

# Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

LaTonda Simmons, City Clerk

## **\*Public Safety Committee**

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

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

**Tuesday, June 28, 2005**

**7:30 PM**

**City Council Chambers - 3rd Floor**

*The Oakland City Council Public Safety Committee convened at 7:36 P.M.,*

*with Councilmember Reid presiding as Chairperson.*

### **Roll Call / Call to Order**

Councilmember Present: 4 - Member Nadel, Member Kernighan, Member Quan

and Chair Reid

### **COMMITTEE MEMBERSHIP:**

1

Approval of the Draft Minutes from the Committee Meeting held on June 14, 2005

**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 Nadel, Member Kernighan, Member Quan and

Chair Reid

2

Determination of Schedule of Outstanding Committee Items

**A motion was made by Member Nadel, seconded by Member Kernighan, to**

**Approve as Amended. The motion carried by the following vote:**

**Votes:**

Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and

Chair Reid

**FROM PENDING NO SPECIFIC DATE**

Subject: Emergency Management Board Proceedings

From: Oakland Fire Department

Recommendation: Receive A Semi-annual Report On Emergency Management Board

Proceedings For The Period January 2005 - June 2005 (05-0594)

**Scheduled to \*Public Safety Committee on 9/13/2005**

Subject: Settlement Agreement Tasks

From: Oakland Police Department

Recommendation: Receive A Status Report From The Chief Of Police Outlining The Oakland

Police Department's Efforts To Implement The Provisions Required In The Negotiated

Settlement Agreement Of Delphine Allen, Et Al, v. City Of Oakland, Et Al, United States

District Court Case No. C00-4599 (TEH) (05-0572)

**Scheduled to \*Public Safety Committee on 7/12/2005**

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(PSC Item 2 6-28-05)

[View Item](#)

3

Subject: Sideshow Activities

From: Oakland City Council

Recommendation: Action on A Report and Recommendations Regarding Two Alternatives To

Address Sideshow Activities: Alternative No. 1 - An Ordinance Amending Title 9 Of The

Oakland Municipal Code To Add Chapter 9.60 (a) Declaring Vehicle Sideshows A Public

Nuisance And (b) Prohibiting The Gathering Of Spectators At Such Public Nuisance Events;

And Alternative No. 2 - An Ordinance That Includes The Foregoing Provisions And Also

Provides For The Forfeiture Of Vehicles Involved In Sideshow Events (05-0429-1)

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

**that this matter be \*Approve as Amended the Recommendation of Staff,**

**and Forward to the Special Concurrent Meeting of the Oakland**

**Redevelopment Agency/City Council, due back on July 12, 2005. The**

**motion carried by the following vote:**

**Votes:**

Councilmember Abstained: Member Nadel

Councilmember Aye: Member Kernighan, Member Quan and Chair Reid

*The Committee moved seconded and carried a motion to accept staff*

*recommendations as amended:*



*This chapter is adopted to prohibit sideshow gatherings, processions and*



*assemblages on city streets and highways and to prohibit the gathering of*

*spectators at these events. The purpose of this law is to significantly curb this*

*illegal and nuisance activity. The law targets a very clear, limited population*

*and gives proper notice to citizens of the activities that are considered a*

*nuisance and prohibited under this ordinance. In prohibiting this activity and*

*discouraging spectators, the city intends to take a significant step toward*

*making its streets and highways safe to pedestrians, motorists and the general*

*public.*





*Include the following language:*

*With this ordinance, the City Council seeks to achieve reform, education, and*

*reduce recidivism rates of persons involved in sideshow activity. To that end,*

*the City supports the administration and enforcement of this ordinance in a way*

*that emphasizes community service, education and training (including parental*

*participation for those violations committed by juveniles). To the extent that the*

*law permits these community-service alternatives to the criminal penalties*



*provided under this Ordinance, the City Council supports those alternatives.*



*It is the expectation of the City Council that the City Administrator and the*

*Oakland Police Department work with the City Attorney's office, Alameda*

*County District Attorney's office, Alameda County Probation and Alameda*

*County Juvenile Court to identify specific community service and educational*

*alternatives for violations of the ordinance.*





*SECTION 9.60.030 DEFINITIONS*

*"Spectator" means a person who is knowingly present at the location of a*

*sideshow and who is encouraging, facilitating or aiding and abetting in the*

*sideshow activity. To be present means a person who is within 100 feet of a*

*sideshow activity.*



*Include the following language: Encouraging is defined as someone who urges*

*and assists participants through actions and/or words*





*SECTION 9.60.70 RELEVANT CIRCUMSTANCES TO PROVE A VIOLATION*

- *Whether the individual is facilitating the illegal activity in any manner, such*

*as by encouraging the event, obstructing foot or vehicular traffic or placing*

*barricades or other obstructions upon any highway.*

*Include: Encouraging is defined as someone who urges and assists participants*

*through actions and/or words*





*SECTION 9.60.90 ENFORCEMENT - PENALTIES FOR VIOLATIONS*

*Violations of this Ordinance shall be as follows. The first offense shall*

*constitute an infraction punishable by a fine of not more than \$500 and/or*

*community service and education. The second offense shall constitute an*

*infraction punishable by a fine of not more than \$750 and/or community service*

*and education. The third and any subsequent offenses shall constitute a*

*misdemeanor punishable by a fine of \$1,000, and/or community service and*

*education, by imprisonment not exceeding six months, or both. This provision*



*shall not be read to preclude the charging or imposition of any other penalties*

*authorized by law.*



*We would like to direct the Oakland Police Department to return to the Public*

*Safety Committee in six months with a report updating the committee on their*

*training efforts, public awareness and education, and enforcement of this*

*ordinance. The committee further directs the Oakland Police Department to*

*come back to the council in one year with a report on the overall effectiveness*



*of the ordinance.*



*The following individual(s) spoke in favor of this item:*

- *Mark Daly*

- *Jose' Dorado*

- *Benjamin Scott*

- *Jim Ensign*

- *Stephanie Allen*



- *Tracy Myers*

- *Nicholas Vigilante*

- *Marcus Johnson*





*The following individual(s) spoke against this item:*

- *Wendy Snyder*

- *Matthew Willis*



- *Aimee Allison*

- *Sitara Nieves*

- *Forrest Hill*

- *Mary Van Der Horst*

- *Venus Rodriguez*

- *Michael Rubin*

- *Janet Arnold*

- *John Morton*



- *Wilson Riles*

- *Chris Cantor*

- *Robert Rose*

- *Bakari Olantunji*

- *Gwen Hardy*

- *Rashidah Grinage*

- *Ora Knowell*



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

- *Eugene Davis*

- *Svea O'Banion*

- *Jane Jackson*

- *Linda Evans*

- *Monique Jones*



- *Renialdi Wilder*

- *Felicia Moore-Jordan*

- *Elder Freeman*

- *Shirley Waters*

- *Jean Blackshear*

- *Sanjiv Handa*

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[12695 CMS.pdf](#)

Subject: Motorized Scooters / Motorized "Pocket Bikes"

From: Oakland Police Department

Recommendation: Approve The Introduction (First Reading) Of An Ordinance Adding Chapter

10.17 To The Oakland Municipal Code Requiring Sellers Of Motorized Scooters And

Motorized "Pocket Bikes" To Advise Consumers Of The State And Local Laws Regulating The

Operation Of The Devices Within The City Of Oakland (05-0525)

**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 July 19, 2005 as a Consent Calendar item. The motion carried**

**by the following vote:**

**Votes:**

Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and

Chair Reid

*The following individual(s) spoke in favor of this item:*

- *Mark Daly*

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

- *Sanjiv Handa*

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5

Subject: Oakland Housing Authority (OHA) - Agreement

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And

Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Thousand Dollars

(\$400,000) From The U.S. Department Of Justice, Community Capacity Development Office,

In Collaboration With The Institute For Law And Justice, For Implementation Of The Public

Housing Safety Initiative In The Police Department And Authorizing A Professional Services

Agreement With The Oakland Housing Authority (OHA) In The Amount Of Eighty Thousand

Dollars (\$80,000) For Law Enforcement And Other Community-Based Services And The East

Bay Community Recovery Project In An Amount Not To Exceed One Hundred Thousand

Dollars (\$100,000) For Counseling And Other Community-Based Services Associated With

The Initiative (05-0460)

**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 July 19, 2005 as a Consent Calendar item. The motion carried**



**by the following vote:**

**Votes:**

Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and

Chair Reid

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

- *Sanjiv Handa*

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6

Subject: Oakland Youth Court Implementation

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And

Appropriate Grant Funds In An Amount Not To Exceed Twenty-Four Thousand Eight Hundred

And Twenty-Eight Dollars (\$24,828) From The State Of California, Board Of Corrections

(BOC), Juvenile Accountability Block Grant (JABG) Program, And Authorizing A Funding

Agreement In An Amount Not To Exceed Twenty Thousand Dollars (\$20,000) With The

Donald P. McCullum Youth Court For Implementation Of The Oakland Youth Court -

Interface Project (05-0461)

**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 July 19, 2005 as a Consent Calendar item. The**

**motion carried by the following vote:**

**Votes:**

Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and

Chair Reid

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7

Subject: Patrol Canine Acquisition

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee

To Accept And Appropriate A Donation In The Amount Of Ten Thousand Dollars (\$10,000)

To The Oakland Police Department For The Acquisition Of Two Patrol Canines, Valued At

Approximately Four Thousand Eight Hundred Dollars (\$4,800) Each, For A Total Cost Of

Approximately Nine Thousand Six Hundred Dollars (\$9,600), For Use By The Police

Department Canine Program, With Any Remaining Funds To Be Used To Offset Handler

Training Costs And The Purchase Of Canine Related Supplies And/Or Services (05-0499)

**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 July 19, 2005 as a Consent Calendar item. The**

**motion carried by the following vote:**

**Votes:**

Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and

Chair Reid

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8

Subject: Urban Search And Rescue Team

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For,

Accept And Appropriate A Grant From The Federal Emergency Management Agency (FEMA)

For The Period March 1, 2005 To June 30, 2006 In The Amount Of Eight Hundred Ninety Two

Thousand Dollars (\$892,000.00) To Meet Continuing Training And Equipment Needs Of The

Fire Department's Urban Search And Rescue (USAR) Team, 2) Waive The City's Competitive

Bidding Requirements And Authorize Procurement Of Some Equipment From The General

Services Administration Agency, And 3) Award Said Equipment Contracts Without Return To

Council (05-0517)

**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 July 19, 2005 as a Consent Calendar item. The**

**motion carried by the following vote:**

**Votes:**

Councilmember Aye: Member Nadel, Member Kernighan, Member Quan and

Chair Reid

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**Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)**

*The following individual(s) spoke under Open Forum:*

- *Andre' Spearman*

- *Sennet Williams*

- *Sanjiv Handa*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland*

*City Council Public Safety Committee adjourned at 10:12 P.M.*

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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

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\*

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.

*City Clerk and Clerk of the Council*