



# City of Oakland Meeting Minutes

## \*Public Safety Committee

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

**Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612**

**City of Oakland Website: <http://www.oaklandnet.com>**

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**Tuesday, October 26, 2010**

**5:30 PM**

**Hearing Room One - 1st Floor**

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### Roll Call / Call to Order

Councilmember Present: 4 - Member Nadel, Member Kernighan, Member Quan and Chair Reid

*The Oakland City Council Public Safety Committee convened at 5:36 p.m., with Councilmember Reid presiding as Chairperson..*

### COMMITTEE MEMBERSHIP:

Councilmember Present: 4 - Member Nadel, Member Kernighan, Member Quan and Chair Reid

- 1 Approval of the Draft Minutes from the Committee Meeting Held on October 12, 2010

**A motion was made by Member Nadel, seconded by Chair Reid, to  
\*Approve the Minutes. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and Chair Reid

- 2 Determination of Schedule of Outstanding Committee Items

**A motion was made by Member Kernighan, seconded by Member Nadel, to  
\*Approve with the following amendments. The motion carried by the  
following vote:**

**Votes:** Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and Chair Reid

### FROM NOVEMBER 16, 2010

#1            2) We need to ensure that OPD has the resources it needs so that officers are effectively deployed and have the tools they need to discharge their responsibilities. To that end, the IT, Public Works and OPD staff along with the City Administrator are directed to develop a schedule of work to ensure that all 43 police vehicles which have not been properly equipped for use are completed no later than March 18, 2008. In additions, a schedule of work shall be developed to ensure that Shot Spotter is placed in all Sergeants' vehicles no later than March 18, 2008;

From Councilmember Reid:

Not only should a work schedule be developed to address current equipment needs, but an assessment of future equipment needs must be conducted to ensure that new hires have the necessary tools to perform their duties. Both items should be addressed by the Public Safety Committee at the March 11, 2008 meeting

[07-1080-1](#)

**\*Rescheduled to \*Public Safety Committee on 12/14/2010**

#7            Subject:    Measure BB  
From:        Office Of The City Administrator  
Recommendation: Receive An Informational Report From The Office Of The City Administrator Identifying The Consequences If Measure BB ("The Measure Y Fix") Fails To Pass On The Upcoming November 2010 Ballot

[10-0076](#)

**\*Rescheduled to \*Public Safety Committee on 12/14/2010**

#9            Subject:    OPD Tow Policy  
From:        Oakland Police Department  
Recommendation: Receive An Informational Report From The Office Of Chief Of Police On The Oakland Police Department's Tow Policy

[10-0188](#)

**\*Rescheduled to \*Public Safety Committee on 12/14/2010**

[View Report.pdf](#)

3           Subject:     Status of Implementation of Law Enforcement Industry Standards  
              From:       Oakland Police Department  
              Recommendation: Receive A Monthly Informational Report From The Oakland Police  
                                  Department On The Status Of The City's Efforts To Continue To Implement Police Practices  
                                  Consistent With Law Enforcement Industry Standards, As Required By The Honorable Judge  
                                  Thelton Henderson In The Case of Delphine Allen, Et Al. V. City Of Oakland, Et Al.  
              [10-0101](#)

**A motion was made by Member Nadel, seconded by Member Kernighan, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and  
          Chair Reid  
          [View Report.pdf](#)  
          [View Report.pdf](#)  
          [View Report.pdf](#)

4           Subject:    Access To Financial And Program Records  
              From:       Office Of The City Administrator  
              Recommendation: Adopt A Resolution (1) Direct The City Administrator To Provide The  
              Violence Prevention And Public Safety Oversight Committee More Prompt And Responsive  
              Access To Financial And Program Records From The City's Police, Fire and Human Services  
              Agencies Than Previously Provided; And (2) Require That Before Measure Y Budget And  
              Programming Recommendations Are Submitted To The Oakland City Council, Such Budget  
              and Programming Recommendation Shall Be Sent To The Violence Prevention And Public  
              Safety Oversight Committee [TITLE CHANGE]  
              [10-0116](#)

**Continued to \*Public Safety Committee on 12/14/2010**

*The committee directed staff to return to the December 14, 2010 Public Safety Committee meeting with a process establishing a scope to address the concerns of the Violence Prevention Oversight Committee and what they can expect and when they can expect data in a normal year.*

*The committee further directed staff to submit a plan on how they can better serve the committee and also look into merging Community Policing Advisory Board (CPAB) and Violence Prevention Public Safety Oversight Committee (VPPSOC) and how the merge would work.*

*Council member Nadel directed staff to revise the first resolved clause of the resolution to read: "The City Administrator shall provide the VPPSOC prompt and responsive access to financial and program records from all sources mentioned such that the committee can make timely input to the Public Safety Committee prior to the committees decision making"*

*The following individual spoke on this item;*

- Peter Barnett
- Stanley Perkins
- Sanjiv Handa
- [View Report.pdf](#)
- [View Report.pdf](#)
- [View Supplemental Report.pdf](#)

5           Subject:    Overtime Usage - Oakland Police Department  
From:        Councilmember Larry Reid  
Recommendation: Receive A Quarterly Informational Report From The Oakland Police Department Detailing Overtime Usage For The Fiscal Year 2010-2011 Inclusive Of A Brief Description Of Activities Overtime Was Used To Fund  
[09-0560-1-2](#)

**A motion was made by Member Quan, seconded by Member Nadel, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and Chair Reid

*The following Individual spoke on this item:*

- Sanjiv Handa  
[View Report.pdf](#)

6           Subject:    Vegetation Management Program  
From:        Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The Approval And Implementation Of 2011-2014 Vegetation Management Plan For The City Of Oakland Wildfire Prevention Assessment District And Authorizing The Use Of Assessment District Funds To Pay For Related Environmental Reviews  
[10-0117](#)

**Withdrawn and Rescheduled to \*Public Safety Committee on 11/16/2010**

*The following Individual spoke on this item:*

- Sanjiv Handa  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)

7           Subject:    East Bay Task Force On Human Trafficking  
From:        Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funding In The Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) From The U.S. Department Of Justice, Office Of Justice Programs, Bureau Of Justice Assistance, Fiscal Year 2010 Law Enforcement Response To Human Trafficking Grant Program For Continued Implementation And Operation Of The East Bay Task Force On Human Trafficking In The Police Department  
[10-0112](#)

**A motion was made by Member Kernighan, seconded by Member Quan, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on November 9, 2010 as a Consent Calendar item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and Chair Reid

*The following Individual spoke on this item:*

- Sanjiv Handa  
[View Report.pdf](#)  
[83045 CMS.pdf](#)

8            Subject:    Medical Marijuana Cultivation Facility  
              From:        Office Of The City Administrator  
              Recommendation: Action On A Report Regarding Proposed Request For Permit Applications (RFPA) To Operate A Medical Cannabis Cultivation Facility Pursuant To Oakland Municipal Code Chapter 5.81  
              [10-0044](#)

**\*Approve the Recommendation of Staff, and Forward to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 11/9/2010**

*) The committee directed staff to submit a supplemental report that includes the following: 1) Clarify whether employees working in the cultivation facility are required to be medical cannabis patients and/or medical cannabis care givers. Staff was further directed to define local residency and revise the RFPA section on Equity Participation/Local ownership: lowering the percentage from 70% to 51%.*

*The committee further directed staff to include qualifications that require applicants to become an Oakland business or live in Oakland to operate a facility.*

*The committee recommends that the following Options be accepted/approved: Option 4 (page 3 of report) regarding the cultivation permit, the committee opted for the fourth option that would allow an un-permitted cultivator to apply with no prohibition.*

*The committee members agreed that Option B regarding the annual permit fee (page 4 of report) was the best option for both the city and permit holders.*

*Option B reads “The Annual Permit Fee in the amount of \$211,000 will be due in four quarterly installments of \$52, 750 due upon issuance of the permit and every four months immediately thereafter. Failure to pay a fee installment within five (5) calendar days of the due date, as set forth in the permit, will be a basis for immediate revocation of the permit”The following Individual spoke on this item:*

- Sanjiv Handa*
- Dan Rush*
- Mark Terbeek*
- James Anthony*
- [View Report.pdf](#)
- [View Report.pdf](#)
- [View Report.pdf](#)
- [View Report.pdf](#)
- [View Supplemental.pdf](#)

9            Subject:    Report On Measure Y Violence Prevention Programming  
              From:        Office Of The City Administrator  
              Recommendation: Receive An Informational Report From The Office Of The City  
              Administrator And Resource Development Associates On Measure Y Violence Prevention  
              Programming And Community Policing Findings (Preliminary) For Fiscal Year 2009-2010  
              [10-0135](#)

**A motion was made by Member Nadel, seconded by Member Quan, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and Chair Reid

*The following Individual spoke on this item:*

- *Sanjiv Handa*  
[View Report.pdf](#)

**Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)**

*The following Individual spoke under Open Forum:*  
- *Sanjiv Handa*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Public Safety Committee adjourned the meeting at 8:47 p.m.*

\*            In the event of 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.

NOTE:        Americans With Disabilities Act  
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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*

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*City Clerk and Clerk of the Council*