



**CITY OF OAKLAND
REDISTRICTING COMMISSION
(SPECIAL MEETING)**

Meeting Minutes

Wednesday, September 29, 2021
Via Teleconference

Redistricting Commissioners: Benjie Achtenberg, Amber Blackwell, Daniel Chesmore (Alternate), Gloria Crowell, Lilibeth Gangas, Shirley Gee, Stephanie Goode, Masoud Hamidi, Paul Marshall, Tracy Richmond McKnight, Diana Miller, Tejal Shah, Bharat Singh (Alternate) Jan Stevens, and Mary Velasco.

Commission website: www.oaklandca.gov/redistricting

1. Roll Call and Determination of Quorum

Quorum was determined and the meeting started at 5:01 pm.

Commissioners present: Benjie Achtenberg, Gloria Crowell, Lilibeth Gangas (arrived at 5:05 pm), Shirley Gee, Stephanie Goode, Masoud Hamidi, Paul Marshall, Tracy Richmond McKnight, Diana Miller, Tejal Shah, Jan Stevens, and Mary Velasco.

Commissioners excused: none.

Commissioners absent: Amber Blackwell

Alternate Commissioners present: Daniel Chesmore.

Alternate Commissioners excused: Bharat Singh

City staff present: Richard J. Luna, Corey Alvin.

City Attorney staff present: Mitesh Bhakta.

2. Open Forum

Public comments were provided by the following speakers:
Sietse Goffard

3. Disclosure Requirements by Commissioners

Commissioner Masoud Hamidi announced that he accepted a Permit Technician position with the City of Oakland's Planning and Building Department and stated that after consulting with City staff, believed his position would not result in a conflict of interest.

Commissioner Shirley Gee stated Council President Nikki Fortunato Bas requested a meeting with her to discuss redistricting on Wednesday, October 6, 2021.

**CITY OF OAKLAND
REDISTRICTING COMMISSION
(SPECIAL MEETING)**

Meeting Minutes (Continued)

Wednesday, September 29, 2021
Via Teleconference

Commissioner Stephanie Goode stated she had a direct conversation about redistricting with Mayor Libby Schaaf and members of the public on Saturday, September 25, 2021 at an in-person event.

There were no public comments on this item.

4. Resolution to Continue Teleconference Meetings

Deputy City Attorney Mitesh Bhakta presented amendments to a proposed resolution (*Exhibit A*) that would determine conducting in-person meetings of the Oakland Redistricting Commission and its committees would present imminent risks to attendees' health, and requested the Commission adopt the proposed findings to continue conducting its meetings using teleconferencing in accordance with California government code section 54953(e), a provision of Assembly Bill 361. City staff member Richard J. Luna stated that the City Council and all boards and commissions in Oakland were being requested to adopt the similar resolutions.

A motion was made by Tracy Richmond McKnight, seconded by Gloria Crowell, to adopt the resolution as amended. The motion passed with 12 ayes (Achtenberg, Crowell, Gangas, Gee, Goode, Hamidi, Marshall, McKnight, Miller, Shah, Stevens, Velasco) and one absent (Blackwell).

The adopted resolution is included as *Exhibit B*.

There were no public comments on this item.

5. Adjournment

The meeting adjourned at 5:19 pm.

Exhibit A

Redlined Amendments to Proposed Resolution

~~APPROVED AS TO FORM AND LEGALITY~~

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~~CITY ATTORNEY'S OFFICE~~

~~CITY ATTORNEY'S OFFICE~~

OAKLAND REDISTRICTING COMMISSION

RESOLUTION NO. 21-002

~~ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND REDISTRICTING 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, AS AMENDED BY CALIFORNIA ASSEMBLY BILL NO. AB-361 (SEPTEMBER 16, 2021).~~

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>; and

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/prevention-getting-sick/prevention.html>; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing ~~hard-difficult~~. 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 ~~are~~ 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; now therefore be it;~~ and

WHEREAS, the City's public-meeting facilities are not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members ~~from different households~~ 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~~ will bring 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, ~~some~~ 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 Oakland Redistricting Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

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

FURTHER RESOLVED: that the Oakland Redistricting Commission firmly believes that the community's health and safety seriously 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 Oakland Redistricting 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 Oakland Redistricting Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever is occurs first.

ADOPTED ON THIS ___ DAY OF _____, 2021.

Exhibit B

Adopted Resolution



CITY ATTORNEY'S OFFICE

OAKLAND REDISTRICTING COMMISSION

RESOLUTION NO. 21-002

RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND REDISTRICTING 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) AS AMENDED BY CALIFORNIA ASSEMBLY BILL NO. AB-361 (SEPTEMBER 16, 2021).

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> ; and

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 difficult, See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

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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 are not designed to ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather; and

WHEREAS, the City's public-meeting facilities are not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members from different households 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 will bring 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, some attendees would use ride-share services 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 Oakland Redistricting Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

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FURTHER RESOLVED: that the Oakland Redistricting Commission firmly believes that the community's health and safety seriously 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 Oakland Redistricting 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 Oakland Redistricting Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever is occurs first.

ADOPTED ON THIS 29th DAY OF September, 2021.