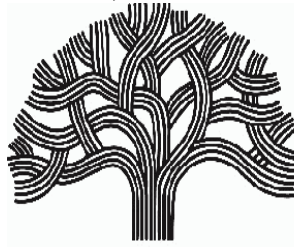


City of Oakland

*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, September 24, 2020

10:30 AM

Please See The Agenda To Participate In The Meeting

Tele-Conference

***Rules & Legislation Committee**

*Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612*

City of Oakland Website: <http://www.oaklandca.gov>

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/83754058446> 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 Webinar ID: 837 5405 8446
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 10:31 a.m., with Councilmember Thao presiding as Chairperson.

Roll Call / Call To Order

Excused 1 - Lynette McElhaney

Present 3 - Rebecca Kaplan, Sheng Thao, and Nikki Bas

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.

7 speakers spoke during Public Item.

2 There Are No Draft Minutes For Your Approval

3 New Scheduling Items

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

Excused: 1 - McElhaney

Aye: 3 - Kaplan, Thao, and Bas

NO VOTE: 0

3.1 Subject: Violence Reduction Efforts Through Measure Z Of 2014
From: Office Of The City Administrator
Recommendation: Receive The Following Informational Items;
1) Receive An Informational Report From The Oakland Police Department, Department Of Violence Prevention, Oakland Fire Department And Department Of Race And Equity On Efforts To Reduce Violence In Oakland Through The Measure Z - Public Safety And Services Violence Prevention Act Of 2014 Presented To The City Council, Safety And Services Oversight Commission, Community Policing Advisory Board, Police Commission, And Reimagining Public Safety Task Force;
[20-0673](#)

- Attachments:** [View Report](#)
[View Presentation](#)
[View Attachment A - Oakland Ceasefire Evaluation](#)
[View Attachment B - 2017 Annual Evaluation Oakland Meas Z by RDA](#)
[View Attachment C - 2018 Annual Evaluation Oakland Meas Z by RDA](#)
[View Attachment D - 2019 Annual Evaluation Oakland Meas Z by RDA](#)
[View Attachment E - 2016-2019 OU Agency Report by Mathematica](#)

The City Administrator made a request to Title Change this item.

This Informational Report be Scheduled.to go before the * Special Concurrent Meeting of the Oakland City Council, CPAB, SSOC, and Police Commission to be heard 9/29/2020

3.2 Subject: Schedule Future Closed Sessions As A Regular Agenda Item
From: Office Of The City Attorney
Recommendation: Schedule A Regular Agenda Item On The Rules And Legislation Committee To Hear The City Attorney's Announcement Of Items To Be Scheduled For Future Closed Sessions Of The City Council
20-0658

This Report and Recommendation be Accepted.

- 3.3** Subject: More Effective Methods For Speeding Enforcement
From: Council President Kaplan
Recommendation: Adopt A Resolution Requesting The State Legislature To Enact Legislation That Would Give Municipalities The Flexibility To Adopt More Effective Methods For Speeding Enforcement
[20-0633](#)

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

The Committee accepted a Title Change.

This City Resolution be Rescheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/6/2020

- 3.4** Subject: Analysis And Report Regarding The Lilly Ledbetter Equal Pay Act Of 2009
From: Member Of The Public: Gene Hazzard
Recommendation: Schedule An Analysis And Report To The City Council Meeting Of September 29, 2020 Or By The First City Council In October From The Office Of The City Attorney Regarding The Lilly Ledbetter Equal Pay Act Of 2009
20-0666

The Committee did not schedule this item to be heard. The Committee, instead, requested that the Office of the City Attorney work with the appropriate Departments to create and publish an Informational Memo on the City's website.

This Report and Recommendation be Accepted as an Informational Memo.

3.5 Subject: Oakland Fire Department - New US&R CA-TF4 Warehouse Lease
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute A Lease Agreement Between The City, As Tenant, And The California Yards, LLC, As Landlord, For Landlord's Warehouse Located At 9812 Bigge Street For A Term Of Up To Five And A Half (5.5) Years At An Initial Rate Of Thirty Thousand And Twenty-Seven Dollars (\$30,027.00) Per Month, Adjusted Annually To A Maximum Rate Of Forty-Five Thousand Three Hundred And Eleven Dollars (\$45,311.00), For The Purpose Of Providing An Emergency Response Facility Consistent With The Federal Emergency Management Agency (FEMA) Urban Search And Rescue Unit (US&R) Grant Funds, And Terminable Upon A Twelve (12) Month Notice In The Event Of Inadequate Future Funding
[20-0669](#)

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

On Consent.

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/6/2020

3.6 Subject: 2020 FEMA Grant Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator, Or Designee To: (A) Enter Into A Grant Agreement With The Federal Emergency Management Agency (FEMA) For Receipt Of Funds For The Period September 1, 2020 To August 31, 2023, In The Amount Of One Million Two Hundred Sixty-Six Thousand And Six Hundred Thirty-One Dollars (\$1,266,631); (B) Accept And Appropriate Said FEMA Funds For The Fire Department's Urban Search And Rescue Task Force; (C) Expend The FEMA Funds In Accordance With The Preliminary Spending Plan And Government Pricing Schedules Without Further Council Approval, (2) Waiving The City's Advertising And Competitive Bidding And Purchasing Requirements
[20-0671](#)

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

On Consent.

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/6/2020

3.7 Subject: Selection Panel Police Commission Appointments
From: Office Of The City Administrator's
Recommendation: Adopt A Resolution Accepting The Selection Panel's Slate Of Two Police Commissioners (Sergio Garcia And Tyfahra Singleton) To Serve On The City Of Oakland Police Commission
[20-0644](#)

Attachments: [View Report](#)

On Consent.

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/6/2020

3.8 Subject: City Of Oakland Slavery Era Disclosure Ordinance
From: City Attorney Parker, Vice Mayor Reid, And Councilmember Taylor
Recommendation: Adopt A Resolution Directing The City Administrator To 1) Fully Implement The City Of Oakland Slavery Era Disclosure Ordinance Codified At Oakland Municipal Code Chapter 9.60; 2) Provide An Initial Informational Report To Council Regarding The Status Of Slavery Era Disclosures And The Associated Fund At A Council Meeting Before The End Of 2020; 3) Provide An Annual Informational Report At Council Meetings To Supplement The Ordinance's Annual Reporting Regarding The Status Of The Implementation Of The Ordinance; And 4) After Consultation With The City Attorney, Make Publicly Available On The City's Website All Completed Affidavits And Reports Regarding Slavery Era Disclosures
[20-0678](#)

Attachments: [View Report](#)

[View Legislation](#)

On Non Consent.

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/6/2020

3.9 Subject: Police Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of James Jackson To Serve On The Oakland Police Commission As Commissioner, And Brian Hauck To Serve On The Police Commission As Alternate Commissioner
[20-0677](#)

- Attachments:** [View Report](#)
[View James Jackson Application](#)
[View Brian Hauck Application](#)
[View Legislation](#)
[View Supplemental Resume: Jackson 10/2/2020](#)
[View Supplemental Resume: Hauck 10/2/2020](#)
[View Supplemental Memo - 10/09/2020](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 10/8/2020

3.10 Subject: BAAQMD Inclusion Of Oakland Representation
From: Council President Kaplan
Recommendation: Adopt A Resolution Seeking Appointment Of A City Of Oakland Councilmember To Represent The City Of Oakland, A Community Heavily Impacted By Air Pollution, On The Board Of The Bay Area Air Quality Management District (BAAQMD)
[20-0667](#)

- Attachments:** [View Memo](#)
[View Legislation](#)

On Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/20/2020

3.11 Subject: Banning Carotid Restraint And All Forms Of Asphyxia
From: Oakland Police Department And The Oakland Police Commission
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Adopting Oakland Police Department Special Order 9205, Banning Of The Carotid Restraint And All Forms Of Asphyxia, As Recommended By The Oakland Police Department; Or
[20-0664](#)

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

The Committee approved this item to go straight to Council on Non Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/6/2020

2) A Resolution Adopting Oakland Police Department Special Order 9205, Banning Of The Carotid Restraint And All Forms of Asphyxia, As Recommended By The Oakland Police Commission
[20-0663](#)

Attachments: [View Report - Police Commission](#)
[View Supplemental Legislation - 10/02/2020](#)

The Committee approved this item to go straight to Council on Non Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/6/2020

3.12 Subject: Informational Report On 2020 Disparity Study
From: Council President Kaplan
Recommendation: Receive An Informational Report On The 2020 City Of Oakland Disparity Study; On The October 20, 2020 City Council Agenda On Non Consent
20-0657

The Committee placed this item on the Rules Pending list "No Date Specific".

This Informational Report be Withdrawn with No New Date.

3.13 Subject: Gun Violence Top Law Enforcement Priority
From: Council President Kaplan
Recommendation: Adopt A Resolution Declaring Gun Violence Prevention To Be The Top Law Enforcement Priority For The City Of Oakland Through The Decrease Of Illegal Guns And Gun Violence By Effective Means Such As The Increase Of Gun And Shell Casing Tracing, Improved Response To Notifications Of Shootings, Prioritization Of Actions To Stop And Respond To Gun Crime And Provision Of An Informational Report On Gun Response, Including Response Times To Notifications Of Shootings And Armed Robberies

[20-0670](#)

- Attachments:** [View Memo](#)
[View Report](#)
[View Legislation](#)
[View Supplemental Report -10/16/2020](#)

On Non Consent.

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/20/2020

3.14 Subject: 2020 Supplemental Encampment Management Policy
From: The Life Enrichment Committee
Recommendation: Adopt A Resolution Adopting The Administration’s Proposed Encampment Management Policy, To Be Implemented Upon Adoption By The Administration [TITLE CHANGE]
[20-0239](#)

- Attachments:** [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Report - Taylor](#)
[View Attachment B - Taylor](#)
[View Supplemental Report - 9/11/2020](#)
[View Supplemental Report - Attachment A 9/11/2020](#)
[View Supplemental Report - Attachment B 9/11/2020](#)
[View Supplemental Report - Attachment C 9/11/2020](#)
[View Supplemental Report - Attachment D 9/11/2020](#)
[View Supplemental Legislation - 9/11/2020](#)
[View Supplemental Report - Exhibit A 9/11/2020](#)
[View Supplemental Legislation - 9/18/2020](#)
[View Supplemental Report - Exhibit A 9/18/2020](#)
[View Supplemental Letter 10/8/2020](#)

The Rules Committee approved the September 21, 2020 Life Enrichment Committees recommendation to hear this item at the October 20, 2020 City Council Agenda on Non Consent.

This City Resolution be Approved as Amended the Recommendation of Staff, and Forward.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/20/2020

3.15 Subject: Information On Impact Fees
From: Council President Kaplan
Recommendation: Receive An Informational Report On The Status Of: 1) The City Of Oakland's Current Efforts To Complete An Assessment Of The Affordable Housing, Jobs/Housing, And Transportation And Capital Improvements Impact Fee Programs From July 2016 To June 2019, And 2) Affordable Housing Impact Fee (AHIF) Collections, Budgeting For 2019/21 And Deployment
[18-2061](#)

Attachments: [View Report](#)

[View Supplemental Report 11/8/2019](#)

[View Supplemental Report 11/27/2019](#)

[View Supplemental Report 2/7/2020](#)

[View Supplemental Report - 9/11/2020](#)

[View Supplemental Report - Attachment A 9/11/2020](#)

[View Supplemental Report - Attachment B 9/11/2020](#)

The Rules Committee approved the September 22, 2020 Community And Economic Development Committees recommendation to continue this item at the October 27, 2020 Community And Economic Development Committee.

This Informational Report be Continued.to go before the *Community & Economic Development Committee to be heard 10/27/2020

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[20-0632](#)

- Attachments:** [View Rules Pending List](#)
[View Finance 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 Draft Calendar](#)
[View Draft Ed Partnership Oct 5, 2020](#)
[View Draft Council Agenda Oct 6, 2020](#)
[View Draft Rules Oct 8, 2020](#)

The Committee accepted the following amendments;

- *Chair Thao removed from the Rules pending list item #2 regarding “Adopt A Resolution Amending And Superseding The Council’s Rules Of Procedure Currently Set Forth In Resolution No. 87044 C.M.S., To Adjust The Order Of Business, Begin Regular Council Meetings At 5:00 P.M., Provide For The Appointment Of A Designated Alternate For The Rules Committee, Limit Presentations To Generally 10 Minutes, And Provide Various Other Clarifications And Adjustments”*
- *Councilmember Bas made a request to begin the September 29, 2020 Special Concurrent Meeting of the Oakland City Council, CPAB, SSOC, and Police Commission at 4:30 PM*
- *The Item regarding the “Greenman Field Lease Agreement” was omitted from the Draft Special Education Partnership Agenda*
- *The Item regarding the “Gender Neutral and Inclusive language” was transposed with the wrong file on the Draft City Council Agenda*

This Report and Recommendation be Accepted as Amended.

- Excused:** 1 - McElhaney
Aye: 3 - Kaplan, Thao, and Bas
NO VOTE: 0

5 Determinations Of Closed Session
[20-0630](#)

Attachments: [View Report](#)

There will be a Closed Session held on September 29, 2020 at 1:30 PM

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

- Excused:** 1 - McElhaney

Aye: 3 - Kaplan, Thao, and Bas

NO VOTE: 0

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 11:51 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

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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.