

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, October 14, 2021

10:30 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele- Conference Via Zoom

***Rules & Legislation Committee**

The Oakland City Council Rules And Legislation Committee convened at 10:32 AM, with President Pro Tem Thao presiding as Chairperson.

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

18 speakers spoke during Public Comment.

2 Approval Of The Draft Minutes From The Committee Meeting Of September 30, 2021 [21-0707](#)

Attachments: [View Report](#)

This Report and Recommendation be Accepted.

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

NO VOTE: 0

3 New Scheduling Items

DUE TO THE PRESENCE OF VICE MAYOR KAPLAN, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE BY COUNCIL PRESIDENT BAS AND SECONDED BY COUNCIL MEMBER FIFE TO ADJOURN THE MEETING OF THE RULES COMMITTEE , AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 11:06 AM

This be Approve with the following amendments.

3.1 Subject: Approval Of AASEG Term Sheet
From: Vice Mayor Kaplan And Councilmember Gallo
Recommendation: Adopt One Of The Following Resolutions:

1. A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Exclusive Negotiating Agreement (ENA) With The African American Sports And Entertainment Group (AASEG), For A Period Of One Year, With One Administrative Option To Extend For Twelve (12) Months, To Work Toward The Acquisition And Development (Including Purchase, Lease, Or Partnership) Of The City's Share Of The Oakland Coliseum Complex, Consisting Of Various Parcels Bounded By San Leandro Street, 66th Avenue, Hegenberger Road And Interstate 880, Including, During The ENA Period, To Negotiate Terms For, But Not Limited To, The Financial Plan, And Community Benefits, And Authorizing And Accepting Payment Of An ENA Fee Of \$200,000 Per Year And Project Expense Payments To The City Of Oakland; Or [21-0724](#)

Sponsors: Gallo

The Committee Accepted a Title Change and withdrew this item from November 2, 2021 City Council Agenda and Rescheduled it to the November 16, 2021 City Council Agenda 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 11/16/2021

2. A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Exclusive Negotiating Agreement (ENA) The Stewart Property Group, LLC, Dave Stewart And Lonnie Murray, For A Period Of One Year, With One Administrative Option To Extend For Twelve (12) Months, To Work Toward The Acquisition And Development (Including Purchase, Lease, Or Partnership) Of The City's Share Of The Oakland Coliseum Complex, Consisting Of Various Parcels Bounded By San Leandro Street, 66th Avenue, Hegenberger Road And Interstate 880, Including, During The ENA Period, To Negotiate Terms For, But Not Limited To, The Financial Plan, And Community Benefits, And Authorizing And Accepting Payment Of An ENA Fee Of \$200,000 Per Year And Project Expense Payments To The City Of Oakland [21-0767](#)

The Committee Accepted a Title Change and withdrew this item from November 2, 2021 City Council Agenda and Rescheduled it to the November 16, 2021 City Council Agenda 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 11/16/2021

3.2 Subject: Accept And Appropriate ACTC 2022 CIP Funds
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Eight (8) Alameda County Transportation Commission Grants Totaling Three Million Nine Hundred Twenty-One Thousand Dollars (\$3,921,000) To Implement The West Oakland Transit Improvements Project, Lincoln Elementary Safe Routes To School Project, Broadway Shuttle Operations, East 12th Street Bike Lanes, East Bay Greenway Segment II, 14th Street Complete Streets, And Oakland Traffic Management Center Upgrade; Allocate One Million Six Hundred Eighty-Seven Thousand Six Hundred Sixty-Six Dollars (\$1,687,666) In Measure B/BB And Measure KK Funds As The Required City Local Match; And Adopt Appropriate California Environmental Quality Act (CEQA) Findings
[21-0759](#)

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 11/2/2021

3.3 Subject: FY 2021-22 OPD Traffic Safety Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2021-2022 Selective Traffic Enforcement Program (STEP), To Be Administered By The Oakland Police Department (OPD); And To Authorize The General Purpose Services Fund To Contribute Sixty Nine Thousand Five Hundred Fifty Dollars (\$69,550) To Cover The Related Central Services Overhead Charges
[21-0760](#)

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 11/2/2021

- 3.4** Subject: Designation Of Authorized Agents For FEMA And CalOES
From: Finance Department
Recommendation: Adopt A Resolution Designating The City Administrator, The Assistant City Administrator, The Director Of Housing And Community Development, And The Finance Director As Authorized Agents On Behalf Of The City Of Oakland To Execute And Submit All Documents Necessary For Federal Award Funds From The Federal Emergency Management Agency And The State Of California Governor's Office Of Emergency Services
[21-0762](#)

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 11/2/2021

- 3.5** Subject: Teleconference Meetings Of The City Council
From: Office Of The City Administrator's
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Determination That Conducting In-Person Meetings Of The City Council And Its Committees Would Present Imminent Risks To Attendees' Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(E), A Provision Of AB-361
[21-0764](#)

Attachments: [View Legislation](#)

The Committee approved this item to be a recurring item at 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 11/2/2021

- 3.6** Subject: Semi-Annual Staffing Report
From: Human Resources Management
Recommendation: Receive An Information Report On City-Wide Staffing Through September 22, 2021
[21-0761](#)

This Informational Report be Scheduled.to go before the *Finance & Management Committee to be heard 11/8/2021

- 3.7** Subject: Special Life Enrichment Committee Meeting
From: Councilmember Taylor
Recommendation: Request To Schedule A Special Meeting Of The Life Enrichment Committee On November 15, 2021 At 1:30 P.M.
[21-0763](#)

This Report and Recommendation be Scheduled.to go before the *Special Life Enrichment Committee to be heard 11/15/2021

- 3.8** Subject: OFCY Strategic Plan
From: Human Services Department
Recommendation: Adopt A Resolution To Adopt The 2022-2025 Strategic Investment Plan Of The Oakland Fund For Children And Youth As Approved By The Planning And Oversight Committee; On The November 15, 2021 Special Life Enrichment Committee
Agenda
[21-0765](#)

This City Resolution be Scheduled.to go before the *Special Life Enrichment Committee to be heard 11/15/2021

- 3.9** Subject: Head Start New Award Overview And Implementation Update
From: Human Services Department
Recommendation: Receive An Informational Report On Head Start New Award Overview And Implementation Update; On The November 15, 2021 Life Enrichment Committee
Agenda
[21-0766](#)

This Informational Report be Scheduled.to go before the *Special Life Enrichment Committee to be heard 11/15/2021

3.10 Subject: Measure Z Compliance And The Hiring Plan
From: Office Of The City Administrator's
Recommendation: TITLE CHANGE

OLD TITLE

Approve A Report And Recommendations Including The Following; (1) An Update On Current And Projected Police Department Sworn-Staffing Levels; And (2) Proposed Modifications To Police Department's Hiring Plan That Are Necessary To Ensure The City Regains Compliance With Measure Z Staffing Requirements.

NEW TITLE

Approve A Report And Recommendations Including The Following; (1) An Update On Current And Projected Police Department Sworn-Staffing Levels; (2) Proposed Modifications To Police Department's Hiring Plan To Restore Sworn Staffing To Levels At Or Above Measure Z Staffing Requirements; On The November 16, 2021 City Council Agenda On Non-Consent

[21-0768](#)

A Title Change was read into record and deferred to the Rules Committee of October 21st 2021 for scheduling.

This Report and Recommendation be Withdrawn and Rescheduled to go before the *Rules & Legislation Committee to be heard 10/21/2021

RECOMMENDATIONS FROM COMMITTEES:

Finance & Management Committee

3.11 Subject: Increasing Contracting Opportunities
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The City's Work In Improving Contracting Opportunities For Local, Small, Women And Minority- Owned Businesses Including The Minutes Of All Meetings Of The Supporting Contracting Opportunities Committee And The Ad Hoc Subcommittee For Reviewing Contracts, Including A List Of All Contracts That Have Been Sent To Them For Review And Feedback, The Timeline For Such Feedback, And The Outcome Of Their Review And The Authorizing Information For The Creation Of Such Bodies, Who Was Selected To Serve On Them, By Whom Such Selection Was Made, Who Decided Which Contracts Would Be Sent To Them For Review, And On The Basis Of What Criteria, And The Status Of Enforcement Of Oakland's Prompt Payment Policy, And To Report On What Actions The Administration Is Taking, Through These "Committees" Or Otherwise, To Remedy The Mistreatment Of DBE Subcontractors By Prime Contractors With Whom The City Contracts
[21-0697](#)

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

The Committee approved the Finance Committee's recommendation to place this item on the Pending List "No Date Specific"

This Informational Report be Scheduled.to go before the *Finance & Management Committee

3.12 Subject: Informational Report On Public Safety City Facilities
From: Vice Mayor Kaplan And Council President Fortunato Bas
Recommendation: Receive An Informational Report And Options For Actions To Initiate And Fund The Acquisition/Construction Of New Multi-Service City Facilities, With Space For Mobile Assistance Community Responders Of Oakland, Department Of Violence Prevention, And More, Including In Central Oakland (To Include The Relocation Of Fire Station 4 (Fs4)) And East Oakland (To Include Police Administration And Fire Station 29), And Disposition Of Existing Sites That Would Be Made Available. Such Report Shall Include Multiple Options For The Fire Station 4 Relocation In Central Oakland Including Costs, Potential Funding Sources, Timelines And Approvals Needed, As Well As Phasing Considerations To Ensure The Expeditious Relocation Of Fs4 To Protect The Health, Safety And Welfare Of The General Public And Station 4 Firefighters; And Include Analysis Of Which Duties, Functions And Personnel, Including Duties That Are Currently Housed At The Broadway And 7th Street Facility, Could Be Housed In Other Existing City Facilities Including City Hall Plaza And Eastmont, Working With Such Personnel To Identify Best Uses And Space And Equipment Needs, And As Well As Refining Scope Based On Prior Police Administration Building Study For New Central Oakland And East Oakland Multi-Service Facilities

[21-0647](#)

Attachments: [View Report](#)

[View Supplemental Report - Kaplan 10/7/2021](#)

[View Supplemental Report - CAO 10/7/2021](#)

This Informational Report be Scheduled.to go before the *Finance & Management Committee to be heard 1/17/2022

Public Safety Committee

3.13 Subject: Quarterly Crime Data Report
From: Oakland Police Department
Recommendation: Receive A Bi-Annual Informational Report From The Oakland Police Department (OPD) On Crime Data In The City Of Oakland

[21-0662](#)

Attachments: [View Report](#)

[View Attachment A](#)

The Committee amended the recommendation from the Public Safety Committee to include "staffing levels".

This Informational Report be Received and Filed.

3.14 Subject: "MACRO" Recommendations
From: The Public Safety Committee
Recommendation: Approve A Report And Recommendations Regarding Implementation Of The Mobile Assistance Community Responders Of Oakland (MACRO) Program Including The Following:

- (1) Include A Community Advisory Board For The Purpose Of Serving As An Advisory Partner To The Oakland Fire Department As Council Expressed Its Intent To Create In Resolution Number 88553 C.M.S And To Return To Council If Necessary With Appropriate Legislation;
- (2) Ensure A Competitive Salary And Wage Structure For Jobs, Meaning Jobs For Frontline Responders And Bringing Them On As Soon As Possible;
- (3) A Plan To Expand MACRO To A 24-Hours A Day, 7-Days A Week Program;
- (4) Strategy (And Staffing) To Pursue Additional Funds To Continue/Expand MACRO;
- (5) Revised Spending Plan

[TITLE CHANGE]

[21-0663](#)

Attachments: [View Report](#)

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 10/19/2021

3.15 Subject: Informational Report On Civilianization Of Special Events
From: Vice Mayor Kaplan And Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator On The Status Of The Implementation Of The July 2020 Council Directive To Transfer Special Events Permitting Out Of The Oakland Police Department To Civilian Control

[21-0648](#)

Attachments: [View Report](#)

This Informational Report be Received and Filed.

3.16 Subject: Report On Outside Law Enforcement Agencies
From: Councilmember Fife
Recommendation: Receive An Oral Report From The City Administrator Regarding The Presence And Operations Of Outside Law Enforcement Agencies, Including The Federal Bureau Of Investigation (FBI) And California Highway Patrol (CHP), In The City Of Oakland; Including Any Information Related To The Recent Killing Of Michael Jonathan Cortez By An FBI Agent, The Existence Of Any Contracts Or Use Of Public Dollars To Support These Outside Agencies, How Investigations Concerning These Agencies' Activities Are Being Handled, And The City's Public And Media Communications Policy With Regards To How These Entities Operate In Our Community

[21-0694](#)

This Report and Recommendation be Accepted.

3.17 Subject: Informational Report On OPD Instagram Case
From: Vice Mayor Kaplan And Councilmember Fife
Recommendation: Receive An Informational Report Regarding The “Order Re: Conclusions And Recommendations Stemming From Internals Affairs Case No. 21-0028 The Instagram Investigation,” Which Was Ordered In The United States District Court Of Northern California On September 20, 2021 By Judge William K. Orrick
[21-0699](#)

Sponsors: Fife and Kaplan

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

This Informational Report be Received and Filed.

4 Review Of Draft Agendas And Review Of Pending Lists For Council And Committee Meetings
[21-0708](#)

- Attachments:** [View Previously Distributed October 19, 2021 City Council Agenda](#)
[View Previously Distributed October 21, 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 Draft October 25, 2021 Special Public Works Committee Agenda](#)
[View Draft October 26, 2021 Community & Economic Development Committee Agenda](#)
[View Draft October 28, 2021 Rules & Legislation Committee Agenda](#)

A motion was made by Dan Kalb, seconded by Sheng Thao, 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 THE PENDING LISTS

CHANGES MADE TO THE PUBLIC SAFETY PENDING LIST

Subject: 2021 Emergency Operations Plan Update
From: Oakland Fire Department
Recommendation: Adopt A Resolution Adopting The 2021 Oakland Emergency Operations Plan Update
[21-0716](#)

This City Resolution be * Withdrawn and Rescheduled.to go before the *Public Safety Committee to be heard 12/14/2021

CHANGES MADE TO THE RULES AND LEGISLATION PENDING LIST

Subject: Informational Report From The OUSD 7-11 Committee
From: Councilmember Bas And OUSD Board President Eng
Recommendation: Receive An Informational Report And Update From The Oakland Unified School District (OUSD) 7-11 Committee On Potential Sale Or Lease Of Surplus Real Property Owned By OUSD
[18-2303](#)

Attachments: [View Report](#)

The Committee removed this item from the pending list.

This Informational Report be Withdrawn with No New Date.

5 Determinations Of Closed Session

The Office of the City Attorney confirmed a Closed Session Meeting to be held On October 21, 2021 at 1PM

A motion was made by Nikki Fortunato Bas, seconded by Carroll Fife, that this matter be Accepted. 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

The Rules and Legislation Committee adjourned at 1:41 PM

Americans With Disabilities Act

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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.**