

# 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, January 28, 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.
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- 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: 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 & Legislation Committee convened at 10:33 p.m. with Councilmember Thao presiding as Chairperson.**

**COMMITTEE MEMBERSHIP:**

**Roll Call / Call To Order**

**Excused** 1 - Dan Kalb

**Present** 3 - Sheng Thao, Nikki Bas, and Carroll Fife

**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**

- 2** Approval Of The Draft Minutes From The Committee Meeting Of January 14, 2021  
[21-0043](#)

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

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

**Abstained:** 1 - Kalb

**Aye:** 3 - Thao, Bas, and Fife

**NO VOTE:** 0

**3 New Scheduling Items**

**THE ROLL CALL WAS MODIFIED TO SHOW COUNCILMEMBER KALB PRESENT AT 10:35AM**

**DUE TO THE PRESENCE OF COUNCILMEMBER GALLO 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 10:46 AM**

**This be Accepted as Amended.**

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

**NO VOTE:** 0

**3.1** Subject: City Council Strategic Planning Retreat  
From: Councilmember Gallo  
Recommendation: The Strategic Plan Will Provide A Disciplined Approach To Governance And Will Be The Cornerstone To Succinctly Embody The Council's Priorities And Provide A Touchstone To Keep Both The Council And City Staff Focused During The Year. The Development Of The City Council Strategic Plan Will Be On-site Strategic Planning Retreat During Which We Synthesize Our Individual Ideas With Staff Recommendations In Order To Arrive Upon Broad Consensus That Serve As A framework for Council Actions In The Coming Year. The City Will Hire A Professional Meeting Facilitator To Organize And Facilitate The Council's Retreat In Order To Maximize The Productivity Of These Sessions And To Allow The Council To Move Through Multiple Discussions Of Complicated Topics Over The Course Of Approximately 20 Hours Of Meetings, Sponsoring Over 3 Days. The Meetings Are Open To The Public And One Planned With The Expectation That Members Of The Public Will Be On Board; On The February 2, 2021 City Council Agenda  
[21-0072](#)

*The Committee motioned this item return to the next Rules with a new title for scheduling*

**This Informational Report be No Action Taken.**

**3.2** Subject: More COVID Vaccine For Oakland  
From: Vice Mayor Kaplan And Councilmember Reid  
Recommendation: Adopt A Resolution Urging State And Federal Governments To Provide The People Of The City Of Oakland And Alameda County With More Doses Of The Covid-19 Vaccine To Facilitate The Equitable Distribution Of The Vaccine To Under-Served Communities In Sites Like The Mass Vaccination Site At The Oakland Coliseum  
[21-0070](#)

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

*Council President Bas made a motion seconded by Councilmember Kalb to approve the urgency finding on item 3.2 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 4 Ayes: Fife, Kalb, Thao, and Fortunato Bas**

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

**3.3** Subject: Rebecca Reed-Lunn 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 Rebecca Reed-Lunn V. City Of Oakland, City Of Oakland Public Works, County Of Alameda, And Does 1-50, Alameda County Superior Court Case No. RG19022470, City Attorney's File No. 33115, In The Amount Of Ninety Eight Thousand Nine Hundred Ninety Nine Dollars And Zero Cents (\$98,999.00) (Department Of Transportation - Dangerous Condition)  
[21-0075](#)

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

*Council President Bas made a motion seconded by Councilmember Kalb to approve the urgency finding on item 3.3 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 4 Ayes: Fife, Kalb, Thao, and Fortunato Bas*

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

**3.4** Subject: Mosswood Park Master Plan And CEQA Determination Adoption  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution (1) The Mosswood Park Master Plan; And (2) The Related California Environmental Quality Act (CEQA) Negative Declaration; And (3) Accepting And Appropriating: (A) A Donation From The Oakland Parks And Recreation Foundation Which Received Funds From The Kaiser Permanente Northern California Community Benefit Program In An Amount Up To Three Million Five Hundred Thousand Dollars (\$3,500,000.00) For Use On The Mosswood Project; And (B) MacArthur Transit Village Development Impact Funds In The Amount Of One Hundred Twenty Five Thousand Dollars (\$125,000.00) For Use On The Project  
[21-0071](#)

**Attachments:** [View Report](#)  
[View Report 2](#)  
[View Report Attachment B](#)  
[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 2/16/2021**

- 3.5** Subject: Reimagining Public Safety Task Force Update  
From: Council President Fortunato Bas And Councilmember Taylor  
Recommendation: Receive An Informational Report From The Reimagining Public Safety Task Force On The Process And Status To Develop Recommendations For The Council's Consideration Per Resolution No. 88269, Which Created The Reimagining Public Safety Task Force To Create A Plan To Dramatically Shift Resources From Enforcement And Punishment To Prevention And Wellness For Integration In The Fiscal Year (FY) 2021-23 Budget  
[21-0073](#)

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

***To Be Scheduled 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 2/16/2021**

- 3.6** Subject: Honoring Executive Director Of Oakland Parks & Recreation Foundation Ken Lupoff  
From: Councilmember Kalb And President Pro Tempore Thao  
Recommendation: Adopt A Resolution Honoring And Expressing Appreciation To Ken Lupoff For His 10 Years Of Dedicated Service To The Residents Of The City Of Oakland As The Executive Director Of Oakland Parks And Recreation Foundation  
[21-0074](#)

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

***President Pro Tempore Thao requested to be added as a Co-Sponsor***

**This City Resolution be Scheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/16/2021**

- 3.7** Subject: Report On Independent Investigation On Bey Cases  
From: Vice Mayor Kaplan  
Recommendation: Receive An Informational Report On The Independent Investigation Into The Bey Cases, And Discuss Recommendations For Action To Bring About Reconciliation And Restoration  
[20-0692](#)

**Attachments:** [NO WRITTEN MATERIALS WAS SUBMITTED](#)

***For Scheduling***

**This Informational Report be Continued.to go before the \*Rules & Legislation Committee to be heard 2/4/2021**

**Recommendations From Committees**

**3.8** Subject: Councilmember Salary Waiver To Address Budget Shortfall  
From: Councilmember Taylor And President Pro Tem Thao  
Recommendation: Adopt A Resolution Finding And Determining (1) That It Is In The Best Interest Of The City For Councilmembers To Irrevocably Waive Payment Of Salary Equivalent To 10 Days Of Pay For The Period Of January 12, 2021 Through June 30, 2021 In Light Of The Economic Downturn Resulting From The Covid-19 Pandemic; And (2) That Notice Of Such Waiver Shall Be Provided By Submitting Such Waiver In Writing To The City Administrator

[21-0021](#)

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

***The Rules and Legislation Committee accepts this item be schedule to the March 8, 2021 Finance And Management Committee Agenda***

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

**3.9** Subject: Resolution Reducing Monthly Auto Allowances By 95% Through June 30, 2021.  
From: Councilmember Kalb  
Recommendation: Adopt A Resolution Reducing The Monthly Auto Allowances Of The Mayor, Vice Mayor, City Councilmembers, City Attorney And City Auditor By Ninety-Five Percent (95%) For The Period Of January 12, 2021 Through June 30, 2021 In Light Of The Covid-19 Pandemic

[21-0014](#)

**Attachments:** [View Report 1](#)  
[View Report 2](#)  
[View Report 3](#)  
[View Legislation](#)

***The Rules and Legislation Committee accepts this item be schedule to the March 8, 2021 Finance And Management Committee Agenda***

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

**3.10** Subject: Appropriating \$10 Million From The Oakland-Alameda County Coliseum Authority  
From: Vice Mayor Kaplan And Councilmember Reid  
Recommendation: Adopt A Resolution Directing City Council Representatives On The Oakland-Alameda County Coliseum Joint Powers Authority Board To Seek Board Approval To Disburse Up To Ten Million Dollars (\$10,000,000) To The City Of Oakland, And Accepting And Appropriating Any Disbursement In An Amount Up To Ten Million Dollars (\$10,000,000) To The City Of Oakland From The Oakland-Alameda County Coliseum Authority

[21-0051](#)

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

***The Rules and Legislation Committee accepts this item be schedule to the February 2, 2021 City Council Agenda***

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

**3.11** Subject: Prevent Certain Budget Cuts, Including To Fire Services  
From: Vice Mayor Kaplan And President Bas  
Recommendation: Adopt A Resolution Amending Resolution No. 88174, Which Adopted The Fiscal Year 2020-21 Mid-Cycle Amendments, To Among Other Things, Prevent Cuts To Fire Services

[21-0052](#)

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

***The Rules and Legislation Committee accepts this item be schedule to the March 8, 2021 Finance And Management Committee Agenda***

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



**3.12** Subject: Local Business Empowerment Through Contracting (LBETC) Costing  
From: Councilmember Taylor  
Recommendation: Receive An Informational Report Directing The City Administrator To Provide A Costing Analysis Including Staff Impacts And Dollar Amounts For The Local Business Empowerment Through Contracting (LBETC) Ordinance Which Amends Ordinance 13101 Which Revised Oakland’s Local And Small Local Business Enterprise (L/SLBE) Program Brought To Council On December 15, 2020 And January 12, 2021 To Empower Oakland’s Local And Small Business Community And Responds To The Racial And Gender Disparities Identified In The 2017 Racial And Gender Disparities Report  
[21-0048](#)

- Attachments:** [View Report](#)  
[View Report - Attachment A](#)  
[View Report - CM Taylor](#)

***The Rules and Legislation Committee accepts this item be schedule to the February 16, 2021 City Council Agenda 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 2/16/2021**

**4** Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings  
[21-0044](#)

- Attachments:** [View February 2, 2021 Previously Distributed City Council Agenda](#)  
[View February 4, 2021 Previously Distributed Rules And Legislation Committee Agenda](#)  
[View Finance And 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 Rules And Legislation Committee Pending List](#)  
[View February 8, 2021 Draft Life Enrichment Committee Agenda](#)  
[View February 9, 2021 Draft Public Safety Committee Agenda](#)  
[View February 11, 2021 Draft Rules And Legislation Committee Agenda](#)

***The Committee motioned the pending list be placed on committee agendas going forward***

**CHANGES MADE TO THE DRAFT AGENDAS FOR COMMITTEE MEETINGS AND**

**CHANGES MADE TO THE FEBRUARY 2, 2021 CITY COUNCIL AGENDA**

Subject: Vacate A Portion Of King St. Between Dennison St. And Frederick St.  
 From: Transportation Department  
 Recommendation: Adopt A Resolution Conditionally Vacating A Portion Of The Public Right-Of-Way Of King Street From 5 Feet South Of Its Intersection With Dennison Street To 68.6 Feet North Of Its Intersection With Frederick Street  
[21-0038](#)

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

*The Committee accepts this item be rescheduled from February 2, 2021 City Council Agenda to The February 16, 2021 City Council Agenda*

**This City Resolution be \* Withdrawn and Rescheduled.to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 2/16/2021**

Subject: Surplus Land Declaration For The Former Raiders Training Facility  
 From: Office Of The City Administrator  
 Recommendation: Adopt A Resolution Declaring The City’s Undivided 50% Fee Interest In The Former Raiders Training Facility At 1150 And 1220 Harbor Bay Parkway (Assessor Parcel Numbers: 074-1361-008 And 074-1339-016) As “Surplus Land” Pursuant To Government Code Section 54220 Et Seq. (California Surplus Land Act); And 2) Authorizing The City Administrator To, Jointly With The County Of Alameda, Issue The Notice Of Availability For The Sale Of 100% Fee Title To The Property, In Compliance With The Surplus Land Act  
 [TITLE CHANGE]  
[20-0894](#)

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

*The Committee accepts this item be moved to the Non-Consent portion of the February 2, 2021 City Council Agenda*

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

**CHANGES MADE TO THE DRAFT AGENDAS**

**CHANGES MADE TO THE MARCH 9, 2021 DRAFT PUBLIC SAFETY COMMITTEE AGENDA**

Subject: Re-Allocate Funds To OPD Missing Persons Unit And DVP  
From: Vice Mayor Kaplan  
Recommendation: Adopt A Resolution To Amend: (1) Resolution No. 88174 C.M.S., Which Adopted The Amended Fiscal Year 2019-Biennial City Budget To Reallocate Funds From The Reduction Of OPD PIO Function; (2) Resolution No. 88173 C.M.S. To Re-Allocate Rotorcraft Support, Inc. (RSI) Helicopter Maintenance Service Contract For The Period Of July 1, 2020 To June 30, 2022; To: (A) To Direct The City Administrator Or Their Designee To Terminate Necessary Contracts From Prior Resolution Appropriation; (B) To Funds To The Department Of Violence Prevention To Be Directed To Its Violence Prevention Spending Plan; And (3) Amend Resolution No. 88402 C.M.S. To Re-Allocate Fiscal Year (FY) 2020 State Of California "Citizens Options For Public Safety (State COPS Grants XXIII) To Reallocate Funds To Staff The Missing Persons Unit [21-0012](#)

*The Committee accepts this item be rescheduled from February 9, 2021 Public Safety Committee Agenda to The March 9, 2021 Public Safety Committee Agenda*

**This City Resolution be \* Withdrawn and Rescheduled.to go before the \*Public Safety Committee to be heard 3/9/2021**

## 5 Determinations Of Closed Session

6 Subject: Police Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Marsha Peterson To Serve On The Oakland Police Commission As Alternate Commissioner [21-0031](#)

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

**A motion was made by Dan Kalb, seconded by Sheng Thao, that this matter be Approved 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 2/2/2021. The motion carried by the following vote:**

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

**NO VOTE:** 0

7 Subject: Support Of AB 71 (Rivas) Homelessness Funding  
From: Office Of The Mayor, President Pro Tem Thao, Councilmember Taylor And President Bas  
Recommendation: Adopt A Resolution In Support Of AB 71 (Rivas) To Establish A Permanent Source Of Funding To Reverse The Cycle Of Homelessness In California [21-0046](#)

**Attachments:** [View Report and Legislation](#)  
[View Report - AB 71 Bill](#)  
[View Report - ALH](#)  
[View Supplemental Legislation - 1/22/2021](#)

A motion was made by Nikki Bas, seconded by Sheng Thao, that this matter be Approved 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 2/2/2021. The motion carried by the following vote:

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

**NO VOTE:** 0

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

*5 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 12:01 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.**