

City of Oakland

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

Meeting Minutes - DRAFT *Rules & Legislation Committee

Thursday, July 14, 2022

10:30 AM

Virtual Tele- Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Oakland City Council Rules And Legislation Committee convened at 10:35 A.M., with Pro Tem Thao presiding as Chairperson.

Roll Call / Call To Order

Excused 1 - Dan Kalb

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

1 PUBLIC COMMENT:

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

4 speakers spoke during Public Comment.

2 Approval Of The Draft Minutes From The Committee Meeting Of June 16, 2022 22-0593

Attachments: View Draft June 16, 2022 Rules Minutes

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

Excused: 1 - Kalb

Aye: 3 - Fortunato Bas, Fife, and Thao

NO VOTE: 0

3 New Scheduling Items

3.1 Subject: 2022 Oakland Zoo Animal Care

From: Office Of The City Clerk

Recommendation: Adopt A Resolution, Pursuant To An Initiative Petition, Submitting To The Qualified Electors At The November 8, 2022 General Municipal Election A Proposed Amendment To The Oakland Municipal Code Enacting The 2022 Oakland Zoo Animal Care, Education And Improvement Ordinance And Imposing A Parcel Tax To Fund Operations, Staffing, Maintenance, And Capital Improvements Of The Oakland Zoo; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Submit This Initiative To The Voters At The November 8, 2022 General Municipal Election*
[*Subject To County Certification That Initiative Has Qualified For The Ballot]

Attachments: View Legislation

View Certificate To Petition

89349 CMS

On Consent

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/19/2022

3.2 Subject: Amro Al Nabulsi Vs. 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 Amro Al Nabulsi V. City Of Oakland, County Of Alameda, And Does 1 To 100, Inclusive, Alameda County Superior Court Case No. Rg19035880, City Attorney File No. 33304, In The Amount Of Fifty Thousand Dollars And Zero Cents (\$50,000.00) (Department Of Transportation - Dangerous Condition) 22-0634

Attachments: View Report

View Legislation

89350 CMS

On Consent

3.3 Subject: FY2022 CalVIP Grant

From: Department Of Violence Prevention

Recommendation: Adopt A Resolution:

- (1) Accepting And Appropriating A California Violence Intervention And Prevention (CalVIP) Grant From The California Board Of State And Community Corrections (BSCC) In An Amount Not To Exceed Five Million Nine Hundred Ninety-Nine Thousand Nine Hundred Forty-Eight Dollars (\$5,999,948) For The Period Of July 1, 2022, To December 31, 2025 (42 Months);
- (2) Authorizing The City Administrator To Take All Steps Necessary For The City To Receive The CalVIP Grant;
- (3) Waiving The City Of Oakland's Local And Small Local Business Enterprise Program (L/Slbe) Requirements And Competitive Bidding Process And Awarding An Agreement In An Amount Not To Exceed Three Hundred Twenty-Five Thousand Dollars (\$325,000) For A Term Ending December 31, 2025, To Urban Institute To Evaluate The CalVIP-Funded Program;
- (4) Waiving The City Of Oakland's L/SLBE Requirements And Competitive Bidding Process And Awarding An Agreement In An Amount Not To Exceed Two Hundred Twenty Thousand Dollars (\$220,000) For A Term Of July 1, 2023 To June 30, 2025, To Faith In Action East Bay Inc. To Support The CalVIP-Funded Program;
- (5) Waiving The City Of Oakland's L/SLBE Requirements And Competitive Bidding Process And Awarding An Agreement In An Amount Not To Exceed One Hundred Twenty-Five Thousand Nine Hundred Sixty Dollars (\$125,960) For A Term Ending June 30, 2025, To Heru Consulting To Deliver Training In The Prevention And Intervention Family Systems Approach;
- (6) Waiving The City Of Oakland's L/SLBE Requirements And Competitive Bidding Process And Awarding An Agreement In An Amount Not To Exceed Sixty-Six Thousand Seven Hundred Seventy-Six Dollars (\$66,776) For A Term Ending June 30, 2025, To Roca Inc. To Deliver The Rewire Cognitive Behavioral Theory Training Curriculum;
- (7) Authorizing The City Administrator To Add Six (6) 1.0 Full-Time Equivalent (FTE) Case Manager I Positions To The Department Of Violence Prevention (DVP) For The Term Of October 1, 2022, To June 30, 2025, (33 Months) For A Total Amount Not To Exceed Two Million Four Hundred Fifty-One Thousand Nine Hundred And Six Dollars (\$2,451,906);
- (8) Authorizing The City Administrator To Add One (1) 1.0 FTE Health & Human Services Program Planner Position To The Dvp For The Term Of October 1, 2022, To June 30, 2025, (33 Months) For A Total Amount Not To Exceed Five Hundred Seventy-Four Thousand Nine Hundred Forty-Eight Dollars (\$574,948);

- (9) Authorizing The City Administrator To Add One (1) 1.0 FTE Case Manager II, Supervising Position To The DVP For The Term Of October 1, 2022, To June 30, 2025, (33 Months) For A Total Amount Not To Exceed Five Hundred Twenty-One Thousand Three Hundred Forty- Three Dollars (\$521,343);
- 10) Allocating CalVIP Funds In An Amount Not To Exceed One Million Seven Hundred Eighty Thousand Seven Hundred Ninety-One Dollars (\$1,780,791) To Augment Existing Violence Prevention Services In The DVP Through December 31, 2025 21-0236

Attachments: View Report

View Legislation 89367 CMS

On Non Consent

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/19/2022

3.4 Subject: Study Session On The General Plan Update

From: Planning And Building Department

Recommendation: Receive An Informational Presentation On (A) Key Background Conditions Presented In The Map Atlas And The Environmental Justice And Racial Equity Baseline; (B) The Environmental Justice Communities Screening Analysis; And (C) Community Engagement And Outreach Received; And (D) The Vision, Guiding Principles And Equity Framework For The General Plan Update To Guide Baseline General Plan Policy Development 22-0119

Attachments: View Report and Attachment A - C

View Supplemental Presentation - 5/19/2022

View Supplemental Report And Attachment A - 7/22/2022

View Supplemental Presentation - 7/22/2022

A Title change was read into record at the July 14, 2022 Rules And Legislation Committee

3.5 Subject: Senior Companion Program/Foster Grandparent Program (SCP/FGP)

Renewal Grant Applications

From: Human Services Department

Recommendation: Adopt A Resolution: (1) Accepting, Appropriating, And Authorizing Agreements For Receipt Of Grant Funds From The Corporation For National And Community Services (CNCS-Americorps Seniors) For Fiscal Year (FY) 2022-23 In Amounts Not To Exceed \$337,220 For The Senior Companion Program And \$38,821 For The Foster Grandparent Program; And (2) Authorizing A Contribution From The General Purpose Fund For Central Services Overhead Charges In The Estimated Amount Of \$39,076 For FY 2022-23; And (3) Authorizing The City Administrator To Accept And Appropriate Additional Grant Funds From CNCS That Become Available For The Same Purposes Within FY 2022-23

22-0615

Attachments: View Report

View Legislation 89339 CMS

A Title change was read into record at the July 14, 2022 Rules And Legislation Committee

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/19/2022

3.6 Subject: Results Of The City Of Oakland Municipal Election

From: Office Of The City Clerk

Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland Municipal Election Held On Tuesday, June 7, 2022 22-0632

Attachments: View Memo

View City of Oakland Measure C - June 7, 2022 Statewide Direct

Primary Election View Legislation 89351 CMS

On Consent

3.7 Subject: Funding Acceptance For Oakland Ecoblock

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Funding From The Regents Of The University Of California In The Amount Of Up To Two Hundred Twenty-Five Thousand And Four Dollars (\$225,004.00) On A Cost-Reimbursable Basis To Hire A Grant Funded Exempt Limited Duration Employee To Coordinate Permitting For The Oakland EcoBlock Project And Update Codes And Processes To Facilitate Additional EcoBlock-Style Retrofits 22-0635

Attachments: View Report

View Legislation 89355 CMS

A Title Change was read into record.

On Consent.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/19/2022

3.8 Subject: American Muslim Appreciation And Awareness Month

From: Councilmember Taylor

Recommendation: Adopt A Resolution Recognizing The Month Of August 2022 As American Muslim Appreciation And Awareness Month

22-0636

<u>Attachments:</u> <u>View Legislation</u>

89352 CMS

As a Ceremonial.

3.9 Subject: Wilson Riles, Jr. 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 Claims Of Plaintiff Wilson Riles, Jr. In The Case Of Wilson Riles, Jr. V. City Of Oakland, Officer Jorge Yauger, Officer Bryant Ocampo, Michael [Sic] Legault, Richard Fielding, Traci Campbell Block, Cecilia Sevilla, Officer Jonathan Low, Officer Alexandra Lowe, And Does 5 Through 10, United States District Court, Northern District Of California, Case No. 3:20-Cv-06869-Jcs, City Attorney's File No. 33973, In The Amount Of Three Hundred Sixty Thousand Dollars And Zero Cents (\$360,000.00) (Oakland Police Department And Planning And Building Department - Civil Rights) 22-0638

Attachments: View Report

View Legislation 89353 CMS

On Consent

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/19/2022

3.10 Subject: Reappointment Of Council Members To The Association Of Bay Area Government Executive Board

From: Council President Bas

Recommendation: Adopt A Resolution Reappointing Councilmembers Loren Taylor, Nikki Fortunato Bas And Carroll Fife As Delegates To Represent The City Of Oakland To The Association Of Bay Area Governments (ABAG) Executive Board And Reappointing Councilmember Dan Kalb As An Alternate For The Term Beginning July 1, 2022 And Ending June 30, 2024

22-0637

Attachments: View Legislation

89354 CMS

A Title Change was read into record.

On Consent.

3.11 Subject: Encampment Funding Grant From The State of California

From: Human Services Department

Recommendation: Adopt A Resolution Accepting, Appropriating, And Authorizing An Agreement For Receipt Of An Encampment Resolution Funding (ERF) Grant From The State Of California In The Amount Of Four Million Seven Hundred Thirty-One Thousand Three Hundred Dollars And One Cent (\$4,731,300.01) To Fund Interim Housing Construction, Operations, And Services At 2601 Wood Street Through June 30, 2024 22-0631

Attachments: View Report

View Legislation 89378 CMS

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/26/2022

3.12 Subject: Teleconferencing Meetings Of The City Council

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Determining That Conducting In-Person Meetings Of The City Council And Its Committees Would Present Imminent Risks To Attendees' Health, And Electing To Conduct Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(e), A Provision Of AB 361 22-0633

Attachments: View Report

View Legislation

At the approval of this scheduling item and the call of the Council President, a special City Council meeting is scheduled for September 12, 2022 at 10:30 AM

3.13 Subject: Proposed Responses To The 2021-2022 Alameda County Civil Grand Jury

Reports

From: Office Of The City Administrator

Recommendation: Approve A Report And Recommendation To Authorize The Council President To Submit Responses On Behalf Of The City To The 2021-2022 Alameda Civil County Grand Jury Final Reports Titled: (1) "Oakland Fails To Enforce Financial Disclosure Rules To Protect The Public"; (2) "Lack Of Fire Inspections In Oakland Creates Unnecessary Risks"; And (3) "Management Failures At Planning And Building Department Cost Oakland Millions"; On The September 20, 2022 City Council Agenda On Non-Consent

22-0630

on Non Consent

This Report and Recommendation be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 9/20/2022

RECOMMENDATIONS FROM THE CANCELLED JULY 12, 2022 PUBLIC SAFETY COMMITTEE

3.14 Subject: OPD's Use Of Critical Incident Videos LLC Informational Report

From: Councilmember Kalb

Recommendation: Receive An Informational Report From The Oakland Police Department (OPD) Describing OPD's Use Of The Company Critical Incident Videos LLC (CIV), Including, But Not Limited To, Cost Per Video, OPD's Involvement In The Editing Process, The Role Of City Leadership Or OPD Oversight Bodies In Editing Or Review, How OPD Decides When To Release The CIV Vidoes, And The Timing Of OPD's Release Of Raw Video Footage

22-0117

Attachments: View Report

This Informational Report be Scheduled.to go before the *Public Safety Committee to be heard 9/13/2022

3.15 Subject: OPD Automated License Plate Reader Privacy Policy And Options

From: Oakland Police Department

Recommendation: Adopt One Of The Following Policy Options:

1) A Resolution Approving The Oakland Police Department (OPD) Automated License Plate Reader (ALPR) Surveillance Use Policy (SUP) And Surveillance Impact Report (SIR); Or

21-0267

Attachments: View Report

View Attachment A

View Attachment B

View Attachment C

View Attachment D

View Attachment E

View Attachment F

View Legislation

View Supplemental Report - 6/30/2022

View Supplemental Attachment A - 6/30/202

View Supplemental Attachment B - 6/30/2022

View Supplemental Attachment C - 6/30/2022

View Supplemental Attachment D - 6/30/2022

View Supplemental Attachment E - 6/30/2022

View Supplemental Attachment F - 6/30/2022

View Supplemental Legislation - 6/30/2022

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 7/13/2022

2) A Resolution That Within 30 Days Of The Date Of Passage Of This Resolution, The Chief Of Police Shall Certify In Writing To The City Council And The Privacy Advisory Commission (PAC) That The Oakland Police Department (OPD) Has Terminated Its Use Of Automatic License Plate Reader (ALPR) 21-0268

Attachments: View Report

View Attachment A

View Attachment B

View Attachment C

View Attachment D

View Attachment E

View Attachment F

View Legislation

View Supplemental Report - 6/30/2022

View Supplemental Attachment A - 6/30/2022

View Supplemental Attachment B - 6/30/2022

View Supplemental Attachment C - 6/30/2022

View Supplemental Attachment D - 6/30/2022

View Supplemental Attachment E - 6/30/2022

View Supplemental Attachment F - 6/30/2022

View Supplemental Legislation - 6/30/2022

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 9/13/2022

3.16 Subject: Violent Crime Investigations Management

From: Councilmembers Taylor And Fife

Recommendation: Receive An Informational Report From The City Administrator Which Includes (1) A Report On The Current And Historical Clearance Rates Of Violent Crimes And (2) A Plan To Create And Implement An Investigations Management Database And A Corresponding Clearance Rates Dashboard To Track The Progress In Clearing Cases, To Ensure Accountability For Perpetrators Of Violent Acts Against Oaklanders, Bring Closure For Violent Crime Victims And Their Families, And Deter Potential Violent Acts

22-0046

Attachments: View Report

View Report - Taylor

This City Resolution be Scheduled.to go before the *Public Safety Committee to be heard 9/13/2022

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings 22-0594

Attachments: July 19, 2022 Special City Council Agenda

CANCELLED JULY 21, 2022 RULES AND LEGISLATION

COMMITTEE AGENDA

Finance And Management Pending List

Public Works Pending List

Community And Economic Development Pending List

Life Enrichment Pending List

Education Partnership Committee Pending List

Public Safety Pending List

Rules And Legislation Pending List

Draft July 26, 2022 Special City Council Agenda

CHANGES TO THE PREVIOUSLY DISTRIBUTED JULY 19, 2022 SPECIAL CITY COUNCIL AGENDA

Subject: Council President Bas' Mural Fund To ARTogether

From: Council President Bas

Recommendation: Adopt A Resolution Awarding A Grant In The Amount Of \$5,000 From Council President Bas' Mural Funds (Fund 5505) To ARTogether For A Community Mural On The San Antonio Park Tennis Courts Wall At 1701 E. 19th Street, With The Support Of Artist Cece Carpio

[TITLE CHANGE]

22-0617

Attachments: View Legislation

89340 CMS

A Title Change was read into record.

Subject: Celebrating Mills College And Investigating The Merger Between Mills College And Northeastern University

From: Vice Mayor Kaplan And President Pro Tem Thao

Recommendation: Adopt A Resolution Celebrating The Contributions Of Mills College To The City Of Oakland And Beyond, And Calling On The California Bureau Of Private And Post-Secondary Education And The Us Department Of Education To Conduct An Independent Investigation Into The Circumstances Of The Merger Between Mills College And Northeastern University

[TITLE CHANGE]

22-0621

Attachments: View Report

View Legislation

View Supplemental AG Notice - Taylor 7/14/2022

View Supplemental Questions - Taylor 7/14/2022

View Revised Legislation 7/14/2022

89342 CMS

A Title Change was read into record.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/19/2022

Subject: District Three Mural Fund Allocation

From: Councilmember Fife

Recommendation: Adopt A Resolution Awarding A Grant In The Amount Of \$20,000 From The District 3 Mural Funding To Alternative Minds Foundation, Inc. As Fiscal Sponsor For Aerosoul For Art Installations At The 3rd Street And Peralta Street Co-Governed Homeless Intervention Site

[TITLE CHANGE]

22-0619

Attachments: View Legislation

89343 CMS

A Title Change was read into record.

Subject: Lease Agreement With The Dr. Huey P. Newton Foundation

From: Councilmember Fife

Recommendation: Adopt A Resolution Authorizing The Following Actions: 1) Approving The City Administrator To Negotiate And Enter Into A Month-To-Month Lease Agreement With The Dr. Huey P. Newton Foundation For The Two Thousand Six Hundred Thirty-Six Square Foot (2,636 Sf) Space Located At 150 Frank H. Ogawa Plaza, Suite 1c (Lionel J. Wilson Building) To Serve As A Community Hub Dedicated To Preserving History And Advancing Culture For A Term Not To Exceed Twelve (12) Months In An Amount Not To Exceed Four Thousand One Hundred Sixty-Six Dollars And Sixty-Seven Cents (\$4,166.67) Per Month As Authorized By Section 2.42.230 Of The Oakland Municipal Code; And 2) Awarding A Grant To The Dr. Huey P. Newton Foundation In An Amount Not To Exceed Fifty Thousand Dollars (\$50,000) For A Term Not To Exceed Twelve (12) Months For Lease Support From The Two Hundred And Fifty Thousand Dollars (\$250,000) In General Purpose Funds Designated For The Black Arts Movement And Business District (BAMBD) In The 2021-2023 Biennial Budget Pursuant To Resolution No. 88717 C.M.S.

[TITLE CHANGE]

22-0622

Attachments: View Report

View Legislation 89344 CMS

A Title Change was read into record.

This City Resolution be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/19/2022

Subject: Ordinance To Waive Affordable Housing Impact Fees

From: Vice Mayor Kaplan And Councilmember Fife

Recommendation: Adopt An Ordinance Amending Chapter 15.72.100 Of Oakland's Municipal Code, Affordable Housing Impact Fees: On-Site Affordable Housing Option, To Expedite Waiving Affordable Housing Impact Fees For Small Affordable Housing Projects By (1) Granting Automatic Waiver Of Affordable Housing Impact Fees For Affordable Housing Projects With 10 Units Or Less, And (2) Allowing Applicants To Self-Attest Under Penalty Of Perjury That Their Project Will Remain Affordable For The Life Of The Development Project

<u>22-0518</u>

This City Resolution be Withdrawn with No New Date.

Subject: 2022 Pre-Authorizations For Homekey Projects

From: Housing And Community Development

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply As A Local Agency Partner For Funds In An Amount Not To Exceed \$200,000,000 For Affordable Housing Development Grants From The California Department Of Housing And Community Development's Homekey Program, And Allocating City Capital Matching Funds In A Total Amount Not To Exceed \$21,608,441 And City Operating Funds In A Total Amount Not To Exceed \$13,676,713 For Homekey Projects 22-0607

Attachments: View Report

View Legislation
View Presentation
89379 CMS

This City Resolution be * Withdrawn and Rescheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 7/26/2022

5 Determinations Of Closed Session

A Closed Session will be held On July 21, 2022 at 12 noon.

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

Excused: 1 - Kalb

Aye: 3 - Fortunato Bas, Fife, and Thao

NO VOTE: 0

6 Subject: Re-Appointment To The Police Commission

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Regina Jackson To The Police Commission As A Commissioner 22-0598

Attachments: View Report

View Resume
View Legislation
89362 CMS

A motion was made by Carroll Fife, seconded by Nikki Fortunato Bas, that this matter be Approved the Recommendation of Staff, and Forward to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 7/19/2022. The motion carried by the following vote:

Excused: 1 - Kalb

Aye: 3 - Fortunato Bas, Fife, and Thao

NO VOTE: 0

Open Forum

4 speakers spoke during open forum.

Adjournment

There being no further business, the Committee adjourned the meeting at 11:41 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.