

City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California

94612

Ceda Floyd, City Clerk

Online Meeting Minutes - Final

*Public Safety Committee

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

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

7:30 PM

Hearing Room One - 1st Floor

Tuesday, October 14, 2003

The Oakland City Council Public Safety Committee convened at 7:30 p.m., with Councilmember Reid presiding as Chairperson.

Roll Call / Call to Order

The Roll Call was modified to note Councilmember Brooks present at 7:40 p.m.

Councilmember Present: Member Nadel, Member Brooks, Member Quan and Chair Reid

1 Approval of the Draft Minutes from the Committee Meeting held on September 23, 2003

A motion was made by Member Quan, seconded by Member Nadel, to *Approve the Minutes. The motion carried by the following vote:

Councilmember Absent: Member Brooks

Councilmember Aye: Member Nadel, Member Quan and Chair Reid

2 Determination of Schedule of Outstanding Committee Items

Attachments:

[Item 2 10-14-03.pdf](#)

A motion was made by Member Quan, seconded by Member Nadel, that this matter be *Approve with the following amendments. The motion carried by the following vote:

Councilmember Absent: Member Brooks

Councilmember Aye: Member Nadel, Member Quan and Chair Reid

From October 28, 2003:

1. Subject: Service Delivery Districts
From: Office of the City Manager
Recommendations: Approve Recommendations regarding the enhancement of neighborhood service delivery
***Rescheduled to the *Public Safety Committee**

From For Tracking Purposes:

8.

Subject: Citizens' Police Review Board
From: Office of the City Manager
Recommendation: Receive the Citizens' Police Review Board 2002 Annual Report
Scheduled to the *Public Safety Committee

3

Subject: Vehicular Pursuit Policy
From: Oakland Police Department
Recommendation: Receive an Informational Report regarding the Oakland Police Department's current policy, procedures, and precautions used for vehicle pursuits in the City of Oakland
Attachments:
[Item 3 10-14-03.pdf](#)

The following individuals spoke and did not indicate a position on this item:

- Sanjiv Handa
- Judi Hirsh
- Janet Arnold
- Susan Quinlan
- Ralph Kanz

The Committee received and filed the informational report.

Following the discussion the Committee gave direction for staff to return to Committee with a "Best Practices" report regarding pursuit policies in comparable municipalities outside California. The Committee inquired regarding the current pursuit policy in the proximity of schools and increasing the visibility of patrol car ID numbers.

***Received and Filed**

4

Subject: Oakland Youth Court Project
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Manager, on behalf of the City of Oakland, to accept and appropriate a grant in the amount not to exceed two hundred and eight thousand and seventy two dollars (\$208,072) from the State of California Office of Criminal Justice Planning (OCJP) Juvenile Accountability Incentive Block Grant (JAIBG) Program and authorizing a funding agreement in an amount not to exceed one hundred and ninety four thousand five hundred and fifty five dollars(\$194,555) with the Donald P. McCullum Youth Court, for the implementation of the Oakland Youth Court Project
Attachments:
[10.32CC 10-21-03.pdf](#),
[78135CC.pdf](#),
[Item 4 10-14-03.pdf](#)

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 21, 2003. As a Consent Calendar Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

5

Subject: Electronic Crime Task Force
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Manager to accept and appropriate a maximum of thirteen thousand dollars (\$13,000) in federal funds from the United States Department of the Treasury, United States Secret Service (USSS) to the Oakland Police Department for the overtime costs of one (1) Police Officer assigned to the Organized Crime Drug Enforcement Task Force (OCDETF) and the Electronic Crime Task Force for the period of October 14, 2003 to September 30, 2004
Attachments:
[10.33CC 10-21-03.pdf](#),
[78136CC.pdf](#),
[Item 5 10-14-03.pdf](#)

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 21, 2003. As a Consent Calendar Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

Subject: California Seat Belt Compliance Campaign
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Manager, on behalf of the City of Oakland, to accept and appropriate a grant in an amount not to exceed forty-nine thousand six hundred and forty-six dollars (\$49,646) from the State of California, Office of Traffic Safety for a four-month California Seat Belt Compliance Campaign within the Police Department

Attachments: [10.34CC 10-21-03.pdf](#),
[78137CC.pdf](#),
[Item 6 10-14-03.pdf](#)

A motion was made by Member Nadel, seconded by Member Brooks, 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 21, 2003. As a Consent Calendar Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

Subject: Language Translation Services
From: Oakland Police Department
Recommendation: Receive a report and adopt the proposed resolution authorizing the City Manager, on behalf of the City of Oakland, to enter into a two-year Professional Services Agreement between the City of Oakland and Language Line Services, LLC, in an amount not to exceed one hundred eighty-seven thousand, four hundred thirty dollars (\$187,430) for the two-year period of July 1, 2003 to June 30, 2005 for language translation services; on the October 14, 2003 Public Safety Committee agenda

Attachments: [10.35CC 10-21-03.pdf](#),
[78138CC.pdf](#),
[Item 7 10-14-03.pdf](#),
[Sched 0173.pdf](#)

The following individuals spoke in favor of this item:

- Graham Carter
- Amy Albuchul

The following individuals spoke and did not indicate a position on this item:

- Sanjiv Handa

A motion was made by Member Nadel, seconded by Member Brooks, 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 21, 2003. As a Consent Calendar Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

8

Subject: West Oakland Weed & Seed Initiative
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing the City Manager, on behalf of the City of Oakland, to accept and appropriate a grant in the amount of two hundred twenty-five thousand dollars (\$225,000) from the U.S. Department of Justice, Office of Justice Programs, Executive Office of Weed and Seed for the continued program implementation of the West Oakland Weed and Seed Initiative and authorizing a funding agreement in an amount not to exceed twenty-five thousand dollars (\$25,000) with the Oakland Police Activities League for truancy and mentoring services associated with the program

Attachments: [22 11-4-03.pdf](#),
[Item 8 10-14-03.pdf](#),
[Sched 0182.pdf](#)

The Committee moved, seconded and carried a motion to approve the recommendation regarding the Weed and Seed resolution with the amendment that the program will utilize the services of a Community Attendance Assistant for the needs of target students enrolled at Lowell Middle School and McClymonds High School.

A motion was made by Member Nadel, seconded by Member Brooks, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on November 4, 2003. As a Non-Consent Item. The motion carried by the following vote:

Councilmember Abstained: Member Quan

Councilmember Aye: Member Nadel, Member Brooks and Chair Reid

9

Subject: Compass Group, USA
From: Oakland Police Department
Recommendation: Adopt a Resolution authorizing an agreement between the City of Oakland and Compass Group, USA by and through its Canteen Correctional Services Division in an amount not to exceed three hundred thousand dollars (\$300,000) in Fiscal Year 2003-2004 for the provision of food and food service management for the City of Oakland Jail

Attachments: [78139CC.pdf](#),
[Item 9 10-14-03.pdf](#),
[Sched 0172.pdf](#)

A motion was made by Member Brooks, 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 21, 2003. As a Consent Calendar Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

9.1

Subject: Compass - Impartial Financial Analysis
From: Office of the City Auditor

Attachments: [Item 9.1 10-14-03.pdf](#)

***Received and Filed**

10

Subject: Firefighter Protective Footwear
From: Oakland Fire Department
Recommendation: Adopt a Resolution awarding two contracts to L.N. Curtis and Bricker Mincola for firefighter protective footwear in an amount not to exceed two hundred sixty thousand dollars (\$260,000) for both contracts, for the period August 31, 2003 through August 30, 2006 and authorizing City Manager to extend said contracts, one year at a time, until August 31, 2008, for a total annual expenditure for both contracts, thereafter, of eighty six thousand six hundred sixty six dollars (\$86,666)

Attachments:

[10.37CC 10-21-03.pdf](#),
[78140CC.pdf](#),
[Item 10 10-14-03.pdf](#),
[Item 10 SUP 10-14-03.pdf](#)

A motion was made by Member Nadel, seconded by Member Brooks, 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 21, 2003. As a Consent Calendar Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

Subject: Creations of Special Assessment Districts
From: Oakland Fire Department
Recommendation: Adopt the following legislation:

1) Adopt an Ordinance establishing procedures for the creation of special assessment districts to fund services and programs for fire suppression, prevention and preparedness within designated areas of the City Of Oakland, and

Attachments:

[Item 23 11-4-03.pdf](#),
[Item 11 10-14-03.pdf](#),
[Prelim_Roll.pdf](#)

The following individuals spoke in favor of this item:

- Ken Beuson
- Sue Piper
- Nick Vigilante
- Mark Rauzon
- Barry Pilger
- Karen Paulsell
- Ralph Kanz
- John Sutter

A motion was made by Member Quan, seconded by Member Nadel, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on November 4, 2003. As a Non-Consent Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

2) Adopt a Resolution of Intention to form the Oakland Wildfire Prevention Assessment District, accepting and granting preliminary approval of the engineer's report, directing filing of the engineer's report and proposed assessment district boundary map, submitting the proposed assessment to the district assesses for majority protest procedure, and scheduling a Public Hearing for January 6, 2004, and

Attachments:

[Item 11 10-14-03.pdf](#),
[Item 11.2 SUP 10-14-03.pdf](#),
[Item 23 11-4-03.pdf](#),
[Prelim_Roll.pdf](#)

The Committee moved, seconded and carried a motion to approve the recommendation and the proposed amendments made to the Fire Assessment District legislation to (1) include the following Whereas statements:

WHEREAS, the Oakland Hills area is a unique and extraordinary urban/wild lands interface where large fires are a distinct possibility. The continuous fuel bed, steep canyons, and dry summers followed by high Diablo winds in the late summer and early fall make the Oakland Hills an environment at risk.

WHEREAS, the City budget maintains the current basic fire station and suppression services, but former grants and funds for vegetation management have been cut or exhausted. In light of this reality, the residents in the affected area will fund a special assessment district to provide funding for these services for a period of ten years.

(2) change the description on the District One boundaries, (3) place a cap on administration expenses of 5% of the district's annual budget, and (4) the Citizens Advisory Committee for each of the four Council Districts within the Assessment District shall appoint two members to the Citizens' Advisory Committee; the At-Large Councilmember shall appoint one member and the Mayor shall appoint two members, one of whom must be a firefighter by profession. All Advisory Committee members must live in the Assessment District including the firefighter.

A motion was made by Member Quan, seconded by Member Nadel, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on November 4, 2003. As a Non-Consent Item. The motion carried by the following vote:

Councilmember Aye: Member Nadel, Member Brooks, Member Quan and Chair Reid

Subject: Enforcement of Public Nuisance Actions

From: Councilmember Quan and President De La Fuente

Recommendation: Adopt an Ordinance amending Chapter 1.08 of the "Civil Penalties", Chapter 1.12 "Administrative Citations", and Chapter 1.16 "Alternative Administrative Procedures for Abatement of Certain Violations" of the Oakland Municipal Code for enforcement of public nuisance actions

Attachments:

[10.22CC 11-4-03.pdf](#),

[Item 12 10-14-03.pdf](#),

[Item 27.pdf](#)

The Committee moved, seconded and carried a motion to approve the recommendation and the proposed amendments made to the Public Nuisance ordinance and directed staff to provide a Supplemental Report with (1) a legal opinion regarding the City's jurisdiction to enforce regulations over Federally owned properties, and (2) to identify the City resources for funding the Case Manager position.

The following amendments were made to the proposed ordinance to "conform the document to comply with technical form and legality."

Page 2, 1.08.030 Subtitle too Narrow. Delete terms "Public Nuisance:
Subsection to be titled "Violations.:"

Page 3, 1.08.040B State City Manager authority to declare nuisance
by adding "declare a public nuisance hereunder
and to" between the terms "to" and "assess" in the
first line.

Page 7, 1.12.030 Subtitle too Narrow. Delete terms "Public Nuisance"
Subsection to be titled "Violations."

Page 7, 1.12.040A Continue to make citation available for lessor
violations by replacing "and" with "or" in second line.

Page 7, 1.12.040B State City Manager authority to declare nuisance by
adding "declare a public nuisance hereunder and to
"between the terms "to" and "assess" in the first line.

Page 11, 1.16.030 Subtitle too Narrow. Delete terms "Public Nuisance"
Subsection to be titled "Violations."

Page 11, 1.16.030A Continue to make citation available for lessor
violations by replacing "and" with "or" in second
line.

Page 12, 1.16.040B State City Manager authority to declare nuisance by
adding "declare a public nuisance hereunder and to"
between the terms "to" and "assess" in the first line.

A motion was made by Member Quan, seconded by Member Nadel, that this matter be "Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on November 4, 2003. As a Non-Consent Item. The motion carried by the following vote:

Councilmember Abstained: Member Brooks

Councilmember Aye: Member Nadel, Member Quan and Chair Reid

The following individuals spoke in favor of this item:

- Graham Carter
- Amy Albuchul

The following individuals spoke and did not indicate a position on this item:

- Sanjiv Handa

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individuals spoke during Open Forum

- Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Public Safety Committee adjourned the meeting at 9:23 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.

NOTES

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