

CITY OF OAKLAND

AGENDA REPORT

06 MAY - 4:00 PM

To: Public Safety Committee
Attn: Larry Reid, Chairperson
From: Neighborhood Law Corps
City Attorney's Office
Date: May, 09 2006

**Re: Supplemental Report -- A Report and Recommendation on Oakland Liquor stores;
update on "The Good, The Bad & the Ugly".**

SUMMARY

On April 25, 2006, we reported to the Public Safety Committee with an update on the city's liquor store enforcement program for the period of April, 2004 to April, 2006.

The Committee asked the following questions:

1. What is the impact on the Deemed Approved Program's budget to hire a dedicated Deputy City Attorney II?
2. What is the cost to publish and distribute the Deemed Approved Alcohol Outlet educational pamphlet?
3. What is the recruitment and hiring process for the DCAII position?

KEY ISSUES AND IMPACTS

Answers to Council's questions:

Budget Impact of DCAII

Upon review of the Deemed Approved Program's budget with OPD and the City Administrator's Office, we have determined that it is possible to fund one FTE DCAII for fiscal year 2006 – 2007 from existing Deemed Approved Program fees without cutting current ABAT positions.

The Oakland Police Department has identified one time funding that will cover the cost for a Deputy City Attorney II within the Deemed Approved Fee budget at a cost of \$152,000 (this includes cost of living increase and all fringe benefits). This position will be created for fiscal year 2006-2007.

If this newly created attorney's position for the program is successful, then staff will come back to the City Council next fiscal year, 2007-2008, to institutionalize the position.

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In the meantime, the Oakland Police Department, City Administrator's Office and City Attorney's Office will establish a plan to better ensure full and timely payments of Deemed Approved Program fees.

The City Administrator's Office, The Oakland Police Department and City Attorney's Office will work collaboratively to create the work duties for this position. Many of the job duties will tie into the City's efforts to further enhance our community policing efforts, which include working with Home Alert groups, Neighborhood Crime Prevention Councils, and building around organizing residents to help the City to improve the quality of life in our neighborhoods.

Deemed Approved Alcohol Outlet Educational Pamphlet

The following are two estimates for the cost to publish and distribute the Deemed Approved Alcohol Outlet educational pamphlet:

Quick Copy and Reprographic Services, Information Technology Division, City of Oakland

| 1 | Quantity | Each Cost | Total Cost |
|-----------------|-----------------|------------------|---------------------|
| Pamphlet | 5000 | | |
| Color | 5000 | 5000 x \$.85 | \$ 4,250.00 |
| Black/white | 3x5000 | 15000 x \$.50 | \$ 7,500.00 |
| Collating | 100 = \$1.00 | 5000/100 x \$1 | \$ 50.00 |
| Stapling | 5000 | 5000 x \$.10 | \$ 500.00 |
| Mailing | 5000 | 5000 x \$.39 | \$ 1,950.00 |
| | | | \$ 14,250.00 |

| 2 | Quantity | Each Cost | Total Cost |
|-----------------|-----------------|------------------|---------------------|
| Pamphlet | 10,000 | | |
| Color | 10,000 | 10000 x \$.85 | \$ 8,500.00 |
| Black/white | 3x10000 | 30000 x \$.50 | \$ 15,000.00 |
| Collating | 100 = \$1.00 | 10000/100 x \$1 | \$ 100.00 |
| Stapling | 10000 | 10000 x \$.10 | \$ 1,000.00 |
| Mailing | 5000 | 10000 x \$.39 | \$ 3,900.00 |
| | | | \$ 28,500.00 |

Hiring Process for DCAII


The City Attorney's office, under our agreement with the attorneys' labor unit, must post the position for ten days. The job description for the litigation DCAII will be written by Chief Assistant City Attorney Randy Hall, Supervising Attorney James Hodgkins, and Captain David Kozicki. Randy Hall will interview the top resumes and make a hiring recommendation to the City Attorney. The City Attorney will consult the Police Chief before making the hiring decision.

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ACTION REQUESTED OF THE CITY COUNCIL

1. Hire a Deputy City Attorney II for the 2006 -2007 fiscal year from existing Deemed Approved Fee budget.
2. Pass a Council Resolution mandating staff to make the abatement of problem liquor outlets a critical priority for Oakland.
3. The City Administrator suggests instituting joint ABAT-City Attorney quarterly progress reports to the Public Safety Committee.
4. Issue new Deemed Approved Alcohol Outlet educational pamphlet by October 01, 2006, beginning with 5,000 copies for all alcohol outlet operators, property owners, and neighborhood groups.

Respectfully submitted,

For 
John A. Russo
City Attorney

Prepared by
Alexander Nguyen
Director
Neighborhood Law Corps

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