

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 - FINAL

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.
- 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
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.

- 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](#)

Accepted

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
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
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](#)
[88499 CMS](#)

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
Scheduled***

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](#)
[88500 CMS](#)

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
Scheduled**

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: [1awzView Report](#)
[View Report 2](#)
[View Report Attachment B](#)
[View Legislation](#)

Scheduled

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
Scheduled

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
Scheduled

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
Continued

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 Scheduled

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 Scheduled

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](#)
[88501 CMS](#)

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

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
Scheduled***

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 Scheduled

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
*** Withdrawn and Rescheduled**

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](#)
[88507 CMS](#)

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

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
** Withdrawn and Rescheduled*

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](#)
[88502 CMS](#)

Approved the Recommendation of Staff, and Forward

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](#)
[88503 CMS](#)

Approved the Recommendation of Staff, and Forward

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

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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.