presentations, Reports/Presentations From The Mayor, Council Acknowledgements/Announcements):

Oakland's First Poet Laureate, Ms. Ayodele Nzinga, Remarks

1 PUBLIC COMMENT:

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

There were 50 Public Comment Speakers

2 CONSENT CALENDAR (CC) ITEMS:

Councilmember Gallo made a motion, seconded by Council President Fortunato Bas, to move Item 2.16 to Non-Consent

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

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

NO VOTE: 0

Approval of the Consent Agenda

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

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

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
[21-0609](#)

Attachments: [View Report](#)

This City Resolution be 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
[21-0610](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 2.3 Subject: Declaration Of A Local Emergency On Homelessness
From: Vice Mayor 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
[21-0611](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 2.4 Subject: Celebrating Peter Kim For Over 20 Years of Service
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Celebrating Peter Kim For Over 20 Years of Dedicated And Distinguished Service To The City Of Oakland
[21-0633](#)

Attachments: [View Report](#)

[View Supplemental Legislation - 9/17/2021](#)

Council Committee requested to be added as a Co-Sponsors

This City Resolution was Adopted.

- 2.5 Subject: Appreciating City Of Oakland Employees On World Gratitude Day
From: Council President Fortunato Bas
Recommendation: Adopt A Resolution Recognizing September 21, 2021 As World Gratitude Day And Appreciating City Of Oakland Employees For Their Unwavering Dedication To Serving The City And Residents Of Oakland
[21-0634](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Legislation - 9/17/2021](#)

This City Resolution was Adopted.

- 2.6** Subject: Oakland Police And Fire Retirement Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Approving The Mayor's Reappointment Of R. Steven Wilkinson As A Member Of The Oakland Police And Fire Retirement Board
[21-0608](#)

Attachments: [View Report & Legislation](#)

This City Resolution was Adopted.

- 2.7** Subject: Police Commissioner Appointment
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Accepting The Selection Panel's Slate Of One Police Commissioner (Rudolph Howell) To Serve On The City Of Oakland Police Commission
[21-0623](#)

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

This City Resolution was Adopted.

- 2.8** Subject: Ratifying Action Taken By The Mayor During The Oakland City Council 2021 Annual Recess
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The Oakland City Council 2021 Annual Recess In Conformance With The Council's Rules Of Procedure Codified In Resolution No. 88266 C.M.S., Passed July 28, 2020
[21-0622](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment B \(2\)](#)
[View Legislation](#)

This City Resolution was Adopted.

- 2.9** Subject: 2021 Mills Act Contract Recommendations
From: Planning And Building Department
Recommendation: Adopt A Resolution, As Recommended By The Landmarks Preservation Advisory Board, Approving Five (5) Mills Act Contracts Between The City Of Oakland And The Properties At 1420 Magnolia Street, 1120 Chester Street, 1020-22 Bella Vista Avenue, 671 Longridge Road, And 901 Trestle Glen Road, Pursuant To Ordinance No. 12987 C.M.S., To Provide Property Tax Reductions In Exchange For Owners' Agreement To Repair And Maintain Historic Properties In Accordance With Submitted Work Programs And Approving Total City Tax Revenue Reduction Estimated To Be Below \$25,000 Per Year
[21-0619](#)

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

This City Resolution was Adopted.

- 2.10** Subject: Removal Of Co-Developer At Harp Plaza Apartments
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Amending City Council Resolution No. 87018 C.M.S., Which Authorized \$3 Million In Loan Funding For The Harp Plaza Apartments Project, To Remove Dignity Housing West Inc. As Co-Developer With Community Housing Development Corporation
[21-0624](#)

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

This City Resolution was Adopted.

- 2.11** Subject: Accept And Appropriate Sustainable Communities Grant Funds
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Sustainable Communities Competitive Grant Funds Totaling Five Hundred Thousand Dollars (\$500,000) To Implement The Chinatown Complete Streets Plan, Allocate Seventy Thousand Five Hundred Dollars (\$70,500) In Measure BB Funds As The Required City Local Match; And Adopt Appropriate California Environmental Quality Act (CEQA) Findings
[21-0625](#)

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

This City Resolution was Adopted.

- 2.12** Subject: Contract Award For Active Transportation Program Grant Project
From: Transportation Department
Recommendation: Adopt A Resolution (1) Awarding A Construction Contract To Ray's Electric As The Lowest, Responsible, And Responsive Bidder For The "Crossing To Safety" Project (No. 1004387) Funded By The Active Transportation Program/Cycle 3/Augmentation Round As The Lowest, Responsible, And Responsive Bidder In Accord With The Project Plans, Specifications, And State Requirements, And The Contractor's Bid In The Amount Of Two Million Nine Hundred Seventy-One Thousand Dollars (\$2,971,000) And (2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings
[21-0632](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Resolution](#)

This City Resolution was Adopted.

2.13 Subject: Professional Services Agreement With Golden State Emergency Vehicle Services
From: Oakland Public Works Department
Recommendation: Adopt The Following Resolution: 1. Awarding An Agreement To Golden State Emergency Vehicle Service, Inc. In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000) For A One-Year Term Beginning July 1, 2021 And Ending June 30, 2022 For Maintenance, Repairs, And Parts For Fire Department Emergency Response Vehicles And Related Equipment; And 2. Authorizing The City Administrator To Renew The Agreement With Golden State Emergency Vehicle Service, Inc. For Two (2) Additional One-Year Terms In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000) Per Year, For A Total Contract Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000) Without Returning To Council; And 3. Waiving The Advertising, Competitive Bidding And Request For Proposal/Qualifications (RFP/Q) Requirements
[21-0626](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Attachment E](#)
[View Attachment F](#)
[View Legislation](#)

This City Resolution was Adopted.

- 2.14** Subject: Professional Services Agreement With Alameda County Fire Department
From: Oakland Public Works Department
Recommendation: Adopt A Resolution: 1. Awarding An Agreement To Alameda County Fire Department In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) For A One-Year Term Beginning July 1, 2021 And Ending June 30, 2022 For Maintenance, Repairs, And Parts For Fire Department Emergency Response Vehicles And Related Equipment; And 2. Authorizing The City Administrator To Renew The Agreement With Alameda County Fire Department For Two (2) Additional One-Year Terms In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) Per Year, For A Total Contract Amount Not To Exceed Six Hundred Thousand Dollars (\$600,000.00), Without Returning To Council; And 3. Waiving The Advertising, Competitive Bidding And Request For Proposal/Qualifications (RFP/Q) Requirements [21-0627](#)

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

This City Resolution was Adopted.

- 2.15** Subject: OPD Concord Police Association Firearms Range Agreement
From: Oakland Police Department
Recommendations: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into An Agreement With The Concord Police Officers Association (CPA) To Define The Terms For Use Of The CPA Firearms Range By The Oakland Police Department (OPD) In An Amount Not To Exceed Two Hundred Sixty Thousand Dollars (\$260,000) Per Year For A Three (3) Year Term For The Period Of January 1, 2022 Through December 31, 2024, For A Total Not To Exceed Amount Of Seven Hundred Eighty Thousand Dollars (\$780,000) [21-0628](#)

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

This City Resolution was Adopted.

- 2.17** Subject: City Of Emeryville Funding For Family Front Door & Winter Shelter FY 2021-22
From: Human Services Department
Recommendation: Adopt A Resolution To: 1) Accept And Appropriate Funds From The City Of Emeryville In An Amount Not To Exceed \$55,000 To Support Emergency Shelter Operations For July 1, 2021 Through June 30, 2022, And Authorize An Agreement For Receipt Of Said Funds; And 2) Award Grant Agreements To: 1) Cornerstone Community Development Corporation, DBA Building Futures For Women And Children In An Amount Not To Exceed \$25,000 To Operate The Family Front Door; And 2) The Society Of Saint Vincent De Paul In An Amount Not To Exceed \$30,000 To Provide Emergency Shelter For Single Adults; And 3) Accept And Appropriate Additional Funds That Become Available From The City Of Emeryville, For The Same Purposes, Within The Grant Term Of July 1, 2021 Through June 30, 2022 And Authorize The City Administrator To Amend The Grant Agreements To Adjust The Grant Amounts
[21-0637](#)

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

This City Resolution was Adopted.

- 2.18** Subject: Youth Spirit Artworks Timeframe Extension And Grant Increase
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Grant Agreement With Youth Spirit Artworks (YSA) For The Provision Of Transitional Housing And Supportive Services For Homeless Transitional Age Youth In Oakland To Extend The Term Through June 30, 2022 And To Increase The Grant Amount By Two Hundred Twenty Thousand Dollars (\$220,000) For A Total Grant Amount Of Six Hundred Thirty-One Thousand Three Hundred Sixteen Dollars (\$631,316)
[21-0638](#)

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

This City Resolution was Adopted.

2.19 Subject: Resolution In Support Of House Resolution 3755
From: President Pro Tempore Thao And Vice Mayor Kaplan
Recommendation: Adopt A Resolution In Support Of House Resolution 3755 (Chu),
“Women’s Health Protection Act Of 2021”, Which Would Codify Roe V. Wade Into
Federal Law In Order To Protect A Woman’s Right To Choose
[21-0676](#)

Attachments: [View Legislation](#)

The Council Committee Approved as amended the following:

Adding President Fortunato Bas as a Co-Sponsor and,

adding after the name (Chu): and Lee

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

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

NO VOTE: 0

2.20 Subject: Emergency Shelter Crisis Ordinance
From: Council President Fortunato Bas And Vice Mayor Kaplan
Recommendation: Adopt An Emergency Ordinance Declaring A Shelter Crisis In The
City Of Oakland; Making Findings That A Significant Number Of Persons Are Without The
Ability To Obtain Shelter, And That The Situation Has Resulted In A Threat To The Health
And Safety Of Those Persons; And Authorizing The City Administrator To Suspend
Provisions Of State Or Local Regulatory Statutes, Regulations, And Ordinances
Prescribing Standards Or Procedures Relating To Housing, Health, Or Safety For
Additional Shelter Facilities If Needed; And Making California Environmental Quality Act
Exemption Findings
[21-0672](#)

Attachments: [View Report](#)

[View Legislation](#)

This Ordinance was Approved for Final Passage.

**3 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

3.1 Subject: Appeal Of 1396 5th Street Project
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
Following Three Options:

1) A Resolution Denying The Appeal By East Bay Residents For Responsible
Development And Thus Upholding The Planning Commission's Environmental
Determination And Approval Of A Proposal To Construct 222 Dwelling Units On The
Existing Vacant Lot Located At 1396 5th Street, Oakland CA (Project Case No.
PLN20-101); Or
[21-0482](#)

- Attachments:** [View Report](#)
[View Report Attachment A](#)
[View Report Attachment B](#)
[View Report Attachment C](#)
[View Legislation](#)
[View Supplemental Report 9/17/2021](#)
[View Supplemental Attachment A 9/17/21](#)
[View Supplemental Attachment B 9/17/2021](#)
[View Supplemental Attachment C 9/17/2021](#)
[View Supplemental Attachment D 9/17/2021](#)
[View Supplemental Legislation 9/17/2021](#)

***Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at
4:10 P.M.***

20 individuals spoke on this item.

***Councilmember Taylor made a motion, seconded by Councilmember Fife, to close
the Public Hearing, and hearing no objections, the motion passed by 8 Ayes:
Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas***

***Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to adopt
option 3; Directing Staff To Prepare A Resolution, and hearing no objections, the
motion passed by with the following vote: 8Ayes: Fife, Gallo, Kalb, Kaplan, Reid,
Taylor, Thao, and Fortunato Bas***

**A motion was made by Carroll Fife, seconded by Rebecca Kaplan, that this
matter be Not Adopted. The motion carried by the following vote:**

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

NO VOTE: 0

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Deny The Appeal With Additional Conditions; Or
[21-0483](#)

Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 4:10 P.M.

20 individuals spoke on this item.

Councilmember Taylor made a motion, seconded by Councilmember Fife, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to adopt option 3; Directing Staff To Prepare A Resolution, and hearing no objections, the motion passed by with the following vote: 8Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Carroll Fife, seconded by Rebecca Kaplan, that this matter be No Action Taken. The motion carried by the following vote:

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

NO VOTE: 0

3) A Motion To Direct Staff To Prepare A Resolution For Future City Consideration To Uphold The Appeal
[21-0484](#)

Upon the reading of Item 3.1 by the City Clerk, the Public Hearing was opened at 4:10 P.M.

20 individuals spoke on this item.

Councilmember Taylor made a motion, seconded by Councilmember Fife, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to adopt option 3; Directing Staff To Prepare A Resolution and focus research on how it impact citizens

and hearing no objections, the motion passed by with the following vote: 8Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Carroll Fife, seconded by Rebecca Kaplan, that this matter be Approved. The motion carried by the following vote:

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

NO VOTE: 0

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

3.2 Subject: Mandatory Delinquent Trash Fees 2021
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Three Options:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of April, May, And June 2021 And Quarterly Periods Of July September 2021; Or

[21-0629](#)

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

Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 5:42 P.M.

4 individuals spoke on this item.

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan , to close the Public Hearing, and hearing no objections, the motion passed by 9 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to adopt option 3 Continuing The Hearing, and bring back heat map showing districts most impacted and an racial impact analysis

and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Carroll Fife, seconded by Rebecca Kaplan, that this matter be Not Adopted. The motion carried by the following vote:

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

NO VOTE: 0

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection For The Monthly Periods Of April, May, June 2021 And Quarterly Periods Of July-September 2021 (Option 2); Or

[21-0630](#)

Attachments: [View Legislation](#)

Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 5:42 P.M.

4 individuals spoke on this item.

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan , to close the Public Hearing, and hearing no objections, the motion passed by 9 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to adopt option 3 Continuing The Hearing, and bring back heat map showing districts most impacted and an racial impact analysis

and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

A motion was made by Carroll Fife, seconded by Rebecca Kaplan, that this matter be Not Adopted. The motion carried by the following vote:

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

NO VOTE: 0

3) A Resolution Continuing The Hearing Of The Reports Of The City Administrator On Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code For The Monthly Periods Of April, May, June 2021 And Quarterly Periods Of July-September 2021 (Option 3)

[21-0631](#)

Attachments: [View Legislation](#)

Upon the reading of Item 3.2 by the City Clerk, the Public Hearing was opened at 5:42 P.M.

4 individuals spoke on this item.

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan , to close the Public Hearing, and hearing no objections, the motion passed by 9 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

Councilmember Fife made a motion, seconded by Vice Mayor Kaplan, to adopt as amended option 3 Continuing The Hearing, amending the date to return and bring back a heat map showing districts most impacted and an racial impact analysis.

and hearing no objections, the motion passed by with the following vote: 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

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

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

NO VOTE: 0

4 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION & DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JULY 20, AT 9 AM AND 1:30 PM, JULY 26 AND 30, 2021

[21-0605](#)

Attachments: [View July 20, 2021 9 AM Report](#)

[View July 20, 2021 1:30 PM Report](#)

[View July 26, 2021 Report](#)

[View July 30, 2021 Report](#)

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

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

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 10** Subject: Measure Z Compliance And The Hiring Plan
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution Directing The City Administrator To Return To The City Council, If Necessary, With A Report Regarding OPD Staffing Levels And Measure Z Compliance, Proposing Any Recommended Amendments To The Hiring Plan To Ensure Measure Z Compliance
[21-0678](#)

Attachments: [View Legislation](#)

The agenda was modified to have item 10 be taken after item 5

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

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

No: 2 - Fortunato Bas, and Fife

NO VOTE: 0

- 9** Subject: Additional Police Academy And Enhancing Local Recruitment
From: President Pro Tempore Thao
Recommendation: Adopt A Resolution: 1. Authorizing The City Administrator To Use Fiscal Year 2021-22 Police Department Cost Savings To Conduct An Additional Police Academy; 2. Directing The City Administrator To Enhance Efforts To Recruit Police Cadets With Diverse Backgrounds And From Local Community Colleges And Institutions; 3. Directing The City Administrator To Return To Council With Costing For An Additional Police Academy In Fiscal Year 2022-23; And 4. Directing The City Administrator To Return To Council With Potential Options For Providing Childcare For Police Academy Cadets, Including Operational Feasibility And Projected Costs
[21-0679](#)

Attachments: [View Legislation](#)

The agenda was modified to have item 9 be taken after item 10

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

Aye: 6 - Thao, Taylor, Gallo, Kalb, Kaplan, and Reid

No: 2 - Fortunato Bas, and Fife

NO VOTE: 0

- 2.16** Subject: Declaring Gun Violence A Public Health Crisis
Form: Councilmember Reid
Recommendation: Adopt A Resolution Declaring Gun Violence In The City of Oakland A Public Health Crisis And Requesting The Alameda County Board Of Supervisors To Deploy Resources To The City Of Oakland's Neighborhood Violence Prevention Programs And Services
[21-0635](#)

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

The agenda was modified to have item 2.16 be taken after item 9

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

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

NO VOTE: 0

- 6** 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](#)

The Council Committee Referred this item to Rules for Scheduling

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Referred to go before the *Rules & Legislation Committee, to be heard 9/23/2021. The motion carried by the following vote:

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

NO VOTE: 0

7 Subject: OPD Axon Body-Worn Camera Contract
From: Oakland Police Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Oakland Police Department (OPD) Body-Worn Camera (BWC) Surveillance Use Policy And Surveillance Impact Report
[21-0636](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Attachment A](#)
[View Attachment B](#)
[View Supplemental Legislation - 9/17/2021](#)

The Council Committee approved staffs recommendations as amended to include the following:

2nd Resolved Clause: That City Council dose hereby accept but not adopted The OPD DGO I:15 BWC786 use policy as provided in attachment B to the report accompanying this resolution for the purpose of on going contract negotiations

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:

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

NO VOTE: 0

2) A Resolution: 1. Authorizing The City Administrator To Negotiate And Enter Into A Contract With Axon, Inc. To Purchase 786 Body-Worn Cameras (BWC), 786 Electronic Control Weapons (ECW), Cloud-Storage For The Audio And Video BWC Storage System Known As Evidence.Com, And Interview Room Cameras, For The Five Year Period Of January 1, 2022 Through December 31, 2026, For An Annual Cost Not To Exceed One Million Six Hundred Thirty Eight Thousand Five Hundred Five Dollars (\$1,638,505) For A Total Five Year Contract Cost Not To Exceed Eight Million One Hundred Ninety Two Thousand Five Hundred Twenty Five Dollars (\$8,192,525); And 2. Waiving The City's Advertising / Bidding And Request For Proposal Requirements For The Proposed Contract

[21-0639](#)

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

The Council Committee approved staffs recommendations as amended to strike the following:

From Both The Title and the 1st RESOLVED Clause: and interview room cameras.

:

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

NO VOTE: 0

8 Subject: CASS, Inc. Exclusive Negotiation Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Exclusive Negotiation Agreement (ENA) With CASS, Inc. For Relocation Of Its Recycling Facilities To 101 Admiral Robert Toney Way, With A Term Of Nine Months, With Two Three-Month Administrative Extensions, And Payment Of A Nonrefundable ENA Payment Of \$60,000; And Adopting California Environmental Quality Act Findings
[21-0640](#)

Sponsors: Economic & Workforce Development Department

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

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

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

NO VOTE: 0

- 11 Subject: Status Of Grants Authorized By Council
From: Vice Mayor Kaplan
Recommendation: Accept An Oral Report From The City Administrator On The Status Of Issuing Grants Funded By Council Spring Of 2021
[21-0649](#)

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Received and Filed. The motion carried by the following vote:

Aye: 7 - Thao, Taylor, Fortunato Bas, Fife, Kalb, Kaplan, and Reid

Absent: 1 - Gallo

NO VOTE: 0

- 12 Subject: Oral Reports From Outside Boards And Commissions
From: Vice Mayor Kaplan
Recommendation: Receive Oral Reports From Representatives On Outside Boards And/Or Commissions To Provide The City Council With A Briefing On General Business Regarding The Issues, Activities, And The Agenda Of The Body On Which The Representative Serves
[21-0588](#)

Vice Mayor Kaplan noted this item will be brought back to Rules and Legislation Committee for rescheduling

This Informational Report be Withdrawn with No New Date.

ANNOUNCEMENTS / ADJOURNMENTS IN MEMORY OF

Vice Mayor Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of People Of Hati

Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Keandre Allums, and Councilmember requested to be added

Council President Fortunato Bas took a point of personal privilege and requested that the meeting be adjourned in memory of Ruby Stine

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

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)

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of People of Hati, Keandre Allums, Ruby Stine and Michael Cortez at 10:13 P.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

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.