

DRAFT



City of Oakland Meeting Minutes

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

*Special Public Safety Committee

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

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

Tuesday, October 27, 2009

4:00 PM

Hearing Room One - 1st Floor

Roll Call / Call to Order

[Play Video](#)

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

The Oakland City Council Special Public Safety Committee convened at 4:03 p.m., with Councilmember Larry Reid presiding as Chairperson.

1 Approval of the Draft Minutes from the Committee Meeting held on October 13, 2009

A motion was made by Member Quan, seconded by Member Nadel, to

***Approve the Minutes. The motion carried by the following vote:**

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

2 Determination of Schedule of Outstanding Committee Items

[Play Video](#)

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 Aye: Member Kernighan, Member Nadel, Member Quan and Chair Reid

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

FROM THE NOVEMBER 10, 2009 AGENDA

#2 Subject: Mayor's Public Safety Plan
From: Councilmember Larry Reid

Recommendation: Discussion And Possible Action On The Mayor's Public Safety Plan Including An Explanation Of Initiatives Already Implemented Or In The Process Of Being Implemented, A Timeline Of Future Initiatives With Goals, Objectives, And Action Steps, The Status Of Community And Departmental Collaboration And Feedback, As Well As Identifying Top Priorities Of The Plan

[09-0630](#)

Scheduled to *Public Safety Committee on 12/1/2009

DRAFT

#6 Subject: Illegal Street Vendors Update
From: Councilmember Larry Reid
Recommendation: Receive An Update On A Report Detailing The Enforcement Of Oakland Municipal Code Sections Prohibiting Illegal Street Vendors, Including Statistical Data On Enforcement Efforts, And The Feasibility Of Centralized Locations Throughout The City Where Food From Vendors Can Be Bought And Sold Legally
[09-0816](#)

Scheduled to *Public Safety Committee on 12/1/2009

3 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")
[Play Video](#)

[09-0188](#)

[View Report.pdf](#)
[View Supplemental Report.pdf](#)

4 Subject: 2009 Solving Cold Cases With DNA Grant Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The Acceptance And Appropriation Of Grant Funds In An Amount Not To Exceed Five Hundred Eighty-Two Thousand Eighty-Eight Dollars (\$582,088) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2009 Solving Cold Cases With DNA Grant Program, And Authorizing The Hiring Of One (1) Professional Employee For Up To Eighteen (18) Months To Serve As A Forensic Technician In The Criminalistics Division Of The Police Department
[09-0485](#)

[Play Video](#)

A motion was made by Member Nadel, 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 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

DRAFT

5 Subject: Quorum Requirement-Measure Y Oversight Committee
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 12690 C.M.S., Section 2, Subsection B., To Reduce The Number Of Oversight Committee Members Required For A Quorum From Seven Members To Six Members

[09-0518](#)

[Play Video](#)

A motion was made by Member Nadel, 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 November 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

The Committee directed staff to submit a Supplemental Report with statistical data regarding attendance records of all Measure Y Oversight Committee members.

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

6 Subject: 2009 COPS Technology Grant - Data Driven Approaches
From: Oakland Police Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept Grant Funds In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), Fiscal Year 2009 Technology Program (Cops Tech) In Support Of The Data Driven Approaches To Crime And Traffic Safety (DDACTS) Program In The Police Department And Appropriate Said Funds To The Police Department; And

[09-0618](#)

[Play Video](#)

A motion was made by Member Nadel, 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 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

[View Report.pdf](#)

DRAFT

2) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Grant Funds In An Amount Not To Exceed Sixty-Six Thousand Nine Hundred And Two Dollars (\$66,902) From The U.S. Department Of Transportation, National Highway Traffic Safety Administration, Support Of The Data Driven Approaches To Crime And Traffic Safety (DDACTS) Program, And Appropriate Said Funds To The Police Department
[09-0618-1](#)

A motion was made by Member Nadel, 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 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

7

Subject: 2009 Congressionally Selected Awards Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (COPS), Fiscal Year 2009 Safe Schools Initiative Grant Program, For Enactment Of The Oakland Police Cadet Program, And Appropriate Said Funds To The Police Department
[09-0619](#)
[Play Video](#)

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 November 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

The Committee directed staff to focus on Oakland residents and requested a legal opinion as to whether or not the grant funds could be restricted to Oakland residents

[View Report.pdf](#)

DRAFT

8 Subject: Municipal Code Amendment - Cabarets
 From: Councilmember Nancy Nadel
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.12. "Cabarets" To 1) Create An Exemption For "Small Cabarets" Defined As Establishments With Occupancy Load Of Less Than Fifty And With Zoning Clearance For Business's Primary Activity That Is Not "Group Assembly Commercial Activity-Entertainment," 2) Create A Separate Process For Registering Small Cabarets, And 3) Allow The Discretionary Issuance Of Late Night Permits For Cabarets To Remain Open Past 2 A.M. Through A Two-Year Pilot Program; And

[09-0623](#)

[Play Video](#)

A motion was made by Member Nadel, seconded by Member Quan, that this matter be Continued to the *Public Safety Committee a Future Date The motion carried by the following vote:

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

[View Report.pdf](#)

DRAFT

2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Set And Change Fees For Small Cabaret Registration, Late Night Cabaret Permits And Cabaret Annual Renewal

[09-0623-1](#)

[Play Video](#)

**A motion was made by Member Nadel, seconded by Member Quan, that this matter be Continued to the *Public Safety Committee a Future Date
The motion carried by the following vote:**

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

COUNCILMEMBER KAPLAN WAS NOTED PRESENT AT 5:40 P.M. AND A QUORUM WAS DECLARED.

The Committee directed staff to provide the following information: 1) An Exemption category for some coffee houses, art galleries, and restaurants that are not serving alcohol and playing music late at night; 2) Clear definitions for Cabaret, Noise, Alcohol and Timeframes; 3) Sliding scale strategies for cost; 4) The criteria for the selection process for permits to include diversity of venues and determining factors; and 5) More details on a 1 year pilot program instead of a 2 year pilot program

The following individual(s) spoke and did not indicate a position on this item:

- Councilmember Kaplan
- Max Allstadt
- Daniel Schulman
- Charles Birbee
- Joe Hawkins
- Richard Wright
- Namane Mohlabane
- Geoffrey Pete
- Ralph Cooke
- Jonathan Bair
- Echa Schneider
- Michael O'Connor
- Kiri Eschelle
- Jeff Jones
- Richard Lee
- Juanita Lerma
- Justin Wilks

THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS TIME AND RECONVENED AS THE SPECIAL PUBLIC SAFETY COMMITTEE

DRAFT

9 Subject: Security Pilot Program Report
 From: Councilmember Larry Reid
 Recommendation: Receive An Informational Report From The Oakland Police Department Concerning The Security Pilot Program Including The Locations And Hours Of Implementation, The Number Of Community And Business Contacts, Number Of Citations Issued, Number Of Arrests Made, Tangible And Intangible Impacts Of The Program, With Feedback From The Affected Business Owners, And A Statistical Comparison Of Violent Crime Based On The Same Time Last Year In The Impacted Areas
[09-0679](#)
[Play Video](#)

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

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

10 Subject: Metropolitan Medical Response System Grant
 From: Oakland Fire Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept A Three Hundred Twenty One Thousand Two Hundred Twenty One Dollars (\$321,221.00) Grant From The Governor's Office Of Homeland Security To Fund Oakland Fire Department Metropolitan Medical Response System (MMRS) Program Planning, Equipment And Training
[09-0698](#)
[Play Video](#)

A motion was made by Member Quan, seconded by Member Nadel, 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 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

DRAFT

11 Subject: Concentra - Medical Examinations Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With Occupational Health Centers Of California, A Medical Corporation Doing Business As Concentra Medical Centers To Provide Annual Physical Examinations Of Oakland Fire Department Employees For The Period Of October 1, 2010 Through September 30, 2014, With An Optional Two Year Extension, In An Amount Not-To-Exceed \$1,200,000.00 For The Initial Four Year Term And Not-To-Exceed \$300,000.00 For Each Year Of Extension
[09-0784](#)

[Play Video](#)

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 November 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

12 Subject: Oakland Coliseum Security Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Security Agreement With The Oakland Coliseum Joint Venture, LLC (OCJV) For The Period Of November 7, 2009 Until The June 30, 2011 Termination Of The Current Arena Management Agreement, To Provide Security Services At The Oakland -Alameda County Coliseum Complex And Parking Facility
[09-0792](#)

[Play Video](#)

A motion was made by Member Quan, seconded by Member Nadel, 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 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

DRAFT

13 Subject: Vehicle Pursuit Policy
 From: Councilmember Nancy Nadel
 Recommendation: Receive An Informational Report From The Office Of Chief Of Police
 Detailing Current Policy, Procedures, And Precautions Used For Vehicle Pursuits In The City
 Of Oakland
 [09-0810](#)
 [Play Video](#)

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 Kernighan, Member Nadel, Member Quan and Chair Reid

The Committee directed staff to submit this report on an annual basis and to include in future reports the following information: 1) Proximity of schools to vehicle pursuits; 2) Hours of vehicle pursuits within neighborhoods (geographic area) and the crimes; and 3) The conditions in which a pursuit may be called off

[View Report.pdf](#)

14 Subject: Measure Y Audit
 From: Office of the City Auditor
 Recommendation: Receive The Performance Audit Of The City's Grant Selection,
 Management, Monitoring And Evaluation For The Measure Y Violence Prevention Program
 [09-0669](#)

A motion was made by Member Kernighan, seconded by Member Nadel, that this matter be *Withdrawn with No New Date. The motion carried by the following vote:

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

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

DRAFT

15 Subject: Criminal History Access
 From: Oakland Fire Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Approve The
 Fire Chief And/Or His Designated Representative To Access Summary Criminal History
 Information Of Oakland Fire Department Sworn Personnel For Emergency Medical Technician
 Licensing And Certification Purposes As Required By Adoption Of Assembly Bill 2917
 (Torrice) During The 2007-2008 Session, Which Amended Sections Of The Health And Safety
 Code Regarding Emergency Medical Services Personnel
 [09-0678](#)
 [Play Video](#)

A motion was made by Member Nadel, 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 November 3, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

[Play Video](#)

Adjournment

[Play Video](#)

There being no further business, and upon the motion duly made, the Oakland City Council Special Public Safety Committee adjourned the meeting at 5:40 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
 If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit
Phone: (510) 238-6406
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
[TDD](#)

DRAFT

City Clerk and Clerk of the Council