



City of Oakland

Office of the City Clerk
Oakland City Hall,
1 Frank H. Ogawa Plaza,
Room 201
Oakland, California 94612

Meeting Minutes - FINAL *Special Public Safety Committee

Tuesday, November 9, 2021

1:00 PM

Virtual Tele - Conference Via Zoom

Please See The Agenda To Participate In The Meeting

The Oakland City Council Special Public Safety Committee convened at 1 PM, with Councilmember Fife presiding as Chairperson.

Roll Call / Call To Order

Present 4 - Carroll Fife, Rebecca Kaplan, Noel Gallo, and Treva Reid

1 PUBLIC COMMENT:

COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

17 speakers spoke during Public Comment.

2 Approval Of The Draft Minutes From The Committee Meeting Of October 12, 2021

[21-0792](#)

Attachments: [View Report](#)

This Report and Recommendation be Approved.

3 Determination Of Schedule Of Outstanding Committee Items

[21-0793](#)

Attachments: [View Report](#)

This Report and Recommendation be Approved as Amended.

Subject: Quarterly Crime Data

From: Oakland Police Department

Recommendation: Receive A Quarterly Informational Report From The Oakland Police Department (OPD) On Crime Data In The City Of Oakland

[21-0853](#)

Attachments: [View Report](#)

[View Powerpoint](#)

4 Subject: Report On Independent Investigation On Bey Cases
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Report On The Investigation Into The Bey Cases, And Discuss Recommendations For Action To Bring About Reconciliation And Restoration
[20-0692](#)

Attachments: [View Report](#)

[View Supplemental Report - 5/7/2021](#)

[View Supplemental Report - 5/14/2021](#)

[View Supplemental Report Oakland's Black Officers Association - 5/14/2021](#)

[View Supplemental Report - 7/2/2021](#)

[View Supplemental Report - Police Commission 11/1/2021](#)

[View Supplemental Report - 2/1/2022](#)

The Committee continued this item to the 1st committee in February 2021 and requested additional discussion with the City Attorney, Police Commission and Public Safety Committee Chair on what information can be publicly discussed in open session.

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Continued to go before the *Public Safety Committee, to be heard 2/8/2022. The motion carried by the following vote:

Aye 4 - Fife Kaplan Gallo, Reid

NO VOTE 0

5 Subject: Prohibition Against City Employees Cannabis Metabolites Testing
 From: Vice Mayor Kaplan, Pro Tem Thao, Councilmember Kalb & President Fortunato Bas
 Recommendation: Adopt An Ordinance Prohibiting The City Of Oakland From Testing Prospective And Current City Employees For Off-The-Job Cannabis Usage As A Condition Of Employment Or Continued Employment, Or As A Basis For Discipline, Except In Certain Circumstances Or Except As Required By Federal Or State Law [TITLE CHANGE]
[21-0696](#)

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

The Committee amended the legislation to read the following;

SECTION 2.

Section 2.47.010 Definitions.

"Last Chance Agreement" Shall mean a written agreement between the City and an employee that provides for random and or periodic drug and alcohol testing, for a specified period of time, as a condition of continued employment in lieu of the City seeking employee's immediate separation from employment"

Section 2.47.030 Exceptions to Testing Prohibition

Section 2.47.020 shall not apply to drug testing administered pursuant to:

C. A Last Chance Agreement

The Ordinance was recommended to go before a "Meet and Confer" with the Unions, then return to the full Council upon conclusions.

A motion was made by Rebecca Kaplan, 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. The motion carried by the following vote:

Aye 4 - Fife Kaplan Gallo, Reid

NO VOTE 0

6 Subject: Informational Report On Outside Law Enforcement Agencies
From: Councilmember Fife
Recommendation: Receive An Informational Report From The City Administrator Regarding The Presence And Operations Of Outside Law Enforcement Agencies, Including The Federal Bureau Of Investigation (FBI) And California Highway Patrol (CHP), In The City Of Oakland; Including Any Information Related To The Recent Killing Of Michael Jonathan Cortez By An FBI Agent, The Existence Of Any Contracts Or Use Of Public Dollars To Support These Outside Agencies, How Investigations Concerning These Agencies' Activities Are Being Handled, And The City's Public And Media Communications Policy With Regards To How These Entities Operate In Our Community
[21-0727](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)

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

Aye 4 - Fife Kaplan Gallo, Reid

NO VOTE 0

7 Subject: Measure Z Compliance And The Hiring Plan - Oral Report
From: Office Of The City Administrator
Recommendation: Receive An Oral Including The Following; (1) An Update On Current And Projected Police Department Sworn-Staffing Levels; (2) Proposed Modifications To Police Department's Hiring Plan To Restore Sworn Staffing To Levels At Or Above Measure Z Staffing Requirements
[TITLE CHANGE]
[21-0768](#)

A motion was made by Rebecca Kaplan, seconded by Carroll Fife, that this matter be Accepted. The motion carried by the following vote:

Aye 4 - Fife Kaplan Gallo, Reid

NO VOTE 0

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

8 speakers spoke during open forum.

Adjournment

*** 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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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.