

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 Agenda - SUPPLEMENTAL

Thursday, June 10, 2021

10:30 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele - Conference Via Zoom

***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 the Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

COMMITTEE MEMBERSHIP:

**Council President Nikki Fortunato Bas, District 2; Councilmember Carroll Fife, District 3; Councilmember Dan Kalb, District 1; Chairperson: President Pro Tempore Sheng Thao, District 4*

Roll Call / Call To Order

1 PUBLIC COMMENT:

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

2 There Are No Draft Minutes For Approval

3 New Scheduling Items

3.1 Subject: Port Commission Reappointments
From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Reappointments Of Barbara Leslie And Michael Colbruno To The Board Of Port Commissioners; On The June 24, 2021 Special Budget City Council

[21-0493](#)

3.2 Subject: COVID-19 Housing Stability Programs And Rental Assistance
From: Housing And Community Development Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution: A. Awarding Grant Agreements For The Provision Of Housing Stability Services To Bay Area Community Services, Inc., Catholic Charities Of The Diocese Of Oakland, Doing Business As Catholic Charities East Bay, Centro Legal De La Raza, Inc., Collective Legal Services - The Eviction Defense Center, A Non-Profit Law Corporation, Building Opportunities For Self-Sufficiency, East Bay Asian Local Development Corporation, East Oakland Community Development Corporation, And Safe Passages In A Total Amount Not To Exceed Two Million Dollars (\$2,000,000); And

B. Awarding Grant Agreements For The Provision Of Housing Related Legal Services To Centro Legal De La Raza And Housing And Economic Rights Advocates In The Total Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000); And

[21-0481](#)

2) A Resolution Amending Grant Agreements For The Provision Of Rental Assistance To Eligible Households With Bay Area Community Services, Inc., Catholic Charities Of The Diocese Of Oakland, Doing Business As Catholic Charities East Bay, Centro Legal De La Raza, Inc., Collective Legal Services - The Eviction Defense Center, A Non-Profit Law Corporation, In A Total Amount Not To Exceed Two Million Nine Hundred Thirty One Thousand Six Hundred And Forty Three Dollars (\$2,931,463); On The July 6, 2021 City Council Meeting On Non Consent

[21-0485](#)

- 3.3** Subject: Appeal Of 1396 5th Street Project
From: Planning & Building Department
Recommendation: 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 A Vacant Site Located At 1396 5th Street, Oakland CA (Project Case No. PLN20-101); Or

[21-0482](#)

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](#)

3) A Motion To Direct Staff To Prepare A Resolution For Future City Consideration To Uphold The Appeal; On The July 6, 2021 City Council Agenda As A Public Hearing

[21-0484](#)

- 3.4** Subject: 21st Street Bridge & Tunnel Franchise Transfer
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance To: (1) Consent To The Transfer Of The Franchise To Construct, Maintain And Operate A Bridge And Tunnel At 21ST Street, Pursuant To Ordinance No. 8005, C.M.S. Dated July 24, 1969, As Amended By Ordinance No. 12733 C.M.S. Dated March 7, 2006, To CIM-Oakland 1 Kaiser Plaza LP And BA2 300 Lakeside LLC; And (2) Amend Said Ordinance To: Increase The Amount Of The Liability Insurance From \$1,000,000 To \$2,000,000 For Property Damage And Bodily Injury; Increase The Annual Franchise Consideration From \$1,500 To \$2,500 Per Year; Authorize The Council To Terminate The Franchise If Grantee Fails To Comply With Any Term Or Condition Of The Franchise; And Clarify That Grantee Disclaims Any Right, Title, Or Interest In Or To Any Portion Of The Public Right-Of-Way; On The July 6, 2021 City Council Agenda On Non-Consent

[21-0486](#)

- 3.5** Subject: MTC Master Funding Agreement
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter A Master Funding Agreement In Fiscal Year 2020-21 Through Fiscal Year 2030-31 Between The Metropolitan Transportation Commission (MTC) And The Oakland Department Of Transportation (OakDOT) And Approve The Supplement I To The Master Funding Agreement, Which Will Appropriate Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) To Deliver Additional MTC's Project Scope To OakDOT's West Grand Repaving: On The July 6, 2021 City Council Agenda On Consent [21-0487](#)
- 3.6** Subject: SAVE And Downtown Streets Team Workforce Development Extension
From: Human Services Department
Recommendation: Adopt The Following Pieces Of Legislation:
- 1) A Resolution Amending Resolution No. 88333 C.M.S. To Extend The Grant Award Term End Date With S.A.V.E | Soldiers Against Violence Everywhere Center For Community Change And Empowerment To June 30, 2022; And [21-0490](#)
- 2) A Resolution Authorizing The City Administrator To Amend The Grant Agreement With Downtown Streets Team (DST) For A Workforce And Employment Placement Program And Extend The Term Date To June 30, 2022; On The July 6, 2021 City Council Agenda On Consent [21-0491](#)
- 3.7** Subject: Youth Spirit Artworks Grant Extension And Increase
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 87834 C.M.S., Which Authorized The City Administrator To Enter Into A Grant Agreement With Youth Spirit Artworks (YSA), Among Others, To Provide Transitional Housing And Supportive Services For Homeless Transitional Age Youth In Oakland, To: 1. Extend The YSA Grant Term Through June 30, 2022; And 2. Increase The YSA Grant Amount By \$220,000, For A Total Grant Award Of \$580,285; On The July 6, 2021 City Council Agenda On Consent **21-0492**

- 3.8** Subject: K.P., A Minor, Et Al. V. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of K.P., A Minor, By And Through Her Guardian Ad Litem, Jourdan Murray, And Kennisha Jackson-Cadle V. City Of Oakland, Kola Thomas, And Does 1-30, Alameda County Superior Court Case No. RG20056965, City Attorney's File No. 33615, In The Amount Of Two Hundred Eighty Thousand Dollars And Zero Cents (\$280,000.00) (Parks, Recreation & Youth Development - Negligent Supervision); On The July 6, 2021 City Council Agenda On Consent
[21-0494](#)
- 3.9** Subject: Term Sheet With AASEG
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution Of The Oakland City Council For A Non-Binding Term Sheet With The African American Sports & Entertainment Group; On The July 20, 2021 City Council Agenda On Non - Consent
[21-0489](#)

RECOMMENDATIONS FROM COMMITTEES

June 8, 2021 Public Safety Committee:

- 3.10** Subject: Violence Prevention Services Spending Plan
From: Department Of Violence Prevention
Recommendation: Adopt A Resolution Approving The City's Funding Priorities For Programs Funded By The 2014 Oakland Public Safety And Services Violence Prevention Act (Safety And Services Act) For July 2022 Through The End Of The Safety And Services Act Funding Period (December 2024)
[21-0389](#)

Attachments:

[View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Resolution](#)

Legislative History

5/13/21

*Rules & Legislation
Committee

Scheduled to the *Public Safety Committee

6/8/21 *Public Safety Committee Continued to the *Public Safety Committee
The Committee continued this item to be heard at the July 13, 2021 with the following direction;

-to include/add the power point presentation in the agenda packet;

-to allow Council President Fortunato Bas' budget team time to see if available funds this budget cycle can help advance the DVP department to tier 2; and

-to incorporate Alameda County and OUSD into the conversation.

3.11 Subject: Military Equipment Rules
From: Vice Mayor Kaplan, Councilmember Gallo And Kalb
Recommendation: Adopt An Ordinance Adding Chapter 9.65 To The Oakland Municipal Code Establishing Rules For The Oakland Police Department's Acquisition And Use Of Military And Militaristic Equipment
[21-0340](#)

- Attachments:**
- [View Report](#)
 - [View Legislation](#)
 - [View Police Commission Memo](#)
 - [View Supplemental Legislation 6/4/2021](#)
 - [View Supplemental Legislation 6/4/2021 REDLINED](#)

Legislative History

4/29/21 *Rules & Legislation Committee Scheduled to the *Public Safety Committee

6/3/21 *Rules & Legislation Committee Scheduled to the *Public Safety Committee
Concilmember Kalb Requested to be added as a Co-Sponsor

6/8/21 *Public Safety Committee Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Committee Approved Staffs Recommendation to be Forwarded to the June 15, 2021 City Council Agenda on Consent with the following amendments;

9.65.010 (F)
(1) Production descriptions and specifications for Controlled Equipment and inventory numbers of each type of Controlled Equipment in the Police Department's possession. The Police Commission may waive the remaining obligations for annual reporting for a specific type of equipment if the Police Department certifies, in advance of issuing the Annual Controlled Equipment Report, that the equipment was neither used nor Purchased in the immediately preceding calendar year.

9.65.020 (C)(1)
(c) The use of Controlled Equipment is unlikely to result in the disproportionate impacts to members of the public basal on their race, national origin, religion, sexual orientation, gender, gender identity, political viewpoint, or disability.

3.12 Subject: Oral Report On Action Plan To Address Violent Crime
 From: Council President Fortunato Bas And Councilmember Fife
 Recommendation: Receive An Oral Report And Recommendation From The Police Chief On The Action Plan To Address Violent Crime, Including: (1) How Does Deployment And Overtime Strategy Lead To Outcomes Reducing Violent Crime; (2) How Is The Oakland Police Department Collaborating With Department Of Violence Prevention On The Highest Violent Crime Beats And The Reported Small Number Of People Committing Crimes; (3) Identifying The Units, Number Of Officers, Budgeted Amount Focused On Violent Crime And Investigations; 4) Identifying Vacant Positions Focused On Violent Crime And Investigations, Including Gun Tracing Positions; And 5) Data On Attrition Rates Of OPD Officers

[21-0471](#)

Sponsors: Fife

Legislative History

6/3/21	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
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Council President Fortunato Bas made a motion seconded by President Pro Tempore Thao to approve the urgency finding on item 3.1 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;

Motion passed by 3 Ayes: Fife, Thao, and Fortunato Bas, 1 Excused Kalb

Approved a Title Change

6/8/21	*Public Safety Committee	Received and Forwarded to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
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The committee forwarded this Oral Report to the Special City Council meeting of June 17th, with the power point presented attached

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings

[21-0444](#)

Attachments:

- [View Previously Distributed June 15, 2021 City Council Agenda](#)
- [View Previously Distributed June 17, 2021 Special Budget City Council Agenda](#)
- [View Cancelled June 17, 2021 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 Education Partnership Committee Pending List](#)
- [View Public Safety Committee Pending List](#)
- [View Rules and Legislation Committee Pending List](#)
- [View June 22, 2021 Public Works Committee Agenda](#)
- [View June 24, 2021 Special Budget City Council Agenda](#)
- [View Cancelled June 24, 2021 Rules & Legislation Committee Agenda](#)

5 Determinations Of Closed Session

6 Subject: Support For AB 257, The Fast Food Accountability And Standards Recovery Act

From: Council President Fortunato Bas

Recommendation: Adopt A Resolution Supporting California State Assembly Bill No. 257, Authored By Assembly Member Lorena Gonzalez Of District 80, To Enact The Fast Food Accountability And Standards (FAST) Recovery Act, Legislation That Would Empower And Protect California’s Half-A-Million Fast Food Workers

[21-0433](#)

Attachments:

[View Legislation](#)

Legislative History

5/20/21	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
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7 Subject: Support For AB 490, The Angelo Quinto Act Of 2021
From: Council President Fortunato Bas, Councilmember Kalb And Fife
Recommendation: Adopt A Resolution Supporting California State Assembly Bill No. 490, “The Angelo Quinto Act Of 2021,” Authored By Assembly Member Mike Gibson, To Prohibit Law Enforcement From Authorizing Techniques Or Transport Methods That Involve A Substantial Risk Of Positional Asphyxia

[21-0434](#)

Attachments:

[View Legislation](#)

Legislative History

5/20/21

*Rules & Legislation
Committee

Scheduled to the *Rules & Legislation
Committee

Councilmember Kalb and Fife requested to be added as a co-sponsor

Open Forum (Total Time Available: 15 Minutes)

Adjournment

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.