

# 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, February 18, 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.
- 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) Webinar ID: 875 2953 1780

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](mailto:AReed@oaklandca.gov).

- Office of the City Clerk

The Oakland City Council Rules and Legislation Committee convened at 1:30 pm with Councilmember 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 CONSENT ITEMS WILL BE TAKEN AT AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM**

*There was 4 speaker on this item*

- 2** Approval Of The Draft Minutes From The Committee Meeting Of January 28, 2021 And February 4, 2021

[21-0084](#)

**Attachments:** [View Report January 28, 2021](#)

[View Report February 4, 2021](#)

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

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

**NO VOTE:** 0

**3 New Scheduling Items**

- 3.1** Subject: City Clerk Appointment  
From: Office Of The City Administrator And Council President Fortunato Bas  
Recommendation: Consider A Motion To Approve The Appointment Of Asha Reed As City Clerk For The City Of Oakland

[21-0123](#)

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

*The Rules and Legislation Committee gave their full support to this item moving forward to March 2, 2021 City Council and Council President Fortunato Bas was added as co-sponsor*

*The Committee approved this item be placed 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 3/2/2021**

**3.2** Subject: Sugar-Sweetened Beverage Tax Community Grants Program  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Awarding Two Grant Agreements To InAdvance And Authorizing An Amendment To The Grant Agreement With Mandela Partners For Services To Reduce The Consumption Of Sugar-Sweetened Beverages For A Total Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) Using Fiscal Year 2020-2021 Sugar Sweetened Beverage Tax Revenue  
[21-0112](#)

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

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

**3.3** Subject: RAP Annual Report 2018-19 And 2019-20  
From: Housing And Community Development Department  
Recommendation: Receive The Annual Report Of The Rent Adjustment Program (RAP) For Fiscal Years 2018-19 And 2019-20  
[21-0111](#)

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

***The Committee approved this item be placed on Non-Consent***

**This Informational Report be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

**DUE TO THE PRESENCE OF COUNCILMEMBER TAYLOR STAFF, 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 10:54 AM**

- 3.4** Subject: OFCY 2019-2020 Year End Evaluation Report  
From: Human Services Department  
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth (OFCY) Final Evaluation Report For Fiscal Year 2019-2020; On The March 2, 2021 City Council Agenda On Consent  
[21-0113](#)

*The Committee approved this item to go to the March 22, 2021 Life Enrichment Committee*

**This City Resolution be Scheduled to go before the \*Life Enrichment Committee to be heard 3/22/2021**

- 3.5** Subject: Master Fee Schedule Amendment - Administrative Processing Fee  
From: Economic Workforce Development Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance No. 13599 C.M.S., Which Adopted The Fiscal Year 2020-2021 Master Fee Schedule, To Modify City Of Oakland Administrative Processing Fee For New Small Cell Telecommunication Lease Or License  
[21-0115](#)

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

*The Committee approved this item be placed on Non-Consent*

**This Ordinance be Scheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

- 3.6** Subject: Library Agreement With City Of Emeryville  
From: Oakland Public Library Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Enter Into An Agreement With City Of Emeryville To Receive Four Hundred Eighty Thousand Dollars (\$480,000) To Provide Oakland Public Library Services To Emeryville Residents For Fiscal Years 2019-20, 2020-21, 2021-2022, And 2022-23, And 2) Accepting And Appropriating Said Funds  
[21-0117](#)

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

**This City Resolution be Scheduled to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

- 3.7** Subject: FY 2020 FEMA Assistance To Firefighters Grant - COVID-19 Supplemental  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator, Or His Designee, To: (A) Enter Into An Agreement With The U.S. Department Of Homeland Security's Federal Emergency Management Agency (FEMA) To Accept The Assistance To Firefighters Grant (AFG) COVID-19 Supplemental Funds In The Amount Of Two Hundred Six Thousand Five Hundred And Sixty Four Dollars And Thirty Six Cents (\$206,564.36) To Purchase Equipment And Other Necessary Resources For The Project Period Starting July 6, 2020 And Ending July 5, 2021; (B) Appropriate And Administer Said Funds For The Fire Department; (C) Expend Assistance To Firefighter Funds In Accordance With The City's Purchasing Requirements And Programs/Policies; And (2) Allocating Matching Funds In The Amount Of Twenty Thousand Six Hundred Fifty Six Dollars And Forty Four Cents (\$20,656.44)

[21-0119](#)

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

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

- 3.8** Subject: Resolution Commemorating Lupe Elizondo  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Commemorating Lupe Elizondo's Work For Our Community For Over Forty Years And Extending Our Deepest Condolences To Her Family, Friends, And Colleagues

[21-0118](#)

**Attachments:** [View Report](#)  
[View Supplemental Report - 2/26/2021](#)

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

- 3.9** Subject: Commending Sharon Holman-Curry For Over 34 Years Of Service  
From: Council President Fortunato Bas  
Recommendation: Adopt A Resolution Commending Sharon Holman-Curry For Over 34 Years Of Outstanding And Dedicated Service And Congratulating Her On The Occasion Of Her Retirement

[21-0122](#)

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

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

- 3.10** Subject: FY 2020-21 Second Quarter Revenue & Expenditure Report  
From: Finance Department  
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2020-21 Second Quarter Revenue And Expenditure Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And All Funds; On The March 8, 2021 Finance And Management Committee Agenda  
[21-0110](#)

**This Informational Report be Scheduled.to go before the \*Finance & Management Committee to be heard 3/8/2021**

- 3.11** Subject: Declare Firearm-Related Homicides During COVID-19 A Citywide Emergency  
From: Member Of Public  
Recommendation: Adopt A Resolution Urging The City Of Oakland To Declare The Rate Of Firearm-Related Homicides During The COVID-19 Pandemic A Citywide Emergency; On The March 9, 2021 Public Safety Committee Agenda  
[21-0116](#)

***It was noted that Councilmember Fife would follow up with the member of the public to bring this item to committee***

**This City Resolution be No Action Taken.**

- 3.12** Subject: 2021 Council Retreat  
From: Council President Fortunato Bas  
Recommendation: Schedule A Meeting Of The Council On March 30, 2021 At 1:30 PM With The Following Agenda Items: 1) Council Priorities And Strategic Plan And 2) Collaboration With Other Branches Of Government  
[21-0124](#)

***The Committee approved that a March 30, 2021 City Council Retreat will begin at 9:30 am and Council President Bas will bring the scheduling request***

**This Report and Recommendation be Accepted as Amended.**

- 3.13** Subject: 2019/20 Consolidated Annual Performance & Evaluation Report  
From: Housing & Community Development Department  
Recommendation: Receive The City Of Oakland's Consolidated Annual Performance & Evaluation Report For Fiscal Year 2019/20 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grant Programs To Be Submitted To The United States Department Of Housing & Urban Development; On The March 16, 2021 City Council Agenda As A Public Hearing  
[21-0114](#)

***As A Public Hearing***

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

- 3.14** Subject: Resolution Calling For Full Compliance With CA Proposition 12  
From: Councilmember Kalb  
Recommendation: Adopt A Resolution Calling Upon Food Companies, Grocery Stores, Supermarkets, Restaurants And Other Entities Dealing With Food Production, Distribution And Sales Operating Within The City Of Oakland To Fully Implement Requirements Of Proposition 12 (Farm Animal Confinement Initiative) Which Overwhelmingly Passed By California Votes In 2018 And Requires That Covered Animals (Including Veal Calves, Breeding Pigs And Egg-Laying Hens) Be Housed In Confinement Systems That Comply With Specific Humane Standards: On The March 16, 2021 City Council Agenda On Consent  
[21-0125](#)

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

- 3.15** Subject: Homelessness Services Report  
From: The Life Enrichment Committee  
Recommendation: Approve A Report And Recommendations On: 1) The Evaluation Report From Human Service Department ; 2) Co-Governed Encampment; 3) Progress And Proposal On Using Hotels & Motels For Homeless Intervention; And 4) Identifying Public Land In Each District For Homeless Intervention Such As Modular Housing And Pallet Shelter With Power And Running Water; On The March 22, 2021 Life Enrichment Committee Agenda  
[21-0098](#)

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

- 3.16** Subject: Joint Facilities Use Agreement  
From: Councilmember Reid  
Recommendation: Receive An Informational Report From City Staff Regarding The Status Of The Joint Facilities Use Agreement Between City Of Oakland And The Oakland Unified School District; On The April 27, 2021 Special Education Partnership Committee Agenda  
[21-0120](#)

***The Committee approved this item be scheduled to the May 24, 2021 Education Partnership Committee Meeting***

**This Informational Report be Scheduled.to go before the \*Education Partnership Committee to be heard 5/24/2021**

**Recommendations From Committees:**



**3.17** Subject: Homelessness Funding Report FY 2021-22  
From: Human Services Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution: 1. Authorizing The City Administrator To Amend Existing Grant Agreements And Professional Service Agreements With Homeless Intervention Service Providers To Extend The Term Through Fiscal Year (FY) 2021-22 And Increase The Amount Using Measure Q Funds Appropriated For Homeless Intervention Services In The 2021-23 Biennial Budget, Without Returning To Council; And 2. Authorizing The City Administrator To Award New Grant Agreements And Professional Service Agreements To Public And Private Entities Selected Through The Human Services Department's Request For Qualifications Process For The Provision Of Homeless Intervention Services In An Amount Not To Exceed One Million Dollars (\$1,000,000) Each In FY 2021-22 Using Measure Q Funds Appropriated For Homeless Intervention Services In The 2021-23 Biennial Budget, Without Returning To Council; And

[21-0057](#)

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

[View Report Attachment A](#)

[View Report Attachment B](#)

[View Legislation](#)

**This City Resolution be Scheduled.to go before the \*Life Enrichment Committee to be heard 3/22/2021**

2) A Resolution: 1. Authorizing The City Administrator To Amend Existing Grant Agreements And Professional Service Agreements With Homeless Intervention Service Providers To Extend The Term Through June 30, 2022 And To Increase The Amount Using Any Combination Of Accepted And Appropriated Homeless Emergency Aid Program (HEAP), Homeless, Housing, Assistance And Prevention (HHAP) And Covid-19 Emergency Solutions Grant (ESG-CV) Funds, Subject To Any Applicable Funding Regulations And Requirements, Without Returning To Council 2. Awarding A Grant Agreement And A Professional Service Agreement In Amounts Not To Exceed Eight Hundred Thousand Dollars (\$800,000) And Fifty Thousand Dollars (\$50,000), Respectively, To Family Bridges For The Provision Of Homeless Intervention Services At Oak Street Community Cabins For FY 2021-22, Using Any Combination Of Accepted And Appropriated HEAP, HHAP And ESG-CV Funds, Subject To Any Applicable Funding Regulations And Requirements; And 3. Authorizing The City Administrator To Award New Grant Agreements And Professional Service Agreements For Homeless Intervention Services In An Amount Not To Exceed One Million Dollars (\$1,000,000) Each Through June 30, 2022, Using Any Combination Of Accepted And Appropriated HEAP, HHAP And ESG-CV Funds, Subject To Any Applicable Funding Regulations And Requirements, Without Returning To Council

[21-0058](#)

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

**This City Resolution be Scheduled to go before the \*Life Enrichment Committee to be heard 3/22/2021**

**3.18** Subject: MACRO Pilot Program Grant  
From: Violence Prevention Department  
Recommendation: Adopt A Resolution Awarding A Professional Services Agreement With Bay Area Community Services Inc. (BACS) In An Amount Not To Exceed One Million Six Hundred Thousand Dollars (\$1,600,000) For Implementation Of The Mobile Assistance Community Responders Of Oakland (MACRO) Pilot Program, From January 1, 2021 To June 30, 2022

[21-0017](#)

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

**This City Resolution be Withdrawn with No New Date.**

**3.19** Subject: Zero Tolerance Policy For Racist, Behaviors, And Actions  
From: Councilmember Taylor  
Recommendation: Receive An Informational Report From The City Administrator On The Actions Taken To Address The Zero Tolerance Policy For Racist, Policies, Behaviors, And Actions Within The City Of Oakland In Light Of The Internal Investigation Launched By The Oakland Police Department Denouncing Hate Speech  
[21-0050](#)

- Attachments:** [View Report -1](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Attachment C](#)  
[View Report - 2](#)

**This Informational Report be Received and Filed.**

Subject: Report On Recommendation To Implement The (MACRO) Pilot Program  
From: Council President Fortunato Bas  
Recommendation: Receive An Oral Report And Recommendation To Implement The Mobile Assistance Community Responders Of Oakland (MACRO) Pilot Program With City Of Oakland Civilian Employees As Provided In Resolution No. 88433 CMS, Which Directed The City Administrator To Review That Option And Report Back To Council And To Report On Possible Contracting Options  
[21-0126](#)

***The Committee approved this Dias Request read into record***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/2/2021**

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
[21-0085](#)

- Attachments:** [View Previously Distributed Community & Economic Development Committee Agenda](#)  
[View Previously Distributed Rules & Legislation Committee Agenda](#)  
[View Finance & Management Committee Pending List](#)  
[View Public Works Committee Pending List](#)  
[View Community & Economic Development Committee Pending List](#)  
[View Life Enrichment Committee Pending List](#)  
[View Public Safety Committee Pending List](#)  
[View Rules & Legislation Committee Pending List](#)  
[View Draft March 2, 2021 City Council Agenda](#)  
[View Draft March 4, 2021 Rules & Legislation Committee Agenda](#)

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

**CHANGES MADE TO THE COMMITTEE PENDING LIST**

**CHANGES MADE TO THE FINANCE AND MANAGEMENT COMMITTEE PENDING LIST**

Subject: Amendments To FY 2020-21 Midcycle Budget To Address Budget Shortfall  
 From: Finance Department  
 Recommendation: Adopt A Resolution Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Amendments, To Reflect Changes Resulting From Administrative Budget-Balancing Measures For Fiscal Year 2020-21 All Funds Budget, Including But Not Limited To Unrepresented Employee Deferral Of Wage Increase, And Release Of Temporary Staff; And From Additional Budget-Balancing Measures Necessary To Close The Remaining Budget Deficit Including But Not Limited To Employee Layoffs  
[21-0026](#)

**This City Resolution be Withdrawn from the March 8, 2021 Finance and Management Committee with No New Date.**

**CHANGES MADE TO THE DRAFT MARCH 2, 2021 CITY COUNCIL AGENDA**

Subject: Unfreeze And Authorize Development Services Fund (Fund 2415) Positions  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Adjustments, To 1) Unfreeze Positions Funded By The Development Services Fund (Fund 2415); 2) Appropriate Two Million Four Hundred Fifty Thousand Two Hundred Seventy-Nine Dollars (\$2,450,279) From Fund 2415 Fund Balance To Fund The Unfrozen Positions; And 3) To Appropriate One Hundred Sixty Thousand Dollars (\$160,000) From The Penalty Revenue In Fund 2415 Fund Balance To Create A 1.0 Full Time Equivalent (FTE) Human Resources Analyst Position In The Human Resources Department To Expedite Hiring To Fill Positions Funded By Fund 2415

[21-0092](#)

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

*The Committee approved the Title Change read into record*

**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 3/2/2021**

## 5 Determinations Of Closed Session

*There were no final decisions to report*

## Open Forum (Total Time Available: 15 Minutes)

*4 speaker 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 11:37 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**

**Phone: (510) 238-6406**

**Fax: (510) 238-6699**

**Recorded Agenda: (510) 238-2386**

**Telecommunications Relay Service:711**

**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.**