



City of Oakland

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Meeting Minutes - DRAFT *Public Safety Committee

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

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

Tuesday, June 11, 2019

6:00 PM

Sgt. Mark Dunakin Room - 1st Floor

The Oakland City Council Public Safety Committee convened at 7:58 p.m., with Councilmember Gallo presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Noel Gallo, Loren Taylor, Nikki Bas, and Rebecca Kaplan

- 1 Approval Of The Draft Minutes From The Committee Meeting Held On May 28, 2019
[18-1862](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this matter be Approved. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

- 2 Determination Of Schedule Of Outstanding Committee Items
[18-1863](#)

Attachments: [View Report](#)

[View Supplemental Report 6/7/2019](#)

No Changes

A motion was made by Rebecca Kaplan, seconded by Loren Taylor, that this matter be Approved. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

- 4 Subject: Sideshow Activity In Oakland
From: Councilmember Gallo
Recommendation: Receive An Informational Report On Rules And Procedures For Dealing With illegal Sideshows And Efforts To Control Sideshow Activity In Oakland From The Oakland Police Department (OPD) [18-1671](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

A motion was made by Loren Taylor, seconded by Rebecca Kaplan, that this matter be Received and Filed. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

11 Subject: Oakland Unite Violence Prevention Funding Recommendations
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1. Execute Grant Agreements With Non-Profits And Public Agencies To Provide Violence Intervention Services In Accordance With The 2014 Oakland Public Safety And Services Violence Prevention Act For The Period July 1, 2019 To June 30, 2020 In A Total Amount Not To Exceed \$8,605,000, With A One-Year Option To Renew Through June 30, 2021 Pending Council Approval; And 2. Enter Into An Agreement With Alameda County Probation Department To Accept And Appropriate Up To \$100,000 Annually From A Second Chance Act Grant To Pilot A Juvenile Gang Intervention Program From July 1, 2019 To October 31, 2022
[18-1788](#)

- Attachments:** [View Report](#)
[View Color Attachment](#)
[View Supplemental Report 6/7/2019](#)
[View Supplemental Report 6/14/2019](#)

The Committee amended the legislation to reflect the following:

- *Increase the dollar amount, per the recommendation by the SSOC which reads “Approval of the Oakland Unite Funding recommendations with the addendum that additional reserve funds in the amount of \$300,000 to be awarded to BOSS to be used for work in either the Community Healing proposal or for Adult employment and Education support. Additionally, any agency awarded \$500,000 or more in grant funding shall be subject to additional oversight by the Commission and Oakland Unite.”*
- *Amend the first resolved clause to include the language “with a one-year option to renew pending City Council approval, and with the analysis and input from the director of the violence prevention, for the purpose of funding services as described in the accompanying report; and be it”*

There were 50 speakers on this item.

This City Resolution be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 6/18/2019

DUE TO THE PRESENCE OF COUNCILMEMBER MCELHANEY, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE PUBLIC SAFETY, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 8:10P.M.

5 Subject: Quarterly Report On Public Safety Overtime
From: Finance Department
Recommendation: Receive This Quarterly Report From The Oakland Police Department (OPD) That Includes Information On Overtime Policies, Procedures, And Controls [18-1381](#)

- Attachments:** [View Report](#)
[View Supplemental Report 2/22/2019](#)
[View Supplemental Report 4/5/2019](#)
[View Supplemental Report 5/31/2019](#)
[View Supplemental Report 6/7/2019](#)

There were 5 speakers on this item.

A motion was made that this matter be Continued to go before the *Public Safety Committee, to be heard 6/25/2019. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

6 Subject: 2019 Strategic Plan Of Action: OPD And Neighborhood Services
From: Councilmember Gallo
Recommendation: Receive An Informational Report From The Oakland Police Department (OPD), Including Neighborhood Services On Their 2019 Strategic Plan Of Action [18-1397](#)

- Attachments:** [View Report](#)
[View Supplemental Report 5/31/2019](#)

There were 4 speakers on this item.

A motion was made that this matter be Continued to go before the *Public Safety Committee, to be heard 6/25/2019. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

7 Subject: OPD-U.S. Department Of Veterans Affairs Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into An Agreement Between The Oakland Police Department (OPD) And The United States Department Of Veterans Affairs (VA) To Define Law Enforcement Responsibilities On VA Properties
[18-1628](#)

Attachments: [View Report](#)
[View Supplemental Report 5/31/2019](#)
[View Supplemental Report 6/14/2019](#)

The Committee Amended the legislation to correct a typo, removing the city of "Vallejo".

A motion was made by Loren Taylor, seconded by Noel Gallo, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/18/2019. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

3 Subject: Police Commission Annual Report
From: Oakland Police Commission
Recommendation: Receive The Oakland Police Commission's 2019 Annual Report
[18-1693](#)

Attachments: [View Report](#)
[View Supplemental Report](#)

There were 4 speakers on this item.

A motion was made that this matter be No Action Taken. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

8 Subject: Human Trafficking Report
From: Councilmember Gallo
Recommendation: Receive An Informational Report On The Status Of Human Trafficking From The Oakland Police Department
[18-1670](#)

Attachments: [View Report](#)

A motion was made by Nikki Bas, seconded by Rebecca Kaplan, that this matter be Continued to go before the *Public Safety Committee, to be heard 9/10/2019. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

- 9** Subject: Automatic License Plate Recognition (ALPR) For Parking
From: Transportation Department
Recommendation: Adopt A Resolution: (1) Authorizing The City Administrator Or Designee To Acquire And Use Vehicle-Mounted Automatic License Plate Recognition Technology (ALPR) For Parking Management And Enforcement Purposes; (2) Approving The Surveillance Impact Report For The Department Of Transportation's ALPR (DOT's ALPR); And (3) Approving And Adopting The Surveillance Use Policy For DOT's ALPR As City Policy
[18-1872](#)

Attachments: [View Report](#)

A motion was made by Rebecca Kaplan, seconded by Nikki Bas, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/18/2019. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

- 10** Subject: CAHOOTS Program
From: Councilmember Gallo
Recommendation: Receive An Informational Report On Crisis Assistance Helping Out On The Streets (CAHOOTS) Program Of White Bird Clinic In Eugene Oregon As A Potential Public Safety Model For The City Oakland
[18-1886](#)

Attachments: [View Report](#)

There were 6 speakers on this item.

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

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

12 Subject: Police Commission Professional Service Providers Contract
From: Councilmembers Taylor And Gallo
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 2.04, Purchasing System, To Add Section 2.04.022 To Authorize The Police Commission To Purchase Professional Services Necessary To Fulfill Its Duties As Defined In Measure LL, Codified In Section 604 Of The Oakland City Charter [18-1764](#)

Attachments: [View Report](#)

The Committee accepted the following amendments;

“2.04.022 - Police Commission Authority.

A. Police Commission Purchase Authority. On behalf of the City of Oakland, the Police Commission shall have the authority to bind the City by written contract for professional, technical or scientific services in an amount that shall not exceed the city council approved budget provided that the contract has previously approved by the police commission.

B. Scope of Contract Authority. The Police Commission's contract authority is limited to contracts for professional, technical and/or scientific services that support the Police Commission in fulfilling its functions and duties as specified in Charter Section 604(b) and Enabling Ordinance No. 13498 C.M.S.

C. Procedures for Approval and Execution of Contracts.

All Police Commission contract approvals shall require an affirmative vote of four (4) or more members of the Commission who are designated to vote at the time the action to approve a contract is taken. Approval shall be done in open meetings by approval of a resolution properly scheduled in accordance with the Brown Act and Oakland's Sunshine Ordinance (O.M.C. Ch. 2.20) The resolution shall reflect the vote of each member of the commission, date the action was taken and set forth all findings required by Charter Section 902(e) and by Oakland Municipal Code Section 2.04.022.F.

All contracts shall be in writing on a standard form developed by the City Administrator prior to execution of contracts contractors shall be required to submit proof of insurance (of the type and amounts required by the City) and schedules, forms and other standard documentation required by the City, and shall, pursuant to Charter Section 401 (6). be approved for form and legality- before the same are executed.

The Director of the Community Police Review Agency (CPRA Director authorized on behalf of the .City of Oakland to enter into written contracts properly approved by the Commission, and shall be the contract administrator.

The CPRA Director shall not execute a contract until the City Attorney has approved it for form and legality.

The Commission shall provide direction to its consultants by motion by an affirmative vote of four (4) or more members of the Commission who are designated to vote at the time the action is taken. The Commission shall not direct a contractor to undertake work that exceeds the contract amount approved by the Commission or that exceeds the Council approved Police Commission budget. Individual commissioners or less than a quorum of commissioners shall not provide direction to a contractor. Contractors who perform work beyond the work

scope of the contract or who perform work in excess of the contract amount are not entitled to payment for such work and work at their own risk.

D. Contracts Subject to Council Appropriation of Contract Funds and availability of finds in council approved budget. All contracts approved pursuant to this section shall be subject to the availability of funds the police commission budget appropriated and allocated by the city council. The CPRA director shall not execute contracts or contract extensions/amendments/ modifications that exceed the Police Commission's contract budget.

Prior to Commission approval of any contract, the city council shall expressly approve a budget for police commission contracts

E. Resolutions and Reports. All resolutions approving contracts shall be posted in a link to or on the City's website. The Commission shall present to the City Council, on an annual basis, a report listing all professional; technical and scientific services contracts authorized by the Commission during the prior year and an evaluation of performance of all service providers.

F. Compliance with Competitive Process. Personnel Findings, Purchasing Programs, and Other Purchasing Requirements. All contracts approved by the Commission are subject to the competitive and other processes and procedures required under Sections 2.04.050 and 2.04,051 as well as the personnel findings, purchasing programs and requirements set forth or referenced in the remainder of this chapter, unless City Administrator or City Council waiver by resolution is obtained as necessary for each of the programs/ policies.

2.04.030 - City Council approval requirements.

A. Council Award of Purchases or Contracts in Excess of City Administrator's Authority. The Council shall award any purchase orders or contracts in excess of the City Administrator's authority as follows:

1. City Council Authority. The Council shall award all contracts in the following amounts:

a. Supplies, Services or Combination. Purchases in excess of two hundred fifty thousand dollars (\$250,000.00) in any single transaction or term agreement; and

b. Professional Services. Purchases in excess of two hundred fifty thousand dollars (\$250,000.00) in any single transaction or term agreement.

B. Council Award of Purchases or Contracts in Excess of the Police Commission's Authority or Approved Budget. Only the Council is authorized to award contracts or contract extensions/amendments/modifications that exceed the contract authority of the Police Commission set forth in Section 2.04.022. or 2) the Council approved budget for Commission the contracts for services.

C. Validity of Contracts. Legislative actions of the Council awarding any contract shall not constitute a contract. No contract shall be binding or of any force or effect until signed by the City Administrator or the CPRA Director. The City Administrator's or CPRA Director's signature shall constitute certification that there remains an unexpended and unapplied balance of the appropriations or funds sufficient to pay the estimated expense of executing the contract.

D. Contract Extensions, Renewals, Amendments. The requirements for City Council approval specified in Section 2.04.030 shall apply to all expenditures, extensions, amendments or renewals of an existing or expired contract or term agreement whenever aggregated expenditures under the original contract or term agreement, or extensions, renewals or amendments that exceed: (1) the City Administrator's contract approval limit or the Police Commission's contract budget, or (2) the total contract amount approved by Council in a City resolution.

2.04.051 - Competitive process and qualification-based awards for professional services contracts.

A. Request for Qualifications or Proposal for Professional Services Contracts in Formatted Excess of Fifty Thousand Dollars (\$50,000.00).

1. City Administrator Responsibility. The City Administrator or the City Administrator's designee shall conduct a request for proposal ("RFP") or request for qualifications ("RFQ") process for the award of contracts that exceed fifty thousand dollars (\$50,000.00) and are exempt from bidding under Subsection 2.04.050.1.1. The RFP/Q process shall be conducted in accordance with Section 2.04.04Q.B.4, above. The City's RFP and RFQ processes shall be set forth in a City Administrator's administrative instruction. The RFP or RFQ requirement applies, but is not limited to, contracts for professional, technical or specialized services. The selection and award of contracts for professional services shall be based on demonstrated competence and qualifications for the types of services to be performed, at fair and reasonable prices to the City.

2. Police Commission Responsibility. The CPRA Director shall conduct a request for proposal for proposal ("RFP") or request for qualifications ("RFQ") process for all contracts to be awarded by the Police Commission. The RFP/Q process shall be conducted in accordance with Section 2.04.040.B.4. above.

B. Waiver—City Administrator Authority, City Council Authority. Upon a finding by the City Administrator that it is in the best interests of the City, the City Administrator may waive said RFP/Q requirements for professional services contracts up to fifty thousand dollars (\$50,000.00). The foregoing is not applicable to the Police Commission. Upon a finding by the City Council or its designee that it is in the best interests of the City, the City Council may waive said RFP/Q requirements for contracts in any amount."

A motion was made by Loren Taylor, seconded by Rebecca Kaplan, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/18/2019. The motion carried by the following vote:

Aye 4 - Gallo Taylor Bas, Kaplan

NO VOTE 0

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

4 speakers spoke during Open Forum.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Public Safety Committee adjourned the meeting at 11:14 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.

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