

CITY OF OAKLAND



DALZIEL BUILDING . 250 FRANK H. OGAWA PLAZA . SUITE 4314 . OAKLAND . CALIFORNIA . 94612
Department of Transportation TEL: (510) 238-3466
Safe Streets Division FAX: (510) 238-7415

Bicyclist and Pedestrian Advisory Commission, Special Meeting Agenda Special Meeting – Thursday, October 21, 2021; 5:45-6:00 pm Teleconference

BPAC Home Page: www.oaklandca.gov/boards-and-commissions/bicyclist-and-pedestrian-advisory-commission
Resources for Commissioners: <https://www.oaklandca.gov/resources/resources-for-bpac-members>

Commissioners

Reginald K Burnette Jr, Andrew Campbell, Grey Gardner, Michael Lok, Phoenix Mangrum,
David Ralston, Patricia Schader, Dianne Yee, one vacancy

Pursuant to [California Government Code section 54953\(e\)](#), Oakland Bicyclist and Pedestrian Advisory Commissioners, as well as City staff, will participate via phone/video conference, and no physical teleconference locations are required.

PUBLIC PARTICIPATION

To join the meeting:

- To join the meeting by video conference, please click on this link to download Zoom and open the meeting on a computer or smart phone: <https://zoom.us/j/98311507451> at the noticed meeting time.
- To join the meeting by phone, please dial at the noticed meeting time (for higher quality, dial a number based on your current location): US: +1 (408) 638-0968 or +1 (669) 900-6833 or +1 (253) 215-8782 or +1 (346) 248-7799 or +1 (301) 715-8592 or +1 (312) 626-6799 or +1 (646) 876-9923 International numbers available: <https://zoom.us/u/aAoRIVRr9> **Webinar ID: 983 1150 7451**

To comment in the meeting:

- To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item. 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” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>.
- 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 yourself by pressing *6.

If you have any questions, please email Noel Pond-Danchik, staff liaison to the commission at npond-danchik@oaklandca.gov.

Time	#	Topic
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| 5:45 | 1 | Teleconference Protocol/Roll Call/Determination of Quorum (5 minutes) |
| 5:50 | 2 | Open Forum / Public Comment (5 minutes) – Members of the public may comment on any issue within BPAC’s subject matter jurisdiction. Comments on a scheduled agenda item will be heard with that item. The BPAC’s Open Forum Committee tracks Open Forum issues raised by the public. (See tinyurl.com/Oakland-BPAC-OpenForumTracking .) The Committee reviews the public comments on a periodic basis to identify policy issues for discussion by the Commission. To request City services, please contact the City of Oakland Call Center; information at www.oaklandca.gov/services/oak311 . |

- 5:55 3 **Resolution to Continue Teleconference Meetings Attachment** (5 minutes) – The Commission will consider adopting a resolution determining that conducting in-person meetings of the Bicyclist & Pedestrian Advisory Commission 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.



To request disability-related accommodations or to request an ASL, Cantonese, Mandarin or Spanish interpreter, please email npond-danchik@oaklandca.gov or call (510) 238-4753 or 711 (for Relay Service) at least five (5) working days before the meeting.

Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete en español, Cantones, Mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a npond-danchik@oaklandca.gov o llame al (510) 238-4753 o al 711 para servicio de retransmisión (Relay Service) por lo menos cinco (5) días hábiles antes de la reunión. Gracias.

需要殘障輔助設施, 手語, 西班牙語, 粵語或國語翻譯服務, 請在會議前五個工作天電郵 npond-danchik@oaklandca.gov 或致電 (510) 238-4753 或 711 (電話傳達服務). 請避免塗搽香氛產品, 參加者可能對化學成分敏感.

Để yêu cầu các phương tiện hỗ trợ phục vụ người khuyết tật hoặc yêu cầu thông dịch viên ASL, tiếng Quảng Đông, tiếng Quan Thoại hoặc tiếng Tây Ban Nha, vui lòng gửi email đến địa chỉ npond-danchik@oaklandca.gov hoặc gọi đến số 711 (với Dịch vụ Tiếp âm) ít nhất năm (5) ngày làm việc trước khi cuộc họp diễn ra.

OAKLAND BICYCLIST & PEDESTRIAN ADVISORY COMMISSION

Special Meeting, October 21, 2021, Item #3

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE BICYCLIST & PEDESTRIAN ADVISORY COMMISSION 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.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. *See* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. *See* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. *See* <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. *See* <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19

symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

WHEREAS, the City's public-meeting facilities are indoor facilities that do not designed to ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; now therefore be it:

RESOLVED: that the Bicyclist & Pedestrian Advisory Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Bicyclist & Pedestrian Advisory Commission determines that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Bicyclist & Pedestrian Advisory Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

FURTHER RESOLVED: that the Bicyclist & Pedestrian Advisory Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Bicyclist & Pedestrian Advisory Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.