

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, 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

The Oakland City Council Rules & Legislation Committee convened at 10:32 am with President Pro Tempore Thao presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Roll Call / Call To Order

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

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 was 22 Public Comment Speakers

2 There Are No Draft Minutes For Approval

3 New Scheduling Items

A motion was made by Carroll Fife, seconded by Nikki Fortunato 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: 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](#)

This City Resolution be Scheduled.to go before the *Rules & Legislation Committee to be heard 7/1/2021

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: (1) 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 - 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);

(2) 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 Exceed One Million Five Hundred Dollars (\$1,500,000); And

(3) Authorizing The City Administrator To Amend Grant Agreements Awarded Hereunder To Increase The Grant Award Or To Reallocate Funding Between Grantees, If Necessary, To Ensure The Timely Expenditure Of Community Development Block Grant Funds

[21-0481](#)

Attachments: [View Report](#)
[View Report Attachment A](#)
[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 7/6/2021

2) A Resolution Amending Grant Agreements 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., And Collective Legal Services - The Eviction Defense Center, A Non-Profit Law Corporation, For The Provision Of Rental Assistance To Eligible Households To Increase The Amount Of Each Grant Agreement For A Total Grant Amount Not To Exceed Twelve Million Six Hundred Eighty-One Thousand Six Hundred Forty-Three Dollars (\$12,681,643)

[TITLE CHANGE]

[21-0485](#)

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

Approved To 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 7/6/2021

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](#)

Approved As A Public Hearing

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 9/21/2021

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](#)

Approved As A Public Hearing

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 9/21/2021

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](#)

Approved As A Public Hearing

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 9/21/2021

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: (A) Increase The Amount Of The Liability Insurance From \$1,000,000 To \$2,000,000 For Property Damage And Bodily Injury; (B) Increase The Annual Franchise Consideration From \$1,500 To \$2,500 Per Year; (C) Authorize The Council To Terminate The Franchise If Grantee Fails To Comply With Any Term Or Condition Of The Franchise (D) Clarify That Grantee Disclaims Any Right, Title, Or Interest In Or To Any Portion Of The Public Right-Of-Way
[21-0486](#)

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

Approved To 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 7/6/2021

3.5 Subject: MTC Master Funding Agreement
From: Transportation Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator Or Designee To Enter Into A Master Funding Agreement For Fiscal Year 2020-21 Through Fiscal Year 2030-31 Between The Metropolitan Transportation Commission (MTC) And The Oakland Department Of Transportation (OakDOT); (2) Approving Supplement I To The Master Funding Agreement, Which Will Appropriate Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) To Add Additional Bike Lane And Other Work To MTC'S Project Scope For OakDOT's West Grand Repaving Project; And (3) Adopting Appropriate California Environmental Quality Act (CEQA) Finding
[TITLE CHANGE]
[21-0487](#)

Attachments: [View Report](#)
[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 7/6/2021

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 Center For Community Change And Empowerment To June 30, 2022; And
[21-0490](#)

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

Approved To 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 7/6/2021

2) A Resolution Authorizing The City Administrator To Amend The Grant Agreement With Downtown Streets Team For A Workforce And Employment Placement Program To Extend The Grant Term End Date To June 30, 2022
[21-0491](#)

Attachments: [View Legislation](#)

Approved To 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 7/6/2021

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
21-0492

This City Resolution be Scheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/6/2021

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)
[21-0494](#)

Attachments: [View Report](#)
[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 7/6/2021

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](#)

Approved To Non-Consent

A motion was made by Carroll Fife, seconded by Nikki Fortunato Bas, that this matter be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/20/2021. The motion carried by the following vote:

Aye: 3 - Thao, Fortunato Bas, and Fife

No: 1 - Kalb

NO VOTE: 0

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](#)

The Rules and Legislation Committee Approved Committee Recommendations to Continue This Item To the July 13, 2021 Public Safety Committee With Direction

This City Resolution be Scheduled to go before the *Public Safety Committee to be heard 7/13/2021

- 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](#)

[View Supplemental Report 6/10/2021](#)

The Rules and Legislation Committee Approved the Public Safety Committees Recommendation as Amended to Forward to the June 15, 2021 Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

This City Resolution be Scheduled to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/15/2021

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

The Rules and Legislation Committee Approved Public Safety Committees Recommendation to Forward to the June 17, 2021 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, and

Noting that the Power Point Presentation Can Not be Added to Agenda Packet but Will be Published on The Cities Website

This Informational Report be Scheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 6/17/2021

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](#)

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

CHANGES MADE TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE PENDING LIST

Subject: Ordinance To Prohibit Owners Of Multiple Occupancy Buildings From Interfering With The Choice Of Communications Services Providers
From: Councilmember Gallo
Recommendation: Adopt An Ordinance To Prohibit Owners Of Multiple Occupancy Buildings From Interfering With The Choice Of Communications Services Providers By Occupants, Establish Requirements For Communications Services Providers To Obtain Access To Multiple Occupancy Buildings, And Establish Remedies For Violation Of The Access Requirement; On The June 22, 2021 Public Works Committee Agenda [21-0467](#)

This City Resolution be Scheduled to go before the *Community & Economic Development Committee to be heard 9/28/2021

CHANGES MADE TO THE PUBLIC SAFETY COMMITTEE PENDING LIST

The Bi-Annual Informational Report From The Oakland Police Department On Crime Data In The City Of Oakland was scheduled to the July 13, 2021 Public Safety 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 And Councilmember Fife
Recommendation: Adopt A Resolution Supporting California State Assembly Bill No. 257, "The Fast Food Accountability And Standards Recovery Act" ("Fast Recovery Act"), Introduced By Assembly Member Lorena Gonzalez To Establish The Fast Food Sector Council, Which Would Include Worker Representatives Along With Government And Industry Representatives, To Promulgate Minimum Fast Food Restaurant Employment Protections For California's One-Half Million Fast Food Workers
[TITLE CHANGE]
[21-0433](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation 6/10/2021](#)

The Rules and Legislation Committee Approved the Title Change Read into Record And Councilmember Fife requested to be added as a Co-Sponsor

A motion was made by Nikki Fortunato Bas, seconded by Carroll Fife, 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 6/15/2021. The motion carried by the following vote:

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

NO VOTE: 0

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," Introduced By Assembly Members Gipson And Bonta, To Prohibit Law Enforcement Agencies From Authorizing Techniques Or Transport Methods That Involve A Substantial Risk Of Positional Asphyxia
[TITLE CHANGE]
[21-0434](#)

Attachments: [View Legislation](#)
[View Supplemental Legislation 6/10/2021](#)

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

A motion was made by Nikki Fortunato Bas, seconded by Carroll Fife, 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 and the City Council, to be heard 6/15/2021. 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)

3 Speaker 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 12:45 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

Fax: (510) 238-6699

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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.**