

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, May 6, 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 the Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

The Oakland City Council Rules & Legislation Committee convened at 10:33 A.M.with President Pro Tempore Thao presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Present 4 - Sheng Thao, Nikki Fortunato Bas, Carroll Fife, and Dan Kalb

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.

There were 3 Speakers on Public Comment

- 2 Approval Of The Draft Minutes From The Committee Meeting Of April 22, 2021
[21-0313](#)

Attachments: [View Report](#)

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, Fortunato Bas, Fife, and Kalb

NO VOTE: 0

3 New Scheduling Items

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

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

NO VOTE: 0

- 3.1** Subject: Plaza Covid-19 Rent Relief
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator, Or Designee, To Negotiate And Execute Amendments To Seven Leases With The Following Tenants: Big Oakland, Awaken Cafe, Downtown Wine Merchant, Pan Theater And Studio-Fab, 130 Cafe, Betti Ono Gallery, And Pro Arts, To (1) Forgive Up To Fifty (50) Percent Of Outstanding Rent Balances Not To Exceed \$185,000 Total Forgiveness; And (2) Reduce Future Rents By Up To Fifty (50) Percent Ending No Later Than June 30, 2022 Not To Exceed \$145,000 Total Rent Reduction

[21-0360](#)

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

To Be Placed On Non-Consent

This Ordinance be Scheduled to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

- 3.2** Subject: Extension Of On-Call Economic Consultant Professional Service Agreements
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The Amendment of Resolution 85717 C.M.S To Extend The Terms Of Professional Service Agreements For On-Call Economic Consulting Services By An Additional Two Years With A One Year Option To Extend, And To Increase The Amount Of Each Agreement By An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) With The Following Five Firms: 1) Century Urban, LLC, 2) David Rosen & Associates, 3) Economic & Planning Systems, 4) Hausrath Economics Group, And 5) Keyser Marston Associates, And Waiving The Request For Proposals Process For These Contracts

[21-0363](#)

This City Resolution be Withdrawn with No New Date.

3.3 Subject: Denise Tiffer V. City Of Oakland, Et Al.
From: Office Of The City Attorney's
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Denise Tiffer V. City Of Oakland, Mark S. Borsuk Trust No. 1, Suzanne J. Borsuk Krueger Trust No. 1, Sheila Siegel Trust, Zachary D. Schwartz, O'Connor Family Trust, Zachary D. Schwartz, O'Connor Family Trust, Molly D. Siegel, Kimberley M. Siegel, And DOES 1 To 25, Alameda County Superior Court Case No. RG19017127, City Attorney's File No. 32913, In The Amount Of One Hundred Thousand Dollars And Zero Cents (\$100,000.00) (Department Of Transportation - Dangerous Condition)

[21-0375](#)

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

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

3.4 Subject: Sugar Sweetened Beverage Community Advisory Board Funding Recommendations
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Of The Recommendations Of The Sugar Sweetened Beverage Community Advisory Board For The Allocation Of Measure HH, Fund 1030 Revenue For The 2021-23 Fiscal Years

[21-0366](#)

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

To Be Placed On Non-Consent

This Informational Report be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

3.5 Subject: Affordable Housing Week
From: Council President Fortunato Bas And Councilmember Kalb
Recommendation: Adopt A Resolution Proclaiming May 13th To 20th, 2021 As The 25th Annual East Bay Affordable Housing Week

[21-0377](#)

Attachments: [View Report](#)

Councilmember Kalb Requested to be a Co-Sponsor

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

3.6 Subject: May 2021 Mental Health Awareness Month
From: Councilmember Taylor
Recommendation: Adopt A Resolution Proclaiming May 2021 Mental Health Awareness Month In The City Of Oakland And Calling On Alameda County To Fully Invest In Implementing All Of The Recommendations Contained In The April 22, 2021 Report From The United States Department Of Justice Civil Rights Division Entitled, "Investigation Of Alameda County, John George Psychiatric Hospital, And Santa Rita Jail"
[21-0374](#)

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

The Rules and Legislation Committee accepted a Title Change read into Record and to place the item on Non-Consent

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

3.7 Subject: Oral Report And Action To Expand ShotSpotter
From: Vice Mayor Kaplan
Recommendation: Receive A Oral Report From OPD/Administration On Current ShotSpotter Geographic Scope, Numbers Detected, Usage, And Responsive Deployments; And (2) Action On Options To Expand ShotSpotter Coverage Area
[21-0191](#)

Sponsors: Kaplan

To Be Placed On Non-Consent

This Informational Report be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

3.8 Subject: OPD ShotSpotter Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1) Enter Into A Professional Services Agreement With Shotspotter, Inc. For Gunshot Location Detection Service Coverage For: A. OPD Shotspotter Area Phases I, II And III, From July 1, 2021 To June 30, 2023, For An Amount Not To Exceed Six Hundred One Thousand One Hundred Eighty-Six Dollars (\$601,186) Per Year For A Total Of One Million Two Hundred Two Thousand, Three Hundred Seventy-Two Dollars (\$1,202,372), With An Optional Third Year, From July 1, 2023 To June 30, 2024 For An Amount Not To Exceed Six Hundred One Thousand One Hundred Eighty-Six Dollars (\$601,186); For A Total Not To Exceed One Million Eight Hundred And Three Thousand, Five Hundred Fifty Eight Dollars (\$1,803,558) For The Period Of July 1, 2021 Through June 30, 2024; And B. OPD Shotspotter Area Phase IV, From July 1, 2021 To June 30, 2023, For An Amount Not To Exceed One Hundred Ninety-Five Thousand, Three Hundred Dollars (\$195,300) Per Year For A Total Of Three Hundred Ninety Thousand, Six Hundred Dollars (\$390,600) With An Optional Third Year, From July 1, 2023 To June 30, 2024, For An Amount Not To Exceed One Hundred Ninety-Five Thousand, Three Hundred Dollars (\$195,300); For A Total Amount Not To Exceed Seven Hundred Ninety-Six Thousand Four Hundred Eighty Six Dollars (\$796,486) Per Year For An Overall Total Of One Million Five Hundred Ninety Two Thousand Nine Hundred Seventy Two Dollars (\$1,592,972) For OPD Shotspotter Area Phases I, II, III And IV For The Period Of July 1, 2021 Through June 30, 2023, With An Optional Additional Third Year Of OPD Shotspotter Coverage For Area Phases I, II, III And IV, For The Period Of July 1, 2023 Through June 30, 2024, In An Amount Not To Exceed Seven Hundred Ninety Six Thousand Four Hundred Eighty Six (\$796,486); And 2) Waive The Competitive Request For Proposal/ Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business (L/SLB) Enterprise Program Provisions For The Contracts With Shotspotter, Inc.

[21-0279](#)

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

To Be Placed On Non-Consent

This City Resolution be Scheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

- 3.9** Subject: DVP Violence Intervention Renewals Fiscal Year 2021-2022
From: Department Of Violence Prevention
Recommendation: Adopt A Resolution Authorizing The City Administrator To Renew Grant Agreements With Violence Intervention Program Service Providers In A Total Amount Not To Exceed Eight Million Five Hundred Sixty Thousand Dollars (\$8,560,000) For An Additional One-Year Term Beginning July 1, 2021 And Ending June 30, 2022
[21-0298](#)

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

To Be Placed On Non-Consent

This City Resolution be Scheduled.to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

- 3.10** Subject: Report On Illegal Dumping, Graffiti, Blight, And Abandoned Autos
From: Councilmember Gallo
Recommendation: Receive A Report On Illegal Dumping, Graffiti, Blight, And Abandoned Autos, From The City Of Oakland’s Public Works Department
[21-0361](#)

Attachments: [View Report](#)

This Informational Report be Scheduled.to go before the *Public Works Committee to be heard 5/25/2021

- 3.11** Subject: Extension Of Flex Streets Program
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Adding Chapter 8.62, Section 5.51.150, Section 12.08.250, And Section 17.07.060(B) Of The Oakland Municipal Code To Expand Restaurant, Retail, Café, Parklet, And Mobile Food Vending Temporary Uses Of Outdoor Private Spaces And Public Right-Of-Ways (“Oakland Flex Streets Program”) Until March 31, 2022 To Encourage Healthy Outdoor Use And Enjoyment Of Businesses; And Adopt Appropriate California Environmental Quality Act (CEQA) Findings
[21-0358](#)

This Ordinance be Scheduled.to go before the *Public Works Committee to be heard 5/25/2021

THE RULES AND LEGISLATION COMMITTEE ADJOURNED AND CONVENED INTO A SPECIAL CITY COUNCIL MEETING WITH THE PRESENCE OF COUNCILMEMBER TAYLOR

- 3.12** Subject: Fiscal Year (FY) 2021-22 Local Measures M, N, Q, Z, D, And Parks Q
From: Finance Department
Recommendation: Adopt An Ordinance 1) Authorizing A Fiscal Year (FY) 2021-22 Increase In Rate Of Property Tax Imposed By Voter-Approved Measures; And 2), Fixing The Rate Of The Property Tax, And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2021-22 For The Emergency Medical Services Retention Act Of 1997 (Measure M), The Paramedic Services Act Of 1997 (Measure N), The Library Services Retention And Enhancement Act Of 2004 (Library Measure Q), The 2014 Public Safety And Services Violence Prevention Act (Measure Z), The 2018 Oakland Public Library Preservation Act (Measure D), And The 2020 Oakland Parks And Recreation Preservation, Litter Reduction, And Homelessness Support Act (Parks Measure Q)
[21-0359](#)

To 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 6/1/2021

- 3.13** Subject: City Of Oakland 2021-2022 Tax And Revenue Anticipation Notes
From: Finance Department
Recommendation: Adopt A Resolution Providing For The Borrowing Of Funds For Fiscal Year 2021-2022 And The Issuance And Sale Of The City Of Oakland 2021-2022 Tax And Revenue Anticipation Notes In An Amount Not To Exceed \$150,000,000, And Approving The Execution Of One Or More Note Purchase Agreements Relating To Such Notes And Authorizing Other Actions In Connection Therewith
[21-0357](#)

To 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 6/1/2021

- 3.14** Subject: Requesting State Increase Truck Weight For Zero Emission Trucks
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution Requesting That The State Of California Increase The Maximum Allowable Weight For Zero Emission Trucks On State Roadways
[21-0362](#)

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/1/2021

3.15 Subject: Report On Independent Budget And Finance Analysis
 From: Council President Fortunato Bas
 Recommendation: Receive A Special Presentation And Report By Harvey M. Rose Associates, LLC On Their Independent Budget And Finance Analysis Of The Proposed Fiscal Year 2021-2023 Budget For The City Of Oakland
[21-0376](#)

The Rules Committee Accepted The: Subject Title Change

This Informational Report be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/1/2021

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[21-0314](#)

- Attachments:** [View Draft May 10, 2021 Special City Council Agenda](#)
[View Previously Distributed May 11, 2021 Public Safety Agenda](#)
[View Previously Distributed May 13, 2021 Rules and Legislation 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 Draft May 17, 2021 Community & Economic Development Committee Agenda](#)
[View Draft May 18, 2021 City Council Agenda](#)
[View Draft May 20, 2021 Rules & Legislation Committee Agenda](#)

A motion was made by Dan Kalb, seconded by Carroll Fife, that this matter be Accepted as Amended. The motion carried by the following vote:

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

NO VOTE: 0

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

CHANGES MADE TO THE PENDING LIST

Changes Made To The Public Works Pending List

Subject: Updating Oakland's Heavy Trucking Regulations
From: Vice Mayor Kaplan And Councilmember Taylor
Recommendation: Adopt An Ordinance Amending Ordinance 11568 And Chapter 10.53, Which Regulates, By Permit, Extra Large Vehicle/Truck Use Of City Streets To (1) Increase The Maximum Capacity For Two Axle Chassis To 95,000 Lbs. Within Areas Presently Designated And Approved By The Port And The City Of Oakland For Heavy Containers; (2) Increase The Maximum Capacity For Three Axle Chassis To 105 Lbs. Within Areas Presently Designated And Approved By The Port And The City Of Oakland For Heavy Containers; And (3) Codifying The Option For Two Super Single Size Tires Per Axle Where Four (4) Regular Tires Were Previously Required
[20-0910](#)

Sponsors: McElhaney

This City Resolution be Withdrawn with No New Date.

CHANGES MADE TO THE DRAFT AGENDAS

**Changes To The Draft May 17, 2021 Special Community & Economic Development Committee,
Change time to 1:00pm**

This be Accepted.

**Changes Made To The Draft May 18, 2021 Concurrent Meeting of the Oakland Redevelopment
Successor Agency / City Council / Geologic Hazard Abatement District Board Agenda**

Subject: Reallocate Of Measure KK Infrastructure Bonds
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The Reallocation Of Up To Twenty Eight Million Dollars (\$28,000,000.00) Of Measure KK Bond Proceeds From Various Oakland Public Works Infrastructure Projects To The Department Of Transportation For The Citywide Street Resurfacing Project (Project 1001293) And The Streetscapes/Complete Street Capital Project (Project 1003348)
[21-0330](#)

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

The Rules and Legislation Committee accepted the Title Change Read into Record

This City Resolution be Scheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 5/18/2021

5 Determinations Of Closed Session

6 Subject: Resolution In Support Of AB 1087 (Chiu)
From: Councilmember Kalb And President Fortunato Bas
Recommendation: Adopt A Resolution In Support Of AB 1087 (Chiu), A Bill That Would Create An Environmental Justice Community Resilience Hubs Program, Which Would Allocate Funds From Electrical Corporations For Competitive Grants To Owners Of Critical Community Institutions For Holistic Community-Driven Building Upgrade Projects [TITLE CHANGE]
[21-0322](#)

- Attachments:** [View Report](#)
[View Supplemental Report 4/30/2021](#)
[View Supplemental Resolution 4/30/2021](#)
[View Supplemental Resolution \(2\) 4/30/2021](#)
[View Supplemental Report \(2\) 4/30/2021](#)
[View Supplemental Report \(3\) 4/30/2021](#)
[View Supplemental Report \(4\) 4/30/2021](#)
[View Supplemental Legislation - 5/7/2021](#)
[View Supplemental Legislation - 5/14/2021](#)

Council President Fortunato Bas Requested to be Added as a Co-Sponsor.

The Rules and Legislation Committee Accepted the Title Change Read into Record.

A Motion was made to approve staffs recommendation as amended to include the following:

Adding to the 6th WHEREAS CLAUSE: Black, Latinx, Asian American Pacific Islander (AAPI) Neighborhoods

A motion was made by Dan Kalb, seconded by Nikki Bas, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board, to be heard 5/18/2021. The motion carried by the following vote:

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

NO VOTE: 0

S7 Subject: Appointments To The Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Rodney Nickens Jr. As A Tenant Member And Julia Ma Powers As An Undesignated Member To The Housing, Residential Rent And Relocation Board
[21-0257](#)

- Attachments:** [View Report](#)
[View Report Julia Ma Powers](#)
[View Report Rodney Nickens](#)
[View Legislation](#)
[View Supplemental Report - 4/23/2021](#)
[View Supplemental Report Julia Ma Powers - 4/23/2021](#)

A motion was made by Carroll Fife, 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 / City Council / Geologic Hazard Abatement District Board, to be heard 5/18/2021. The motion carried by the following vote:

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

NO VOTE: 0

Open Forum (Total Time Available: 15 Minutes)

2 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

Phone: (510) 238-6406

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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.**