



# City of Oakland

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

## Meeting Minutes - FINAL

### \*Special Public Safety Committee

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

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

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Tuesday, September 15, 2015

6:00 PM

Sgt. Mark Dunakin Room - 1st Floor

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#### **DEFINITION OF TERMS:**

**Consent Item:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

**Non-Consent Item:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

**Action Item:** any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

**Informational Item:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

#### **Roll Call / Call To Order**

**Present** 4 - Noel Gallo, Dan Kalb, Abel J. Guillén, and Desley Brooks

#### **COMMITTEE MEMBERSHIP:**

1 Approval Of The Draft Minutes From The Committee Meeting Of July 28, 2015

[15-0050](#)

A motion was made by Kalb, seconded by Gallo, that this matter be Received and Filed. The motion carried by the following vote:

**Aye:** 4 - Gallo, Kalb, Guillén, and Brooks

2 Determination Of Schedule Of Outstanding Committee Items

[15-0042](#)

**A motion was made that this matter be Received and Filed. The motion carried by the following vote:**

**Aye:** 4 - Gallo, Kalb, Guillén, and Brooks

Subject: OFD Mandatory Overtime

From: Councilmember Abel Guillén

Recommendation: Receive An Informational Report On Mandatory Overtime For The Oakland Fire Department And Plans For Reducing Mandatory Overtime

[14-1243](#)

**This Informational Report was \* Withdrawn and Rescheduled.to the \*Public Safety Committee to be heard 10/13/2015**

Subject: Ad-Hoc Committee On Police Recruitment Status Report

From: Office Of The City Administrator

Recommendation: Receive An Informational Report On The Formation Of The Ad-Hoc Committee On Police Recruitment, As Approved In April 2015

[15-0094](#)

**This Informational Report was Withdrawn with No New Date.**

3 Subject: Use Of Psychological Testing And Screening For Officers

From: Members Of The Public (100 Black Men Of The Bay Area)

Recommendation: Receive A Report And Recommendations Regarding Adopting Legislation Requiring The Use Of Psychological Testing And Screening For Officer New Hires, And The Re-testing Of All Sworn Personnel In 5 Year Intervals Thereafter

[14-0823](#)

**This Report and Recommendation was Continued.to the \*Public Safety Committee to be heard 10/13/2015**

Subject: Requiring More Effective Training In The Use Of Force

From: Members Of The Public (100 Black Men Of The Bay Area)

Recommendation: Receive A Report And Recommendations Regarding Adopting Policies And Procedures Which Require OPD To Train Officers More Effectively In The Use Of Force, Especially Lethal Force; Such Training Should Not Only Define Conditions In Which Officers May Use Lethal Force But Also, More Broadly, Show Them How To Avoid It

[14-0824](#)

**This Report and Recommendation was Continued.to the \*Public Safety Committee to be heard 10/13/2015**

Subject: Blue Wall Code Of Silence  
 From: 100 Black Men Of The Bay Area  
 Recommendation: Receive A Report And Recommendations Regarding Adopting Legislation To Eradicate The Persistent Widespread Custom Or Practice Of Concealing Or Suppressing Investigations Into Police Officer Misconduct; In Order For The Public To Be Safe We Must Break Down The "Blue Wall Code Of Silence" That Exists In Law Enforcement Agencies Throughout This Nation. Good Officers Must Not Defend Bad Officers Or Their Misconduct; aND  
[14-0825](#)

*The committee continued this report and would like it to come back with the following information:*

1. *Number of incidents reported*
2. *How many were informally resolved?*
3. *What were the findings*
4. *Number of officers sustained on failing to report*
5. *Number of Retaliation complaints*
6. *Number of cases reported confidentially and anonymously*

**This Report and Recommendation was Continued.to the \*Public Safety Committee to be heard 9/29/2015**

Subject: Adopting Reporting Requirements For Officers In All Use Of Force Cases  
 From: Members Of The Public (100 Black Men Of The Bay Area)  
 Recommendation: Receive A Report And Recommendations Regarding Adopting Officer Reporting And Disclosure Requirements For Both Responding And On-Scene Officers In All Use Of Force Cases; Mandatory Firing And Criminal Prosecution For Failure To Report And/Or Disclose Officer Misconduct And For Providing False Information  
[14-0826](#)

**This Report and Recommendation was Continued.to the \*Public Safety Committee to be heard 10/13/2015**

- 4** Subject: IT/Help Desk Requests From OPD  
 From: Councilmember Desley Brooks  
 Recommendation: Receive A Bi-Monthly Informational Report Providing An Analysis Of All Help Desk Requests Made By The Oakland Police Department (OPD) To The Information Technology Department (ITD)

Receive An Informational Report Providing an Analysis of all Help Desk Requests Made by the Oakland Police Department (OPD) and Oakland Fire Department (OFD) to the Information Technology Department (ITD IT/AHSAN) [NEW TITLE]  
[14-1207](#)

**A motion was made by Gallo, seconded by Guillén, that this matter be Received and Filed. The motion carried by the following vote:**

**Excused:** 1 - Kalb

**Aye:** 3 - Gallo, Guillén, and Brooks

- 5 Subject: FLIR Privacy And Data Retention Policy  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Establishing The City Of Oakland Forward Looking Infrared Thermal Imaging Camera System (FLIR) Privacy And Data Retention Policy Which Prescribes The Rules For The Use Of The FLIR; Establishes Oversight, Auditing And Reporting Requirements; And Imposes Penalties For Violations  
[14-1209](#)

*The Committee requested the following*

1. *The final whereas on page 2 be stricken from the resolution*
2. *Retitle page 5, section 5 Use of of Information and Data Retention*
3. *Section C retitle Prohibition of Data Retention*
4. *Section A Add elected officials to persons who may view data*

**This City Resolution was Approve as Amended the Recommendation of Staff, and Forward.to the Meeting of the Oakland City Council to be heard 10/6/2015**

**Aye:** 4 - Gallo, Kalb, Guillén, and Brooks

- 6 Subject: Alameda County Unified Mass Notification System  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Agreement (MOA) With The County Of Alameda For The City Of Oakland To Participate In Alameda County's Unified Mass Notification System (MNS) For The Period Beginning September 30, 2015 Through May 31, 2020, Or Until Such Time As Bay Area Urban Areas Security Initiative (BAUASI) Funding For The MNS Project Is Reduced Or Discontinued  
[15-0037](#)

**This City Resolution was Approve the Recommendation of Staff, and Forward.to the Meeting of the Oakland City Council to be heard 10/6/2015**

- 7 Subject: Fire Department Medical Director Contract  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into An Agreement With Herbert Gene Hern, M.D., To Provide The Services Of Medical Director For The Oakland Fire Department, For The Period Beginning October 1, 2015 Through September 30, 2018, In An Amount Not To Exceed Sixty-Five Thousand Two Hundred Thirty-Three Dollars And Thirty-Three Cents (\$65,233.33) Per Year Over A Three Year Period, With Two One-Year Options To Extend At The Same Annual Rate, For A Total Contract Amount Not To Exceed Three Hundred Twenty-Six Thousand One Hundred Sixty-Six Dollars Sixty-Five Cents (\$326,166.65)  
[15-0038](#)

*The committee requested that the extension come back for approval within 6 months of the 3 year term period for update and reevaluation*

**A motion was made by Guillén, seconded by Kalb, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, to be heard 10/6/2015. The motion carried by the following vote:**

**Abstained:** 1 - Brooks

**Aye:** 3 - Gallo, Kalb, and Guillén

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

*There were 3 open forum speakers*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Public Safety Committee adjourned the meeting at 7:38 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.

*There being no further business, and upon the motion duly made, the Oakland City Council Public Safety Committee adjourned the meeting at 7:38 p.m.*

**Americans With Disabilities Act**

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**Office of the City Clerk - Agenda Management Unit**

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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 8:30 A.M. TO 5:00 P.M.**