



# 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>**

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**Tuesday, September 28, 2010**

**4:00 PM**

**Hearing Room One - 1st Floor**

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### Roll Call / Call to Order

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

*The Oakland City Council Public Safety Committee convened at 4:07p.m. with President Pro Tem Reid presiding as Chairperson.*

### COMMITTEE MEMBERSHIP

- 1 Approval of the Draft Minutes from the Committee Meeting held on September 14, 2010

**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

**A motion was made by Member Quan, seconded by Member Kernighan, 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

### Pending List/ For Tracking Purpose

- #1 Subject: Status of Implementation of Law Enforcement Industry Standards  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From The Oakland Police Department On The Status Of The City's Efforts To Continue To Implement Police Practices Consistent With Law Enforcement Industry Standards, As Required By The Honorable Judge Thelton Henderson In The Case of Delphine Allen, Et Al. V. City Of Oakland, Et Al.  
[10-0101](#)

**Scheduled to \*Public Safety Committee on 10/12/2010**

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#2      Subject:      Overtime Usage - Oakland Police Department  
From:          Councilmember Larry Reid  
Recommendation: Receive A Quarterly Informational Report From The Oakland Police  
Department Detailing Overtime Usage For The Fiscal Year 2010-2011 Inclusive Of A Brief  
Description Of Activities Overtime Was Used To Fund  
[09-0560-1-2](#)

**Scheduled to \*Public Safety Committee on 10/26/2010**

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3      Subject:      2009 Annual Report - Citizens' Police Review Board  
From:          Citizens' Police Review Board  
Recommendation: Receive The 2009 Annual Informational Report From The Citizens' Police  
Review Board  
[09-1646](#)

**A motion was made by Member Kernighan, seconded by Member Nadel,  
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 following individual spoke on this item:*

- Susan Shawl

- Rashidah Grinage

- Sanjiv Handa

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4      Subject:    Medical Marijuana Cultivation Facility  
From:        Office Of The City Administrator  
Recommendation: Action On A Report Regarding Proposed Request For Permit Applications (RFPA) To Operate A Medical Cannabis Cultivation Facility Pursuant To Oakland Municipal Code Chapter 5.81

[10-0044](#)

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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 October 5, 2010 as a Non-Consent 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 revise the RFPA to reflect changes/increases to the points system that will be used to score permit applicants. The proposed increases and/or changes should be applied to the following bonus categories:*

*Labor Practices*

- *Hiring of local residents (50 points), Include language that requires facilities to hire 80% locally.*
- *Purchasing from local businesses (40-50 points)*
- *Labor Agreements and equivalent co-ops and Employment Issues*
- *Eliminate some employment categories*
- *Ensure that entities that apply as a worker owned co-op, with no employees do not lose points for not having employees. Add equivalent language for collective bargaining agreements.*
- *Provide more specific language for first hire provisions, Make local hire more than just a general agreement, Applicants should utilize Oakland's training facilities to hire employees.*

*Product Safety*

- *Product Testing in laboratories (Look at vulnerability of the laboratories) to increase patient safety*

*Environmental Mitigations*

- *Environmental Issues (ie., Emissions and greenhouse gas) Increase*
- *Energy and Climate (20 point increase)*

*Community Benefits*

- *Include Oakland Public Schools as a category*

*The committee members all agreed that applicants should not receive bonus points for complying with the law (ie, ADA Compliance)*

*Public Hearing*

*Staff will also*

*change the language regarding when public hearings will be held, the public hearing will happen after the examination and the 4 permits have been selected or issued.*

*The committee directed staff to include in the Definition section the following language, “ That light manufacturing, industrial and other equivalent use should be defined to include areas for medical service, research service, crop raising, cultivation and agricultural activities are conditionally permitted where the applicants property is located”.*

*The following individual spoke on this item:*

- Brennon Kage*
- Liana Held*
- Dan Rush*
- Mark Terbeek*
- Richard Cairns*
- Sanjiv Handa*
- James Anthony*
- Sam Coturri*

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- 5           Subject:     Vehicle Occupancy Protection And Bicycle Safety Program  
              From:       Oakland Police Department  
              Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee  
                                  On Behalf Of The City Of Oakland To: 1) Accept And Appropriate Grant Funds In An Amount  
                                  Not To Exceed Four Hundred Ninety-One Thousand Three Hundred And Five Dollars  
                                  (\$491,305) From The State Of California, Office Of Traffic Safety To The Oakland Police  
                                  Department For The Fiscal Year 2011 Implementation Of The Vehicle Occupancy Protection  
                                  And Bicycle Safety Program, And 2) Waive The Competitive Request For  
                                  Proposal/Qualifications Process For The Purchase Of Services Associated With The Program  
                                  From The East Bay Community Recovery Project In An Amount Not To Exceed Fifty  
                                  Thousand Dollars (\$50,000), The Oakland Police Activities League In An Amount Not To  
                                  Exceed Thirty Thousand Dollars (\$30,000), And The Alameda County Public Health  
                                  Department - Community Health Academy, In An Amount Not To Exceed Twenty-Nine  
                                  Thousand Three Hundred Eighty-Five Dollars (\$29,385)

[10-0057](#)

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**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 October 5, 2010 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 spoke on this item:*

*-Sanjiv Handa*

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[83005 CMS.pdf](#)

- 6      Subject:    2010-2011 DUI Enforcement And Awareness 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 The Amount Of Two Hundred Forty-One Thousand Two Hundred Dollars (\$241,200) From The State Of California, Office Of Traffic Safety, For The 2010-2011 DUI Enforcement And Awareness Program To Be Conducted By The Police Department For The Project Term Of October 1, 2010 Through September 30, 2011  
[10-0058](#)  
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**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 October 5, 2010 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 spoke on this item:*

*-Sanjiv Handa*

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[83006 CMS.pdf](#)

- 7      Subject:    Animal Services Division - Funding Donations  
From:          Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, On Behalf Of The City Of Oakland, To Accept Donations In The Amount Of Two Hundred Sixty-Five Thousand Five Hundred And Nine Dollars (\$265,509) From The Estate Of Blanche Thomas, And Sixty-Six Thousand Five Hundred Dollars (\$66,500) From Maddie's Fund, And Appropriate Said Funds To The Oakland Police Department Animal Services Division To Help Fund Spay And Neuter Programs, Quality Of Life Projects For Animals, And Purchase Supplies/Equipment For The Volunteer Program  
[10-0059](#)

**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 October 5, 2010 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 spoke on this item:*

*-Sanjiv Handa*

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[83007 CMS.pdf](#)

8           Subject:     DNA Sexual Assault Kits  
              From:       Oakland Police Department  
              Recommendation: Receive An Informational Report On The Progress Of The Untested Sexual  
              Assault Evidence Kit Project Conducted By The Oakland Police Department Criminalistics  
              Laboratory  
              [10-0065](#)  
              [Play Video](#)

**A motion was made by Member Quan, seconded by Member Nadel, 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 following individual spoke on this item:*

*-Sanjiv Handa*  
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9           Subject:     Health Element - General Plan Amendment  
              From:       Vice Mayor Quan  
              Recommendation: Action On A Report And Recommendation To Direct Staff To Work With  
              The Alameda County Public Health Department To Develop A Framework For Incorporating A  
              Health Element To The General Plan And Seek Funding To Implement This Framework  
              [10-0047](#)

**\*Rescheduled to \*Public Safety Committee on 10/12/2010**

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### **Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Public Safety Committee adjourned the meeting at 6:10 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.

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*City Clerk and Clerk of the Council*