



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

October 14, 2021, 6:00 PM

Meeting started at 6:00 pm

I. Call to Order, Welcome, Roll Call and Determination of Quorum

Vice Chair Jose Dorado

Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Brenda Harbin-Forte; Commissioner David Jordan; Alternate Commissioner Jesse Hsieh; Alternate Commissioner Marsha Peterson

Absent/excused: Chair Jackson, Comm. Garcia, Milele

Commissioners move to elevate Alternate Comm. Hsieh to full Commission status to ensure quorum.

II. Public Comment

Public Comment provided by the following speakers:

None

III. Adoption of City of Oakland Resolution

Assembly Bill 361 amended provision of the Brown Act, allowing local jurisdictions to meet by teleconference. ***This is a new item***

Comm. Harbin-Forte brings a motion to adopt the City Resolution to allow the Police Commission to continue meeting virtually.

Comm. Gage seconds the motion.

Ayes

Comms. Gage, Harbin-Forte, Jordan, Hsieh

Nays

None

Abstentions

None

Note: Vice Chair Dorado did not voice his vote.

IV. Adjournment

Meeting ends 6:10 pm

OAKLAND POLICE COMMISSION

RESOLUTION NO. 21-06

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND POLICE 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of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded.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>;

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>;

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>;

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>;

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>;

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>;

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; now therefore be it:

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 Oakland Police 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 Oakland Police Commission determines that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Oakland Police 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 Police 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 Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever is occurs first.

IN POLICE COMMISSION MEETING, on October 14, 2021, in OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – Comms. Gage, Harbin-Forte, Hseih, Jordan

NOES – none

ABSENT – Chair Jackson, Comms. Garcia and Milele

ABSTENTION – none

ATTEST: /s/ Rania Adwan

RANIA ADWAN

Chief of Staff

Oakland Police Commission

City of Oakland, California