



City of Oakland

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

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

Tuesday, June 9, 2020

11:30 AM

Tele-Conference

Please See The Agenda To Participate In The Meeting

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. The meeting was convened at 11:32 AM.

ROLL CALL / CITY COUNCIL

Councilmember McElhanev arrived at 11:36 PM

Present 8 - Dan Kalb, Larry Reid, Lynette McElhanev, 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.**

51 speakers spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Bas, to take items #5 and #6 together and hear them first.

Vice Mayor Reid made a motion, seconded by Councilmember McElhanev, to not hear items #5 and #6, and to consider the items with the Mid Cycle Budget.

Vice Mayor Reid withdrew his motion.

- 5** Subject: Creation Of The Department Of Workplace & Employment Standards
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled "City Agencies, Departments And Offices" To Create The Department Of Workplace And Employment Standards Focusing On Workplace Protections And Employment Standards To Implement Measure Z (Hotel Minimum Wage And Working Conditions Ordinance (Oakland Municipal Code Chapters 5.93 And 2.44 And Sections 2.36.010(A) And 5.92.050).

[20-0259](#)

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Memo - Bas](#)

[View Supplemental Legislation 6/11/2020](#)

[View Supplemental Redline Legislation 6/11/2020](#)

[13600 CMS](#)

The Council amended page 2 of the legislation, in the 5th Whereas clause striking the word "exclusively".

A motion was made by Noel Gallo, seconded by Nikki Bas, that this matter be Approved As Amended 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 6/16/2020. The motion carried by the following vote:

Abstained: 1 - Reid

Aye: 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 6** Subject: Director Of Workplace & Employment Standards Salary Ordinance Amendment
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 Director Of Workplace And Employment Standards

[20-0336](#)

Attachments: [View Report](#)

[View Ordinance](#)

[13601 CMS](#)

A motion was made that this matter 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 6/16/2020. The motion carried by the following vote:

Abstained: 1 - Reid

Aye: 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 2** Subject: City Of Oakland 2020-2021 Tax And Revenue Anticipation Notes
From: Finance Department
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds And The Issuance And Sale Of 2020-2021 Notes Payable From Revenues Received During The Fiscal Year 2020-2021 In An Amount Not To Exceed \$135,000,000 And Approving Certain Related Matters
[20-0356](#)

Attachments: [View Report](#)
[View Legislation](#)
[13597 CMS](#)

A motion was made by Lynette McElhaney, seconded by Noel Gallo, 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

- 3** Subject: Fiscal Year 2020-21 Master Fee Schedule
From: Finance Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13533 C.M.S. (The Fiscal Year 2019-20 Master Fee Schedule), As Amended To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland, Referenced Herein
[20-0371](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Legislation](#)
[View Supplemental Legislation - 6/9/2020](#)
[13599 CMS](#)

The Council continued the item to consider the amendments provided in the packet.

A motion was made by Noel Gallo, seconded by Lynette McElhaney, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 6/16/2020. The motion carried by the following vote:

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

NO VOTE: 0

- 4 Subject: Auto Repair In The D-BV-4 Zone
From: Planning And Building Department
Recommendation: Adopt An Ordinance, As Recommended By The Planning Commission, Amending Oakland Planning Code Regulations To Conditionally Permit Auto Repair And Cleaning Commercial Activities In The Broadway Valdez District - 4 Zone
[20-0384](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Legislation](#)
[View Exhibit A](#)
[View Report - Notice & Digest](#)
[View Supplemental Legislation- 6/4/2020](#)
[13598 CMS](#)

A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Approved for Final Passage. The motion carried by the following vote:

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

NO VOTE: 0

- 7 Subject: OPD Racial Disparity Report
From: Council President Kaplan
Recommendation: Receive The Hillard Heintz Final Report On Police Disparities In The Oakland Police Department
[20-0427](#)

Attachments: [View Report - Schaaf](#)
[View Report](#)
[View Report - 2018 Final Report](#)
[View Supplemental Report - 2018 Final Report](#)
[View Supplemental Report - Final Discipline Disparity Study 6/9/2020](#)

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

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

NO VOTE: 0

- 8 Subject: Assistant City Administrator Pay
From: Human Resources Management Department
Recommendation: Receive An Informational Report Related To The Pay Of The City Of
Oakland's Assistant City Administrators, Maraskeshia Smith And Ed Reiskin
[20-0428](#)

Attachments: [View Report](#)

Councilmember McElhanev made a motion, seconded by Councilmember Taylor to schedule the following;

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

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

NO VOTE: 0

- 9 Subject: Ballot Measure Amending Powers Of The Police Commission
From: Council President Kaplan And Pro Tem Kalb
Recommendation: Adopt A Resolution Proposing To Amend City Charter Section 604 To Strengthen The Independence Of The Oakland Police Commission, Directing The City Administrator To Give Written Notice To Employee Organizations That May Be Affected, And Directing The City Administrator To Meet And Confer, As Appropriate Subject To Further Council Instruction
[20-0140](#)

Attachments: [View Report](#)

[View Kalb Supplemental 2/20/2020](#)

[View Memo 4/16/2020](#)

[View Supplemental Legislation 4/17/2020](#)

[View Addendum 4/16/2020](#)

[View Appendix 4/16/2020](#)

[View Supplemental Police Commission Measure - 4/20/2020](#)

[View Supplemental OPC Charter Amendment Legislative History - 4/20/2020](#)

[View Supplemental Amendments To City Charter Section 604 - 4/27/2020](#)

[Supplemental Oakland Police Commission Report](#)

[Supplemental Oakland Police Commission Revised Legislation](#)

[View City Attorney Amended Legislation](#)

[View City Administrator Supplemental Report](#)

[View Supplemental Memo Police Commission - CM Taylor 5/7/2020](#)

[View Supplemental Legislation - Kaplan, Kalb, Gallo](#)

[View Supplemental Police Commission Memo - Kaplan 5/11/2020](#)

[View Supplemental Police Commission Measure - Staff Memorandum 5/11/2020](#)

[View Supplemental Report 6/5/2020 - "Letter From Oakland Police Commission"](#)

[View Supplemental Report 6/5/2020 "Dissenting Opinion - The Oakland Police Commission"](#)

[View Supplemental Legislation 6/5/2020 - "Oakland Police Commission Draft"](#)

[View Supplemental Legislation 6/5/2020 - Kaplan, Kalb, Gallo, Taylor \(Version A\)](#)

[View Supplemental Legislation 6/5/2020 - Kaplan, Kalb, Gallo, Taylor \(Version B\)](#)

[View Supplemental Report 6/5/2020 - City Administrator](#)

[View Supplemental Legislation 6/8/2020 - Kaplan, Kalb, Gallo, Taylor \(Version C\)](#)

The item was approved to be sent to Meet and Confer, an amending the legislation to include clarifying language to section B5 "Exigent Circumstances Language", to

move the decision making authority to the Council by way of Ordinance at a later date. Also, amending section B4 to add to the beginning "At it's discretion, or upon direction by adoption of a Resolution by the City Council"

A motion was made by Dan Kalb, seconded by Noel Gallo, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

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

NO VOTE: 0

- 10** Subject: Emergency Operations Plan
From: Office Of The City Administrator
Recommendation: Receive The Office Of Emergency Services 2017 Emergency Operations Plan
[20-0431](#)

Attachments: [View Report](#)

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

Aye: 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

Absent: 1 - Reid

NO VOTE: 0

COUNCILMEMBER ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Council President Kaplan Made A Scheduling Motion, Seconded By Councilmember Bas, To Hear The Following Item At The June 16, 2020 City Council Meeting; "Adopt A Resolution Declaring The Existence Of A Local Emergency With Regard To The Attacks And Robberies Impacting Our Local Community And Businesses"

Councilmember Bas Made A Scheduling Motion, Seconded By Council President Kaplan, To Hear The Following Item At The June 16, 2020 City Council Meeting "Adopt A Resolution Urging The City Of Oakland To Immediately Halt The Use Of Tear Gas For Crowd Control During The Covid-19 Pandemic And Requesting The Oakland Police Commission To Immediately Review And Propose Changes To The Oakland Police Department's Policy In Order To Halt Such Use"

Councilmember McElhanev Made A Scheduling Motion, To Hear The Following Item At The June 16, 2020 City Council Meeting In Support Of HR 7120 And SB 3912 "Adopt A Resolution To Support For Federal Justice In Policing Act To Hold Law Enforcement Officers Accountability In Court, Improve National Transparency Through Mandatory Data Collection, And Reform Police Training And Policies"

Councilmember McElhanev Made A Scheduling Motion, To Hear The Following Item At The June 30, 2020 City Council Meeting In Support Of "Adopt A Resolution Establishing A City Wide Broadband In Response To The Covid 19 Pandemic To Address The Digital Divide And Racial Disparity Using Federal CARES Act Funding For Immediate Implementation"

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

Aye: 7 - Kalb, McElhanev, Gallo, Thao, Taylor, Bas, and Kaplan

Absent: 1 - Reid

NO VOTE: 0

Subject: Resolution Urging The City Of Oakland To Halt The Use Of Tear Gas

From: Councilmember Bas

Recommendation: Adopt A Resolution Urging The City Of Oakland To Immediately Halt The Use Of Tear Gas For Crowd Control During The Covid-19 Pandemic And Requesting The Oakland Police Commission To Immediately Review And Propose Changes To The Oakland Police Department's Policy In Order To Halt Such Use [20-0429](#)

Attachments: [View Legislation](#)
[88168 CMS](#)

Subject: Support For Federal Legislation On Police Accountability
From: Councilmember McElhaney
Recommendation: Adopt A Resolution To Support For Federal Justice In Policing Act To Hold Law Enforcement Officers Accountability In Court, Improve National Transparency Through Mandatory Data Collection, And Reform Police Training And Policies
[20-0436](#)

Attachments: [View Report](#)
[View Report - Justice In Policing Act](#)
[View Report - Justice In Policing Act Text](#)
[View Legislation](#)
[88166 CMS](#)

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

11 speakers spoke during Open Forum.

Americans With Disabilities Act

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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 by Councilmember McElhaney, the Council adjourned the meeting in memory of Eric Salgado at 5:31 p.m.

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.**