

DRAFT



City of Oakland Meeting Minutes

*Special 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>

Tuesday, June 24, 2008

6:00 PM

Council Chambers - 3rd Floor

Roll Call / Call to Order

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Councilmember Excused: 1 - Member Nadel

Councilmember Present: 3 - Member Kernighan, Member Quan and Chair Reid
The Oakland City Council Public Safety Committee convened at 6:15 PM, with Vice Mayor Reid presiding as Chairperson.

1 Approval of the Draft Minutes from the Committee Meeting held on June 10, 2008

**A motion was made by Member Kernighan, seconded by Member Quan, to
*Approve the Minutes. The motion carried by the following vote:**

Votes: Councilmember Excused: Member Nadel

Councilmember Aye: 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 Quan, to
*Approve with the following amendments. The motion carried by the
following vote:**

Votes: Councilmember Excused: Member Nadel

Councilmember Aye: Member Kernighan, Member Quan and Chair Reid

[6-24-08 PSC Pend Lst](#)

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FROM FOR TRACKING PURPOSES

#11 Subject: Status Report On Settlement Agreement Tasks

From: Oakland Police Department

Recommendation: Receive An Informational Report From The Oakland Police Department On The City's Efforts To Implement The Provisions Of The Negotiated Settlement Agreement Which Resulted From The Case Of Delphine Allen, Et Al V. City Of Oakland, Et Al, United States District Court Case No. C00-4599 (TEH)

[07-1529](#)

Scheduled to *Public Safety Committee on 9/23/2008

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3 Subject: Permitted Bingo Operations - Annual Hall Fees
From: Office of the City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Amending Oakland Municipal Code Chapter 5.10, "Bingo" To: 1) Require A Bingo Hall Permit When The Bingo Hall Operator Is A Separate Entity From The Bingo Game Operator, 2) Specify Application Requirements For Bingo Halls, 3) Prohibit Bingo Hall Operators From Charging Bingo Game Operators More Than Fair Market Value For The Facilities, Goods And Services Provided By The Halls, 4) Prohibit Bingo Hall Operators From Transactions With Bingo Game Operators When Specified Familial And/Or Business Relationships Exist Between The Two Entities, 5) Subject Bingo Hall Operators To Audit Of Their Oakland Bingo Activities, 6) Specify That The Annual Bingo Hall Permit Fee, Audit Fee, And Police Services Fee Are Established By The Master Fee Schedule, 7) Establish That The Bingo Game Operators' Fee For Law Enforcement And Public Safety Costs Is Established By The Master Fee Schedule, 8) Require That Most Profits Or Proceeds Be Donated To Oakland Charitable Causes Annually, 9) Require Bingo Game Permittees To Conduct Traditional Called Bingo Every Day That Electronic Bingo Is Available, 10) Prohibit Use Of Illegal Bingo Machines, 11) Provide For Administrative Penalty For Violations, 12) Limit Amount And Quantity Of Door Prizes, And 13) Add Criteria For Denial, Suspension, Revocation, Or Conditional Approval Of Permits; And

[07-1233](#)

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A motion was made by Member Quan, seconded by Member Kernighan, 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 July 1, 2008 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel

Councilmember Aye: Member Kernighan, Member Quan and Chair Reid

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2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Move The Annual Bingo Hall Fee From Chapter 5.10 To The Master Fee Schedule, To Establish A Monthly Fee For Bingo Game Operators To Offset The City's Costs Of Law Enforcement And Public Safety, And To Include In The Annual Bingo Hall Permit Fee That Portion Of Law Enforcement And Public Safety Costs Attributable To Bingo Halls

[07-1233-1](#)

A motion was made by Member Quan, seconded by Member Kernighan, 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 July 1, 2008 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel

Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
The Committee directed staff to submit a supplemental report adding a column to Attachment A that details what the money was used for. The Committee also directed staff to: 1) look into the 3% figure that is required for charitable contributions to see if that amount should be increased and to see what other cities are doing; 2) determine whether the amount of rent being charged by the hall owners is accurate and 3) make sure organizations making and receiving donations are completing the proper paper work for tracking purposes.

Subject: Additional Fees For Administrative Costs Related To Bingo Ordinance

From: Office Of The City Auditor

Recommendation: Recieve An Informational Report From The Office of the City Auditor Requesting A Legal Analysis On Additional Fees For Administrative Costs Related To Bingo Ordinance

[07-1233-2](#)

A motion was made by Member Quan, seconded by Member Kernighan, that this matter be *Received and Forwarded to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel

Councilmember Aye: Member Kernighan, Member Quan and Chair Reid

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Subject: Use Of Bingo Profits For Charitable Purposes Within The City Of Oakland
From: Office Of The City Attorney
Recommendation: Recieve A Legal Opinion From The Office Of The City Attorney On The Use Of Bing Profits For Charitable Purposes Within The City Of Oakland
[07-1233-3](#)

A motion was made by Member Quan, seconded by Member Kernighan, that this matter be *Received and Forwarded to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel
Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
The following individual spoke on this item:
- Sanjiv Handa

4 Subject: Gun Buy-Back Program Citizen's Repayment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, On Behalf Of The City Of Oakland, To Accept And Appropriate One Hundred Thousand Dollar (\$100,000) From The Office Of Senator Don Perata For The Purpose Of Compensating Citizens Of Oakland Who Participated In The City's Gun Buy-Back Program
[07-1454](#)
[Play Video](#)

A motion was made by Member Kernighan, seconded by Member Quan, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel
Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
The Committee amended the resolution at paragraph five to read as follows:
“That the City Council herby authorizes the City Administrator or her designee, to accept \$100,000 in donated funds to provide compensation and distribute the funds to gun buy-back voucher holders and future program participants, and be it” and deleted the last paragraph. The Committee also directed staff to contact Senator Perata regarding the use of any left over monies.

The following individual spoke on this item:
- Sanjiv Handa
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5 Subject: Oakland Medical Reserve Corps - Capacity Expansion
From: Oakland Fire Department
Recommendation: Adopt A Resolution To Authorize The City Administrator Or Her Designee To Accept And Appropriate A Capacity Building Grant (CBA) Of Ten Thousand Dollars (\$10,000.00) From The United States Department Of Health And Human Services, Administered By The National Association Of County And City Health Officials (NACCHO), To Build The Capacity Of The Newly Established Oakland Medical Reserve Corps (MRC)
[07-1301](#)

A motion was made by Member Quan, seconded by Member Kernighan, 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 July 1, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel
Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
The following individual spoke on this item:
- Sanjiv Handa
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6 Subject: CORE Program Funding
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Two Grants Totaling One Hundred Forty Four Thousand Three Hundred Six Dollars (\$144,306.00) Applied For During Federal Fiscal Year 2006 And Federal Fiscal Year 2007 Community Emergency Response Team (CERT) Grant Periods From The State Of California's Homeland Security Grant Program For The City Of Oakland, Office Of Emergency Services (OES), Citizens Of Oakland Respond To Emergencies (CORE) Program
[07-1308](#)

A motion was made by Member Quan, seconded by Member Kernighan, 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 July 1, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel
Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
The following individual spoke on this item:
- Sanjiv Handa
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7

Subject: 2007 Super Urban Area Security Initiative Grant
From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To:
1) Enter Into The Governance Memorandum Of Understanding With The City Of San Jose, Santa Clara County, Alameda County, San Francisco City And County, And A Grant Administration Agreement With City And County Of San Francisco For Distribution Of Fiscal Year 2007 Super Urban Area Security Initiative (SUASI) Grant Funds In The Amount Of \$2,667,062.00 To Oakland, And 2) Accept, Appropriate And Administer The Fiscal Year 2007 SUASI Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead Fees Of \$100,769.00, And 4) Expend Funds In Accord With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List And Services Required By The Grant, Provided City Bidding Requirements And Purchasing Programs/Policies Are Followed

[07-1336](#)

A motion was made by Member Quan, seconded by Member Kernighan, 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 July 1, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel

Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
Staff made a correction to the report stating that the \$137,000 discussed on Page 4, Paragraph 2) is to be split 50/50 between the OFD and the OPD

The following individual spoke on this item:

- Sanjiv Handa
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8 Subject: Firefighter Protective Clothing Agreement
 From: Oakland Fire Department
 Recommendation: Adopt A Resolution Authorizing A Term Agreement With Allstar Fire Equipment For The Purchase Of Firefighter Protective Clothing (Turnouts) In An Amount Not To Exceed Six Hundred Thirty-Two Thousand And Thirty-Five Dollars (\$632,035.00) For The Period July 1, 2008 Through June 30, 2011 In Accord With Specification Number 999-00 And Contractor's Bid Dated April 21, 2008, With An Optional Two-Year Extension For A Total Amount Not To Exceed One Million One Hundred Seven Thousand Eight Hundred Forty-Eight Dollars (\$1,107,848.00) Over The Possible Five-Year Term And Waiving Competitive Bidding Requirements

[07-1338](#)

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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 July 1, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel
Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
The Committee requested a supplemental report explaining the process by which this company was chosen.

The following individual spoke on this item:

- Sanjiv Handa

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9 Subject: Taxicab Ordinance - Amendment
From: Office of the City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

- 1) An Ordinance Amending Oakland Municipal Code Chapter 5.64 To
 - A) Require Companies Holding A Fleet Management Permit That Utilize Two Or More Taxis To Provide Proof That Permitted Taxis Are Driven By Either The Permittee Or Employees Of The Fleet Management Company
 - B) Require Companies To Provide To Drivers Receipts For Fees Paid To The Company By The Drivers
 - C) Require Companies To Provide Drivers With Documentation On Insurance Claims For Accidents Involving A Driver
 - D) Require Cameras In Taxicabs That Do Not Have Safety Shields And Prohibit Re Tread Tires
 - E) Require In-Cab Signage Informing Passengers Of Their Rights And The Procedure For Filing Complaints
 - F) Require GPS Systems In Taxicabs
 - G) Establish Additional Driver Training Requirements
 - H) Issue Permits On The Basis Of Service Proposals, Instead Of By Lottery
 - I) Increase Basic Fare Components, Add New Fare Components, And Authorize Collection From Passengers Of All Mandatory Fees Paid By Drivers
 - J) Place A Temporary Freeze On The Taxicab Lease Rates Charged By Taxi Companies To Drivers
 - K) Authorize Administrative Citations For Violations Of The Chapter
 - L) Establish A Process And A Fee For The Establishment And Maintenance Of Taxi Stands
 - M) Require That Permits Issued After June 1, 2008 Be Driven A Minimum Number Of Hours And Days Per Year By The Permit Holder Or By Employees Of The Permit Holder
 - N) Allow Revocation Of Vehicle Permit If Vehicle Not Used More Than 10 (Ten) Days In Any 30 (Thirty) Day Period
 - O) Provide Prompt Hearings On Suspended Permits
 - P) Authorize City Administrator To Establish A Gasoline Surcharge Should Gasoline Prices Warrant
 - Q) Require Companies Of 10 Or More Vehicles To Submit Plan For 24/7 Coverage Of City
 - R) Allow Transfer Of Vehicle Permits Only With Sale Of Company, With No Consideration For The Permit; And

[07-0710](#)

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A motion was made by Member Kernighan, seconded by Chair Reid, that this matter be Continued to the *Public Safety Committee, due back on July 22, 2008. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel
Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
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2) A Resolution That Public Convenience And Necessity Requires The Issuance Of Fourteen (14) New Taxi Medallions For Ramped Taxicabs And Thirty-Six (36) New Taxi Medallions For Standard Vehicles And Authorizing The City Administrator To Request Proposals In Order To Award The New Medallions On The Basis Of Proposals That Best Meet The Taxi Service Needs Of The City Of Oakland; And

[07-0710-1](#)

A motion was made by Member Kernighan, seconded by Chair Reid, that this matter be Continued to the *Public Safety Committee, due back on July 22, 2008. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel

Councilmember Aye: Member Kernighan, Member Quan and Chair Reid

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3) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Establish An Inspection Fee For Taxicab Inspections Required In Excess Of The One Inspection Included In The Initial Permitting And Annual Permit Renewal Processes
[07-0710-2](#)

A motion was made by Member Kernighan that this matter be Continued to the *Public Safety Committee, due back on July 22, 2008. The motion carried by the following vote:

Votes: Councilmember Excused: Member Nadel
Councilmember Aye: Member Kernighan, Member Quan and Chair Reid
The Committee directed staff to continue to work with all interested parties and to hold a workshop(s) to garner feedback from everyone. The Committee also requested a matrix showing the key elements of the amendment and each party's pro/con comments.

The following individuals spoke on this item:

- Michael Broad
- Leo Bazile
- Casmir Duru
- Charles Usher
- Brandi Odom
- Dhar Mann
- Shantrell Denard
- Timothy Baker
- Mark Weinstein
- John Omernik
- Jonathan Bair
- Mohammad Zachran
- David Rosenbod
- Sayed Razavi
- Andre Ballerpeace
- Abdo Muborak
- Gideon Mekwunye
- Rajinder Chauman
- Takele Alem
- Sanjiv Handa

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

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The following individual spoke under Open Forum:
- Sanjiv Handa

Adjournment

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There being no further business, and upon the motion duly made, the Oakland City Council Public Safety Committee adjourned the meeting at 9:09 PM.

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* 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.

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