

<b>Location:</b>	3333 Telegraph Ave. (APN 009-0726-002-00)
<b>Proposal:</b>	Compliance Review of Center Point Day Reporting Center, per original Conditions of Approval (Case #: CM10158) requiring a compliance review to occur 6-months after commencement of the facility's operations.
<b>Contact Person/Phone Number:</b>	Laura Lambe, Center Point, Inc. (415)492-4444
<b>Owner:</b>	Wayne Chan
<b>Case File Number:</b>	REV110008 (related to CM10158)
<b>Planning Permits Required:</b>	Compliance Review of a Major Conditional Use Permit allowing the establishment of a day reporting center for parolees for compliance with project conditions of approval and other impacts. This permit was approved by the Planning Commission on September 1, 2010 and Condition of Approval #17 requires a Compliance Review within 6 months of commencement of operation.
<b>General Plan:</b>	Community Commercial
<b>Zoning:</b>	CC-2 "Community Commercial Zone – 2"
<b>Environmental Determination:</b>	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Facilities); and Section 15321 (Enforcement Actions by Regulatory Agencies)
<b>Historic Status:</b>	Not a Potential Designated Historic Property; Survey Rating: F3
<b>Service Delivery District:</b>	2
<b>City Council District:</b>	2
<b>Date Filed:</b>	June 13, 2011
<b>Staff Recommendation:</b>	Pursuant to Staff Report
<b>Action to be Taken:</b>	Review Conditions of Approval and make determinations regarding compliance with Conditions of Approval and project impacts.
<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
<b>For Further Information:</b>	Contact Case Planner, Ann Clevenger, at (510)238-6980 or <a href="mailto:aclevenger@oaklandnet.com">aclevenger@oaklandnet.com</a>

## **SUMMARY**

On September 1, 2010, the Applicant, Center Point, Inc., was granted Planning Commission approval for a Major Conditional Use Permit (CUP) to establish a Day Reporting Center, which provides services to help parolees reintegrate into their communities, at an existing vacant commercial building located at 3333 Telegraph Ave. in the C-40 "Community Thoroughfare Commercial" Zone (currently CC-2) Zone. Numerous Conditions of Approval were attached to the project approval, including the requirement for a Compliance Review within 6 months of commencement of operation (see Staff Report dated September 1, 2010, Attachment "A"). An appeal was subsequently filed by the Koreatown/Northgate Community Benefit District. Based on several meetings between the Applicants and Appellants, attended by representatives from Mayor Dellums' administration and City Staff, agreements were reached and documented in the form of a Memorandum of Understanding (MOU), and the appeal was subsequently withdrawn. The Day Reporting Center opened in January, 2011, and on June 13, 2011 the Applicant filed an application for the required Compliance Review (see Application, Attachment "B").

**3333 Telegraph Ave**  
**REV11-0008 (related to CMD10-158)**



## **KEY ISSUES AND IMPACTS**

The Application for Compliance Review includes: (a), a written report regarding the general compliance status of the facility and a list of the project-specific conditions of approval, each followed by a status update; (b), a copy of the Memorandum of Understanding (MOU) that was negotiated between Center Point, Inc., and the Koreatown/Northgate Community Benefit District (CBD) following the CBD's appeal of the project; (c), Minutes from meetings of the Koreatown/Northgate CBD; (d), a roster of the Center Point Oakland Day Reporting Center Community Advisory Board (CAB) Members; (e), CAB Meeting Minutes, and (f), miscellaneous supporting documents, e.g. the Day Reporting Center's "Neighborhood Code of Conduct" and newspaper articles. A summary of the General Compliance Report and the status of each condition, along with Staff's comments, is as follows:

The Applicant reports that the Day Reporting Center has had a smooth and trouble-free activation. They state that there have been no incidents requiring law enforcement intervention, and there have been no complaints expressed by the neighbors or the Koreatown/Northgate neighborhood association regarding participant conduct.

The Oakland Day Reporting Center has implemented a joint venture program with Caltrans, in which eight of the center's participants will be employed on a regular basis to conduct Caltrans maintenance activities. In addition, the center's job developer has been very successful in identifying other employers that have expressed a willingness to hire participants and a "solid" number of participants have gained employment.

Center Point has painted the front of the building and participants sweep the sidewalks and gutters in and around the DRC twice daily. In addition, the DRC participants have been volunteering to assist in the set-up and clean-up of local street fairs and other events.

Center Point created a Community Advisory Board (CAB) and holds monthly meetings. The CAB is comprised of a representative cross-section of community members, including Linnea Graff, from the KoreaTown Northgate Community Benefit District (KTNG-CBD), which has been extremely supportive of the project and has been very helpful in assisting the center to become successfully integrated into the community. Center Point and the KTNG-CBD have signed an MOU (see attached) and the provisions contained within have been adhered to by the Agency and the center. In fact, the Center Point is now in the process of finalizing a contract with KTNG-CBD to have the center's participants assist in neighborhood clean-up and graffiti removal activities for a stipend. (See minutes from Koreatown/Northgate CBD Security and Operations Meeting).

The following Project-Specific Conditions of Approval made by the Planning Commission, are listed, followed by the Applicant's status updates in **bold-type**:

## **PROJECT -SPECIFIC CONDITIONS**

### **14. Safety and Response Plan Parameters**

#### **Ongoing**

- a. The Day Reporting Center will operate between the hours of 9:00 am to 7:00 p.m. Monday through Friday, and 12:00 p.m. to 5:00 p.m. on Saturdays and Sundays. On weekdays services will be provided in two shifts: morning from 9:00 a.m. to 1:00 p.m. and afternoons from 3:00 p.m. to 7:00 p.m.

**Status: Center Point is in full compliance with this condition.**

- b. The Day Reporting Center shall be fully staffed with qualified, professional employees at all times, which generally shall include at least 9 full-time employees; one Project Director, one Casework Supervisor, four Case-Managers, one Job Developer, and two support staff.

**Status: Center Point is in full compliance with this condition. The center's Program Manager holds a Master's Degree and has extensive experience with criminal justice populations and all of the center's staff have previous relevant experience in effectively working with parolee populations and/or within the discipline of their respective job classification. Further, all staff have undergone rigorous background checks by the Department of Justice and have been approved to work at the Oakland Day Reporting Center by the Division of Adult Parole Operations.**

- c. There will be no more than 50 participants on the premises at any one time, except as to accommodate the transition/overlap of participants between the morning and afternoon sessions.

**Status: Center Point is in full compliance with this condition.**

- d. There shall be a Parole Agent and/or Parole Services Associate (PSA) on-site at least 8 hours per day, Monday through Friday. Center Point shall work with the California Department of Corrections and Rehabilitation to secure, to the maximum extent possible, that on-site coverage by either a Parole Agent and/or a Parole Services Associate is staggered so that there is coverage on weekends and for operating hours that exceed 8 hours per day Monday through Friday. In addition, there shall be a Center Point Supervisor on site at all hours of operation (see Condition 14a above), every day including weekends.

**Status: The California Department of Corrections and Rehabilitation has assigned a Parole Services Associate (PSA) to work on-site. The PSA has been provided an on-site office and has become an integral part of the program's daily operations, including regular interaction with all of the center's participants. Center Point also maintains a Supervisor position during all shifts, including weekends, which has a designated shift supervisor that is also supported by the Program Manager and the Case Manager Supervisor on the weekends.**

- e. The release of participants from the facility will be staggered and managed to minimize the likelihood of participants loitering or congregating on the streets, at bus stops, etc. No more than 20 participants shall be released in any 20 minute period.

**Status: Center Point is in full compliance with this condition.**

- f. The terms of the Safety and Response Plan will be adhered to so as to minimize adverse impacts on the safety and security of the community as well as of the participants, staff, including:
- g. A list of the Public Safety Contacts and phone numbers shall be posted prominently in the DRC and updated regularly.



**Status:** The list of Public Safety Contacts has been posted in all the main rooms of the center.

- h. The Day Reporting Center staff will implement sign-in and sign-out logs, daily attendance records, breathalyzer and urinalysis testing on a random and probable-cause basis to ensure no drugs or alcohol are being used, and property searches on participants and visitors to ensure they are not in possession of illegal, drugs, contraband, weapons, etc. Any violations will be immediately reported to the on-site parole agent and the OPD for further action.

**Status:** Center Point is in full compliance with all of the provisions within this condition. Records of same are maintained on site and notifications have been made, when necessary, to the on-site PSA and Parole Agents of Record. There have been no instances of criminal behavior or activity that have required notification to the OPD.

- i. Community Involvement and Creation of Community Advisory Board:
  - i) Center Point shall participate in activities and meetings sponsored by the Neighborhood Crime Prevention Councils (NCPC) in close proximity to the DRC facility, including the North Oakland/Shattuck Area and North Oakland/Greater Rockridge Area.

**Status:** The Center Point Day Reporting Center's Program Manager has attended meetings sponsored by the NCPC in both Areas.

- ii) Center Point shall also create a Community Advisory Board (CAB) and, at a minimum, a representative from the Koreatown-Northgate (KTNG) Community Benefit District and NCPC Beat 8 X shall be invited to become members. Also, a local member of the professional banking community shall be invited to attend meetings of the CAB.

**Status:** Center Point has created a Community Advisory Board (CAB) for the Oakland DRC. Membership on the CAB includes a representative of the KTNG Community Benefit District, a newly identified representative for NCPC Beat 8 X and a representative from the Investment Banking community Ron Jones, has joined the CAB. For a full list of CAB members please see the attachment.

- iii) At least one meeting of the CAB shall be held prior to commencement of operations of the DRC. The Board shall meet at least once monthly for the first 6 months after operations commence and at least quarterly thereafter.

**Status:** Center Point is in full compliance with this condition. The Day Reporting Center's CAB met prior to commencement of operations and has been meeting on a monthly basis thereafter. Please see attached CAB Minutes from the monthly meetings.

- j. In addition to all of the required screening procedures conducted by the Division of Adult Parole Operations (DAPO) and Center Point, Center Point staff shall ensure that each participant of the Center Point's Day

Reporting Center in Oakland shall sign the "Neighborhood Code of Conduct" document prior to admission to the program.

**Status: Center Point is in full compliance with this condition. All participants have signed the Neighborhood Code Conduct prior to admission into the center. A copy of the signed document is given to the participant and the original is kept in each participant's file.**

15. Nuisances

Ongoing

a. Graffiti

Graffiti shall be removed from the premises within 72 hours (3 days) of application.

**Status: Center Point is in full compliance with this condition.**

b. Trash and litter

The Applicant shall clear the gutter and sidewalks along Telegraph Ave. plus twenty feet beyond the property lines along this street of litter twice daily or as needed to control litter.

**Status: Center Point is in full compliance with this condition.**

c. Pay Phones

No pay phones are permitted outside of the building.

**Status: Center Point is in full compliance with this condition.**

d. Loitering

The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiterers who refuse to leave. Persons hanging around the exterior of the establishment with no apparent business from more than ten minutes shall be asked to leave. Techniques discussed in the manual entitled "Loitering: Business and Community Based Solutions" may be used.

**Status: Center Point is in full compliance with this condition. Signage prohibiting loitering has been posted. There have been no incidents of loitering around the facility.**

e. Securing Site

Applicant shall conform to Ordinance 12390 related to securing sites after hours to discourage loitering and crime on the street, in the parking lots, etc. Street-facing windows shall be maintained free of curtains or other visual obstructions so as to maintain clear sight lines inside the facility from outside, and from inside to the sidewalk and street.

**Status: Center Point is in full compliance with this condition.**



**16. Operational Project Conditions**

**Ongoing**

- a. The facility shall meet all Uniform Building Code standards to the satisfaction of the Building Department and Fire Code requirements to the satisfaction of the Fire Marshall at all times.

**Status: Center Point is in on-going compliance with this condition.**

- b. Center Point shall maintain evidence of on-going compliance with all CDCR contractual requirements and other applicable State and Federal requirements for City review at all times.

**Status: Center Point is in ongoing compliance with this condition.**

- c. The parking spaces shall be striped and maintained at all times. Additionally, no inoperable vehicles shall be stored in the parking area at any time.

**Status: Center Point is in ongoing compliance with this condition.**

- d. Landscaping shall be maintained in a health and thriving condition at all times to the satisfaction of the Planning Department. Such maintenance shall include regular watering, weeding, pruning and replacement of dead or dying plants.

**Status: Center Point is in ongoing compliance with this condition.**

- e. All exterior lighting shall be maintained to the satisfaction of the Oakland Police Department.

**Status: Center Point is in ongoing compliance with this condition. Exterior lighting is consistently maintained.**

- f. A permanent location shall be provided for the trash enclosure prior to occupancy of the use and subject Planning Department approval.

**Status: Center Point is in ongoing compliance with this condition. Trash receptacle is enclosed in the rear of the building behind a locked gate.**

**17. Compliance Review**

**(Within 6 Months of commencement of operations)**

The project shall be re-evaluated for compliance with conditions approval and impacts by the Planning Commission within 180 days of commencement of operations. The Applicant shall initiate said Compliance

Review by paying the Reconsideration/Revision fee to the City Planning and Zoning offices (currently \$1,803.87).

**Status: Reconsideration/Revision fee enclosed with this Compliance Review.**

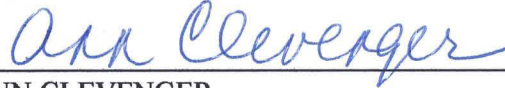
## **CONCLUSION**

Based on the Applicant's statements included in this report, the supporting documentation provided, meeting minutes from the Koreatown/Northgate CBD and the Oakland Day Reporting Center Community Advisory Board, the fact that no complaints have been reported to Staff, it is Staff's opinion that the Applicant, Center Point, Inc., has worked diligently to, and does, comply with the City imposed conditions of approval within those deadlines set by the Planning Commission.



**RECOMMENDATIONS:** Affirm Staff's conclusions regarding the project's compliance with the Conditions of Approval at this time. Note: This affirmation fulfills the requirement for a 6-month Compliance Review in accordance with Condition of Approval #17; however, all other conditions of approval still apply as do enforcement procedures provided for in the Oakland Planning Code.

Prepared by:



ANN CLEVANGER  
Planner III

Approved by:



SCOTT MILLER  
Zoning Manager

Approved for forwarding to the  
City Planning Commission:



ERIC ANGSTADT, Deputy Director  
Community & Economic Development Agency

**ATTACHMENTS:**

- A. Original Staff Report, dated September 1, 2010
- B. Application for Compliance Review, filed June 13, 2011
- C. Photographs





# ***Oakland City Planning Commission***

## **STAFF REPORT**

Case File Number CM 10-158

September 1, 2010

<b>Location:</b>	<b>3333 Telegraph Ave. (APN: 009 -0726-002-00)</b> (see map on reverse)
<b>Proposal:</b>	To establish a Day Reporting Center to provide services to Oakland parolees.
<b>Applicant:</b>	Center Point, Inc.
<b>Contact Person/</b>	Sushma Taylor, Ph.D., Center Point, Inc.
<b>Phone Number:</b>	(415) 492-4444
<b>Case File Number:</b>	<b>CMD10-158</b>
<b>Planning Permits Required:</b>	A Major Conditional Use Permit is required to establish an "Extensive Impact Civic Activity" (Day Reporting Center, an activity under contract with the California Department of Corrections).
<b>General Plan:</b>	Community Commercial
<b>Zoning:</b>	C-40 Community Thoroughfare Commercial Zone / S-4 Design Review Combining Zone
<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (Reuse of Existing Vacant Facilities); Section 15332 of the State CEQA Guidelines: Infill Development Projects; Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning
<b>Historic Status:</b>	Not a Potential Designated Historic Property; Survey Rating: F3 (No substantial exterior alterations proposed).
<b>Service Delivery District:</b>	2
<b>City Council District:</b>	3
<b>Date Filed:</b>	June 14, 2010
<b>Action to be Taken:</b>	Decision on Application
<b>Finality of Decision:</b>	<i>Appealable to City Council within 10 days of decision</i>
<b>For Further Information:</b>	Contact case planner <b>Ann Clevenger, Planner III</b> at <b>(510) 238-6980</b> or <a href="mailto:aclevenger@oaklandnet.com">aclevenger@oaklandnet.com</a>

### **SUMMARY**

The Applicant, Center Point, Inc., requests Planning Commission approval of a Major Conditional Use Permit to establish a Day Reporting Center (DRC) at an existing vacant commercial building located at 3333 Telegraph Ave. in the C-40 "Community Thoroughfare Commercial" Zone. The DRC would provide a variety of services to up to approximately 100 parolees (40-50 at any given time), and would operate Monday through Friday, 9:00 a.m. to 7:00 p.m. and Saturdays and Sundays from 12:00 p.m. to 5:00 p.m.

Staff recommends approval of the Major Conditional Use Permit, subject to the Findings and Conditions of Approval (Attachments "A" and "B", respectively).

**ATTACHMENT A**

**3333 Telegraph Ave**  
**CMD10-158**

## **PROPERTY DESCRIPTION**

The project is proposed to be established at an existing vacant two-story commercial building consisting of 4,942 s.f. of floor area located at 3333 Telegraph Avenue, which is a 4,100 s.f. infill lot located one block southeast of the 980/580 interchange and one block west of the Alta Bates Summit Medical Center. This neighborhood is known as the "Koreatown-Northgate" district, and is along the Telegraph Avenue corridor between the Uptown arts and entertainment district and the Temescal business district. This corridor consists of a mix of mostly small commercial businesses, residential buildings of varying densities, and medical service-related business. Also in the area are such civic activities as churches and parks.

The subject property is adjacent to a corner lot, which is owned and used as a parking lot by the owners of the former Neldams Bakery property (soon to reopen under new ownership as the "Taste of Denmark" bakery). The Neldams building is located to the north, directly across 34<sup>th</sup> St. The subject building previously housed a medical records business ("Digital Medical Records"). In addition to Alta Bates Summit Medical Center, several other medical service-related businesses exist near the property including Quest Diagnostics, East Bay Retina Consultants, and a dental office. There is a Walgreens pharmacy diagonally across Telegraph Ave. from the site, and Phat Matt's BBQ restaurant beyond Neldams to the north, and a California Highway Patrol center two blocks north (just on the other side of the I-580 overpass). There are residential uses behind the property (between Telegraph Ave. and I-980; mostly zoned R-70) and nearby. To the south of the subject property are: a vacant commercial space; a nail salon; a multi-family building, and mixed-density residential and several markets to the south.

## **PROJECT DESCRIPTION**

The project is to establish a Day Reporting Center (DRC) at an existing vacant commercial building located at 3333 Telegraph Ave. in the C-40 Community Thoroughfare Commercial Zone. The facility will occupy both floors of the two-story building and will have a variety of classrooms and larger seminar rooms. The rooms will range in size from approximately 308 s.f. to 1,136 s.f. The DRC would operate under a contract with the California Department of Corrections and Rehabilitation (CDCR), Division of Adult Parole Operations (DAPO). The facility would provide a variety of services for up to 100 parolees (40-50 at any given time), both male and female, and would have regular business hours Monday through Friday, 9:00 a.m. until 7:00 p.m. and Saturdays and Sundays from 12:00 p.m. until 5:00 p.m. On weekdays, services will be provided in two shifts: mornings from 9:00 a.m. to 1:00 p.m. and afternoons from 3:00 p.m. to 7:00 p.m. The participants will come to the facility on their own; however, Center Point will provide bus and BART vouchers and will encourage participants to use mass transit. The facility is located in close proximity to major bus and BART lines. Staff will consist primarily of case managers, group facilitators and vocational counselors, with a ratio of one counselor for each 18 participants. The case managers and group facilitators will have experience working with the parolee populations, providing these specific services, and will receive training regarding working with criminal justice populations. The services are designed to assist parolees with their successful reintegration into society, based on an assessment of their individual risks and needs. Classes and other services will include: Anger Management; Domestic Violence Program; Cognitive and Life Skills Training; Parenting and Family Reintegration; Community Service; HIV/Sexually Transmitted Disease Awareness; Substance Abuse Education; Educational/GED Preparation; Budgeting and Money Management Training; Job Readiness and Job Search and Referral Services (e.g., legal, medical, suicide prevention, childcare, mental health, etc.).



Professional services, such as medical and mental health treatment, will be provided by licensed professionals and will be facilitated by referrals to a number of providers in the area who have agreed to accept referrals from the Center or who have a history of accepting new patients from the target population, e.g. West Oakland Health Council or Healthy Oakland (for medical assessments and treatment), Allen Temple Health and Social Services Ministries (for health and mental health counseling), New Bridge Foundation (for those in need of dual diagnosis treatment).

Per the project description on file, all parolees who participate in this program would be Oakland residents, and would be referred to the Day Reporting Center by their Parole Agent of Record (AOR) after being screened and determined eligible for the program. No parolees will be admitted who come to the facility without a referral. The services and programs offered at the Center are voluntary, i.e., parolees are not mandated to attend the program. To ensure the safety and security of the facility and the neighborhood, a parole agent, who is a sworn police officer, would be on-site. Sign-in and sign-out logs, daily attendance records, and random breathalyzer and urinalysis testing would be used to ensure compliance with program requirements (see "Key Issues and Impacts" section of this Report for more discussion about safety and security measures).

## **GENERAL PLAN ANALYSIS**

The project site is located in the "Community Commercial" Land Use area of the General Plan's Land Use & Transportation Element (LUTE). The Intent of the classification is: *"to identify, create, maintain and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts or centers."* The desired character and uses for this Land Use area may include, *"neighborhood center uses and larger scale retail and commercial uses, such as auto-related businesses, business and personal services, health services and medical uses, educational facilities, and entertainment uses. Community Commercial areas can be complemented by the addition of urban residential development and compatible mixed use development."*

The project site is located along Telegraph Ave., which is a Key City Corridor (see General Plan LUTE, City Structure Diagram, page 6) with a Strategy Objective of 'Grow and Change' (see General Plan LUTE, Strategy Diagram, page 122). The proposal conforms to the following Policy and Objectives of the LUTE:

### Industry and Commerce Goals

#### Policy I/C1.11

*The City should expand and coordinate job training opportunities of Oakland residents by supporting programs sponsored by the Oakland Unified School District, local community colleges, the Port of Oakland, and other educational institutions or vocational training establishments.*

### Neighborhood Activity Centers

#### Objective N10

*Support and create social, informational, cultural, and active economic centers in the neighborhoods.*

Staff finds that the project, to establish a Day Reporting Center in an existing vacant commercial building (an "Extensive Impact Civic Activity"), which provides social and health-related services to a specific group within the Oakland community, conforms to the goals and objectives of the "Community Commercial" General Plan Land Use and Transportation Element (LUTE).

## **ZONING ANALYSIS**

The project site is located within the C-40 Community Thoroughfare Commercial Zone. The intent of the C-40 Zone is: *"to create, preserve, and enhance areas with a wide range of both retail and wholesale establishments serving both short and long term needs in convenient locations, and is typically appropriate along major thoroughfares."*

The proposed Day Reporting Center has been determined by the Deputy Director of the Community and Economic Development Agency (CEDA) to be an "Extensive Impact Civic Activity", which includes, *"activities typically performed by, or the maintenance and operation of, institutions and installations including facilities supervised by or under contract with the State Department of Corrections."* Extensive Impact Civic Activities are listed as a Conditionally Permitted activity type in the C-40 Zone (Planning Code Section 17.54.060(B) ), and all "Extensive Impact Civic Activities" require a Major Conditional Use Permit (Planning Code Section 17.134.020 (A)(2)(a)(v. ) ).

The project therefore requires a Major Conditional Use Permit to establish a Day Reporting Center at an existing vacant commercial building in the C-40 Community Thoroughfare Commercial Zone.

Major Conditional Use Permit findings are intended to ensure that the operation would not pose a nuisance to surrounding residential, commercial or civic uses, and to apply controls on building design, signage, and litter.

All required findings can be made for the project as proposed (see Attachment "A"). Staff finds the project to be consistent with the Planning Code. Conditions of Approval have been recommended (see Attachment "B").

## **ENVIRONMENTAL DETERMINATION**

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review.

Section 15332 of the State CEQA Guidelines categorically exempts In-Fill Development Projects that: *(a) are consistent with the applicable general plan designation and policies, as well as zoning designation and regulations; (b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) have no value as habitat for endangered, rare or threatened species, would not result in any significant effects relating to traffic, noise, air quality or water quality, and (e) the site can be adequately served by all required utilities and public services.*

Section 15301 of the State CEQA Guidelines exempts project involving *operation of existing private structures, facilities.*

The proposal is to establish a Day Reporting Center at an existing vacant 4,942 s.f. commercial building, on a site consisting of 4,100 s.f. located within the Oakland city limits, substantially surrounded by urban uses. The site has existing utilities, has no value as habitat for any category of protected species, and would not affect air quality or water quality. The DRC would operate inside the building only, so no noise impacts are expected to occur. The facility would have approximately 9 staff on site at any given time, and existing parking is provided in the rear of the property for staff use. Participants in the DRC's programs would be arriving mostly by public transportation, and bus and BART vouchers would be provided to encourage use of mass transit, and the project is not expected to generate any substantial traffic. Therefore, traffic impacts are not expected to occur.

As a separate and independent basis, the project is exempt under Section 15183 of the State CEQA Guidelines (projects that are *consistent with a community plan, general plan or zoning.*)

Staff finds that the project is therefore exempt from Environmental Review.

## **KEY ISSUES AND IMPACTS**

As of this writing, the Applicant has held three community meetings (on July 7<sup>th</sup>, August 5<sup>th</sup> and August 19<sup>th</sup>). While the community members did not question the merits of the project, a number of issues were raised at the meetings regarding potential impacts on the community, in addition to written comments Staff has received to date (Attachment "H"). In general, the major issues raised were about potential adverse impacts to the safety and security of the local residents, business people and their customers, due to the influx of parolees in the area coming to the Day Reporting Center. For example, residents and others expressed concerns about the parolee participants loitering and/or congregating on the street corners waiting for buses, etc., while school children are coming and going. Representatives of Alta Bates Summit Hospital and other nearby medical-related businesses expressed concerns about the safety and security of their patients, especially those who may be more vulnerable (elderly, vision-impaired or infirmed), as well as potential negative impacts (e.g., decline) on their business if customers perceive an increased threat. Specific questions were raised about what actual safety- and security-related plans would be in place to prevent problems from occurring on-site and outside the facility, and what protocols would be in place to deal with problems that do occur. Related to this were questions about the availability/hours of the on-site parole agent, and whether the participants were convicted in violent or non-violent offenses. In addition to answering questions at the community meetings, Center Point has subsequently submitted two documents; one entitled, "Oakland Day Reporting Center - Safety and Response Plan" and the other entitled, "Oakland Police Department Memorandum of Understanding (MOU) for The Police and Corrections Team (PACT)." (Attachments "E" and "F", respectively)

The Safety and Response Plan states that it was developed by Center Point in collaboration with the CDCR/DAPO to: (1) Promote the safe, efficient, regular and routine operation of the Day Reporting Center; (2) Ensure the safety of neighbors, community members, local merchants and their customers; (3) Promote the safety and security of the Day Reporting Center staff, participants and visitors, and (4) Implement appropriate and prompt responses to events and incidents of concern. The Plan outlines the roles and responsibilities of Center Point and the Division of Adult Parole Operations, including formalization of relationships and response protocols with the OPD. It references and attaches the Oakland Police Department's MOU for the Police and Corrections Team (PACT) (see further discussion of this document below). The Plan further includes Emergency Event Responses, which are procedures to be followed when there is an emergency, including: incidents or threats of violence within the DRC facility or in the community involving DRC participants; health emergencies (DRC Participants and Staff), psychiatric emergencies and fire-related emergencies.

Center Point representatives noted that there would be trained staff and a Parole Agent on-site. As documented in the Safety and Security Plan, the hours of the Parole Agent would "be determined by the DAPO but would be sufficient to meet the expectations and requirements of Memorandum of Understanding with the Oakland Police Department (OPD)." The Parole Agent will monitor behavior and have the authority to detain and arrest a parolee in the event that conduct and demeanor warrant. A list of Public Safety Contacts and phone numbers (phone numbers to be provided upon project approval) are included and would be prominently posted in the DRC and updated regularly. Drug and alcohol use is expressly prohibited for all parolees and the DRC would implement breathalyzer and urinalysis testing to ensure compliance on a random and probable-cause basis. Positive tests would be reported to the DAPO representative and the Agent of Record or Officer of the Day. Property searches



would be conducted on participants and visitors, and those found to be in possession of illegal drugs, contraband, weapons, etc. would be immediately reported to the on-site parole agent and the OPD for further action. Also included in the Safety and Security Plan, a commitment by Center Point to participate in activities and meetings sponsored by the two Neighborhood Crime Prevention Councils (NCPC) in close proximity to the DRC facility, including the North Oakland/Shattuck Area and North Oakland/Greater Rockridge Area. Center Point will also invite members of these NCPC's and other recognized neighborhood associations to join the Community Advisory Board.

The latter document, the "Oakland Police Department Memorandum of Understanding (MOU) for the Police and Corrections Team (PACT)", forms a team consisting of the Oakland Police Department, Alameda County Probation Department and California Department of Corrections and outlines its Missions and Objectives, Organization, Standard Operating Procedures among other things, to reduce crime and recidivism of persons on parole and probation in Oakland through: identifying high-risk persons; providing intervention services; close monitoring and supervision, and utilize incarceration when there is a threat to the public. The team's duties and responsibilities would include: providing a single point of contact between Police, Probation and Parole, creating a local database of all Oakland parolees and probationers by Area, type of crimes committed, etc., conducting probation and parole visits, checks and searches on high-risk persons, conducting substance abuse testing, and referral of persons to appropriate outreach services, counseling, rehabilitation, job training, etc.

A Center Point "Neighborhood Code of Conduct" document has been submitted, which participants will be asked to sign prior to admittance to the program (Attachment "G"). By signing it, participants agree to abide by various rules of conduct, for example: making every effort to use public transportation to and from the DRC; no parking in the employee-only parking lot behind the building; no loitering, congregating or hanging out in front of or around the building at any time; adherence to rules for designated smoking breaks; keeping voices down while outdoors; using courtesy with local residents and merchants, and no alcohol or drug use. The document further states that any violation of these rules will be reported to the Parole Agent of Record, and may result in disciplinary action, up to and including discharge from the program.

In addition, Staff has conducted a search of the Oakland Police Department's crime statistics. The statistics indicate that 21 crimes were reported within 1,000-feet of the subject property in a 90 day time period ending August 12, 2010. Also, Staff's research shows that, for the subject Police Beat (8X), 771 crimes were reported for all of 2009. This number is below the average for all Police Beats within the City of Oakland of 904 crimes per beat.

Staff has consulted with Capt. Toribio of the OPD Patrol Division, Area One, regarding CPTED-related recommendations (Crime Prevention Through Environmental Design). At this writing, a detailed response is pending. Staff expects to have the response available at the public hearing and will present this portion of the report verbally. In the event that OPD has additional recommended Conditions of Approval, Staff will present any such conditions of the Commission to accept at the meeting.

There are no outstanding issues associated with the request. In conclusion, staff recommends approval of the request.

**RECOMMENDATIONS:**

1. Affirm staff's environmental determination.
2. Approve the Major Conditional Use Permit subject to the attached findings, special findings, and conditions.

Prepared by:



ANN CLEVINGER  
Planner III

Approved by:



SCOTT MILLER  
Zoning Manager

Approved for forwarding to the  
City Planning Commission:



ERIC ANGSTADT, Deputy Director  
Community & Economic Development Agency

**ATTACHMENTS:**

- A. Findings for Approval
- B. Conditions of Approval
- C. Plans
- D. Site/area photographs
- E. Safety and Security Plan
- F. OPD Memorandum of Understanding for the Police and Corrections Team (PACT)
- G. Center Point "Neighborhood Code of Conduct"
- H. Comment Letters

## **Attachment A: Findings for Approval**

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This proposal meets the required findings under General Use Permit Criteria (OMC Sec. 17.134.050) as follows:

### **SECTION 17.134.050 – GENERAL USE PERMIT CRITERIA:**

- A. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

The project is to establish a Day Reporting Center at an existing vacant two-story commercial building located at 3333 Telegraph Ave. in the C-40 Community Thoroughfare Commercial Zone. The Center would provide a variety of services for up to approximately 100 parolees (40-50 at any given time), and would operate Monday through Friday, 9:00 a.m. until 7:00 p.m. and Saturdays and Sundays from 12:00 p.m. until 5:00 p.m. The size and existing layout of the building are suitable for the proposed activity due to the availability of a variety of rooms that would be appropriate for classrooms, workshops, and counseling, as well as its availability of an elevator and ADA accessibility between rooms and floor levels. No changes are proposed with this application to the building's exterior or interior; therefore, the project is not expected to adversely affect the appropriate development of abutting properties and the surrounding neighborhood.

On-site parking, located behind the building, will only be available to the staff. Participants will be encouraged to use public transportation. There is a bus stop directly across the street at the southeast corner of Telegraph Ave. and 34<sup>th</sup> St., and BART and other transit vouchers will be made available; therefore, the project is not expected to generate any significant increase in automobile traffic or parking demand.

With the appropriate conditions of approval outlined herein, granting of this use permit will not be detrimental to the health, safety or welfare of the neighborhood or the City of Oakland as they will require compliance with State requirements, and require day-to-day operational characteristics that are intended to ensure a safe, secure and clean environment for the facility and surrounding area.

- B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

As stated in Finding A, the building is physically suitable for the proposed activity due to the availability of a variety of rooms that would be suitable for classrooms, workshops, and counseling, as well as its availability of an elevator and ADA accessibility between rooms and floor levels.



No changes are proposed with this application to the building's exterior or interior. The availability of public transportation for participants and on-site parking for employees make it a convenient location for this Civic Activity.

**C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

The proposed Day Reporting Center will: (a) enhance the operation of the surrounding area by making use of a vacant commercial building, and (b) provide an essential service to Oakland by facilitating the successful reintegration of parolees returning to Oakland.

**D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.050.**

No exterior changes are proposed; therefore, the project is not subject to Design Review.

**E. That the proposal conforms in all significant respects with the Oakland Comprehensive Plan and with any other applicable plan or development control map which has been adopted by the City Council.**

The project site is located in the "Community Commercial" Land Use area of the General Plan's Land Use & Transportation Element (LUTE). The Intent of the classification is: *"to identify, create, maintain and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts or centers."* The desired character and uses for this Land Use area may include, *"neighborhood center uses and larger scale retail and commercial uses, such as auto-related businesses, business and personal services, health services and medical uses, educational facilities, and entertainment uses. Community Commercial areas can be complemented by the addition of urban residential development and compatible mixed-use development."*

The project site is located along Telegraph Ave., which is a Key City Corridor (see General Plan LUTE, City Structure Diagram, page 6) with a Strategy Objective of 'Grow and Change' (see General Plan LUTE, Strategy Diagram, page 122). The proposal conforms to the following Policy and Objectives of the LUTE:

Industry and Commerce Goals

Policy I/C1.11

*The City should expand and coordinate job training opportunities of Oakland residents by supporting programs sponsored by the Oakland Unified School District, local community colleges, the Port of Oakland, and other educational institutions or vocational training establishments.*

Neighborhood Activity Centers

Objective N10

*Support and create social, informational, cultural, and active economic centers in the neighborhoods.*

Staff finds that the project, to establish a Day Reporting Center in an existing vacant commercial building (an "Extensive Impact Civic Activity"), which provides social and health-related services to a specific group within the Oakland community, conforms to the goals and objectives of the "Community Commercial" General Plan Land Use and Transportation Element (LUTE).

## **Attachment B: Conditions of Approval**

### **1. Approved Use**

#### ***Ongoing***

a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and the plans dated **June 14, 2010** and submitted on **June 14, 2010**, and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall required prior written approval from the Director of City Planning or designee.

b) This action by the **City Planning Commission** ("this Approval") includes the approvals set forth below. This Approval includes:

*A Major Conditional Use Permit to establish an "Extensive Impact Civic Activity", i.e. a Day Reporting Center, (a facility which provides services to up to 100 parolees per day (up to a maximum of 50 at a time with consideration given to the transition/overlap of participants between the morning and afternoon sessions. ) between the hours of 9:00 a.m. to 7:00 p.m., Monday through Friday and 12:00 p.m. to 5:00 p.m. on Saturdays and Sundays, operating under a contract with the California Department of Corrections and Rehabilitation) at 3333 Telegraph Avenue in the C-40 Community Thoroughfare Commercial Zone.*

### **2. Effective Date, Expiration, Extensions and Extinguishment**

#### ***Ongoing***

Unless a different termination date is prescribed, this Approval shall expire **two calendar years** from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.

### **3. Scope of This Approval; Major and Minor Changes**

#### ***Ongoing***

The project is approved pursuant to the **Planning Code** only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

### **4. Conformance with other Requirements**

#### ***Prior to issuance of a demolition, grading, P-job, or other construction related permit***

a) The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval 3.

***Conditions of Approval***

- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

**5. Conformance to Approved Plans; Modification of Conditions or Revocation**

***Ongoing***

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.
- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.
- c) Violation of any term, Conditions or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

**6. Signed Copy of the Conditions**

***With submittal of a demolition, grading, and building permit***

A copy of the approval letter and **Conditions** shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

**7. Indemnification**

***Ongoing***

- a) To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and its respective agents, officers, and employees (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect) action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b) Within ten (10) calendar days of the filing of any Action as specified in subsection A above, the applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter

***Conditions of Approval***



Agreement does not relieve the applicant of any of the obligations contained in this condition or other requirements or conditions of approval that may be imposed by the City.

**8. Compliance with Conditions of Approval**

***Ongoing***

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth herein at its sole cost and expense, and subject to review and approval of the City of Oakland.

**9. Severability**

***Ongoing***

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions, and if one or more of such conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

**10. Job Site Plans**

***Ongoing throughout demolition, grading, and/or construction***

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

**11. Operational Noise-General**

***Ongoing.***

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

**12. Lighting Plan**

***Prior to the issuance of an electrical or building permit***

The lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

**13. Signage**

***Prior to installation of any signage***

The design for any exterior signage must be submitted to and approved by the Planning & Zoning Division prior to installation.

**PROJECT-SPECIFIC CONDITIONS**

**14. Safety and Response Plan Parameters**

***Ongoing***

The terms of the Safety and Response Plan (Attachment "E") and other operational characteristics of the DRC shall be adhered to, including but not limited to:

- a. The Day Reporting Center (DRC) will operate between the hours of 9:00 a.m. to 7:00 p.m. Monday through Friday, and 12:00 p.m. to 5:00 p.m. on Saturdays and Sundays. On weekdays, services will be provided in two shifts: mornings from 9:00 a.m. to 1:00 p.m. and afternoons from 3:00 p.m. to 7:00 p.m.
- b. The DRC shall be fully staffed with qualified, professional employees at all times, which generally shall include at least 9 full-time employees: one Project Director, one Casework Supervisor, four Case Managers, one Job Developer, and two support staff.
- c. There will be no more than 50 participants on the premises at any one time, except as to accommodate the transition/overlap of participants between the morning and afternoon sessions.
- d. There will be a parole agent on-site. The hours of the Parole Agent would "be determined by the DAPO but would be sufficient to meet the expectations and requirements of Memorandum of Understanding with the Oakland Police Department (OPD)."
- e. The release of participants from the facility will be staggered and managed to minimize the likelihood of participants loitering or congregating on the streets, at bus stops, etc. No more than 20 participants shall be released in any 20 minute period.
- f. The terms of the Safety and Response Plan will be adhered to so as to minimize adverse impacts on the safety and security of the community as well as of the participants, staff and visitors, including:
- g. A list of Public Safety Contacts and phone numbers shall be posted prominently in the DRC and updated regularly.
- h. The DRC staff will implement sign-in and sign-out logs, daily attendance records, breathalyzer and urinalysis testing on a random and probable-cause basis to ensure no drugs or alcohol are being used, and property searches on participants and visitors to ensure they are not in possession of illegal drugs, contraband, weapons, etc. Any violations shall be immediately reported to the on-site parole agent and the OPD for further action.
- i. Center Point shall participate in activities and meetings sponsored by the two Neighborhood Crime Prevention Councils (NCPC) in close proximity to the DRC facility, including the North Oakland/Shattuck Area and North Oakland/Greater Rockridge Area. Center Point will also invite members of these NCPC's and other recognized neighborhood associations to join the Community Advisory Board.
- j. In addition to all of the required screening procedures conducted by the Division of Adult Parole Operations (DAPO) and Center Point, Center Point staff shall ensure that each participant of Center

Point's Day Reporting Center in Oakland shall sign the "Neighborhood Code of Conduct" document prior to admittance to the program (Attachment "G").

**15. Nuisances**

***Ongoing***

Crime, litter, or disorderly conduct associated with the establishment may result in a revocation of the Major Conditional Use Permit or a public hearing to consider revocation.

**a. Graffiti**

Graffiti shall be removed from the premises within 72 hours (3 days) of application.

**b. Trash and litter**

The Applicant shall clear the gutter and sidewalks along Telegraph Ave. plus twenty feet beyond the property lines along this street of litter twice daily or as needed to control litter.

**c. Pay Phones**

No pay phones are permitted outside of the building.

**d. Loitering**

The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiterers who refuse to leave. Persons hanging around the exterior of the establishment with no apparent business for more than ten minutes shall be asked to leave. Techniques discussed in the manual entitled "Loitering: Business and Community Based Solutions" may be used.

**e. Securing Site**

Applicant shall conform to Ordinance 12390 related to securing sites after hours to discourage loitering and crime on the street, in the parking lots, etc. Street-facing windows shall be maintained free of curtains or other visual obstructions so as to maintain clear sight lines inside the facility from outside, and from inside to the sidewalk and street.

**16. Operational Project Conditions**

***Ongoing***

a. This facility shall meet all Uniform Building Code standards to the satisfaction of the Building Department and Fire Code requirements to the satisfaction of the Fire Marshall at all times.

b. Center Point shall maintain evidence of on-going compliance with all CDCR contractual requirements and other applicable State and Federal requirements for City review at all times.

c. The parking spaces shall be striped and maintained at all times. Additionally, no inoperable vehicles shall be stored in the parking area at any time.

d. Landscaping shall be maintained in a healthy and thriving condition at all times to the satisfaction of the Planning Department. Such maintenance shall include regular watering, weeding, pruning and replacement of dead or dying plants.

e. All exterior lighting shall be maintained to the satisfaction of the Oakland Police Department.

***Conditions of Approval***



- f. A permanent location shall be provided for the trash enclosure prior to occupancy of the use and subject to Planning Department approval.

**17. Compliance Review**

***(Within 6 months of commencement of operations)***

The project shall be re-evaluated for compliance with conditions of approval and impacts by the Planning Commission within 180 days of commencement of operations. The Applicant shall initiate said Compliance Review by paying the Reconsideration/Revision fee to the City Planning and Zoning offices (currently \$1,803.87).

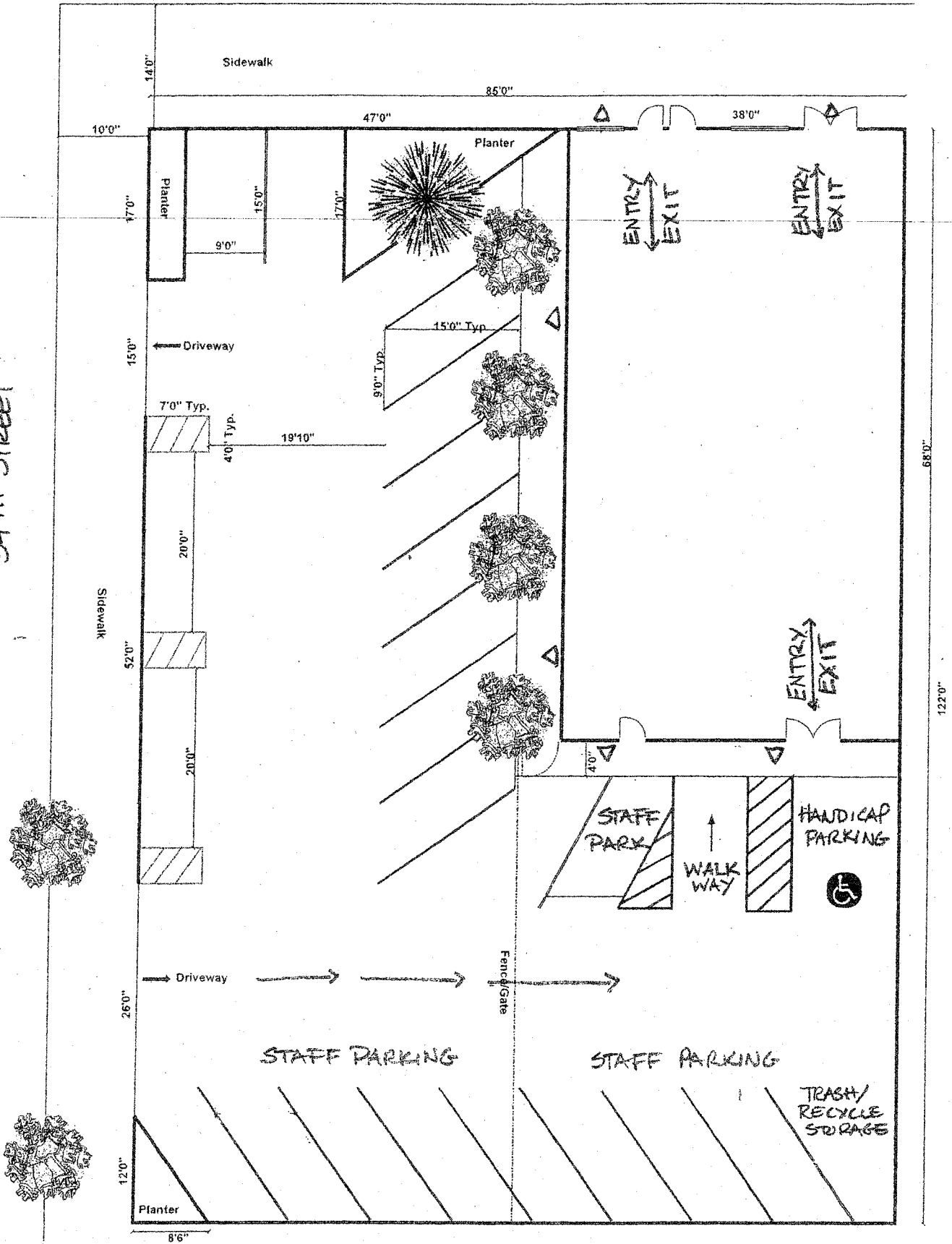
**APPROVED BY:**

City Planning Commission: \_\_\_\_\_ (date) \_\_\_\_\_ (vote)

TELEGRAPH AVENUE

3333 TELEGRAPH AVENUE

34TH STREET



**SITE PLAN**

ATTACHMENT C

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JUN 14 2010

City of Oakland  
Planning & Zoning Division

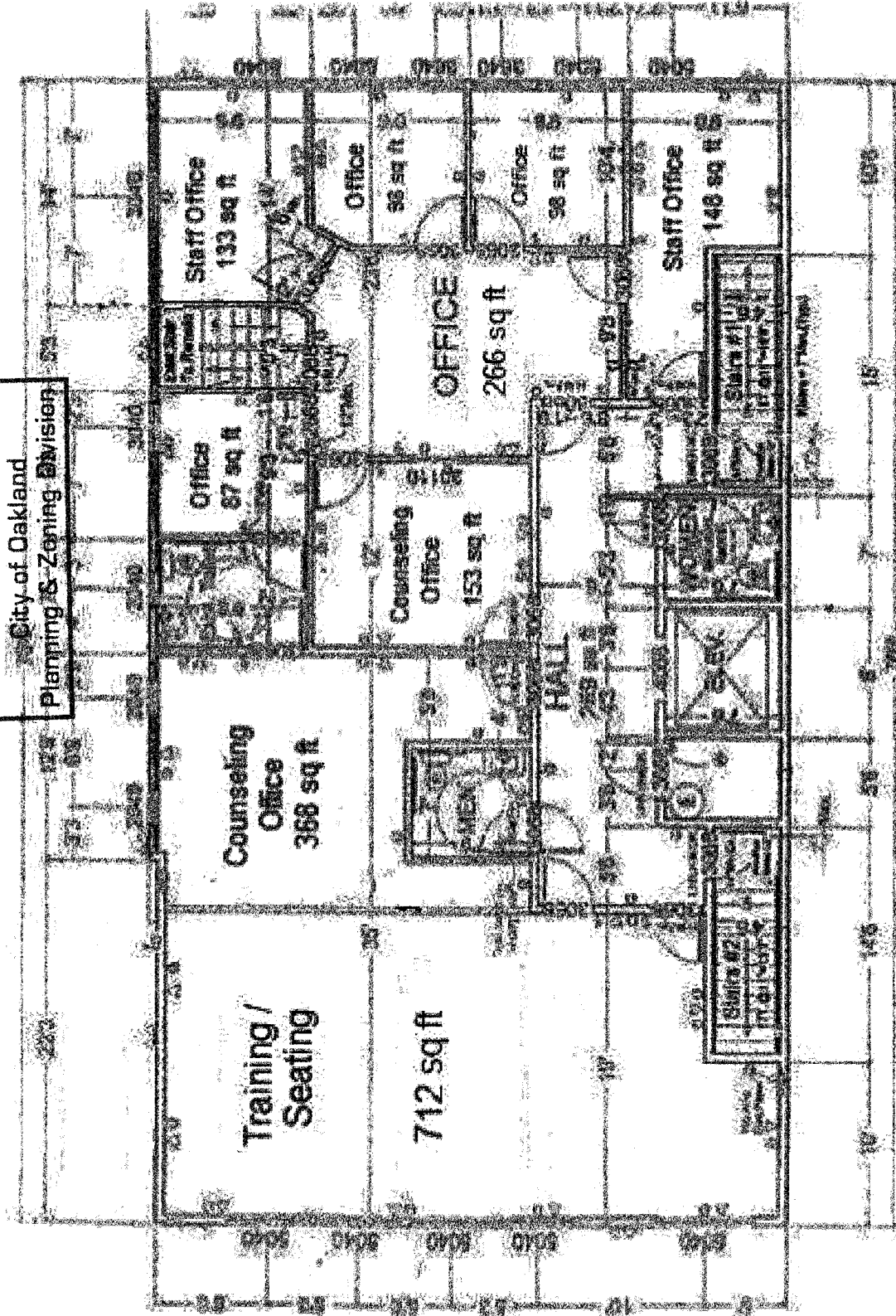


# FIRST FLOOR PLAN

# FLOOR PLANS

RECEIVED  
JUN 14 2010

City of Oakland  
Planning & Zoning Division



SECOND FLOOR PLAN



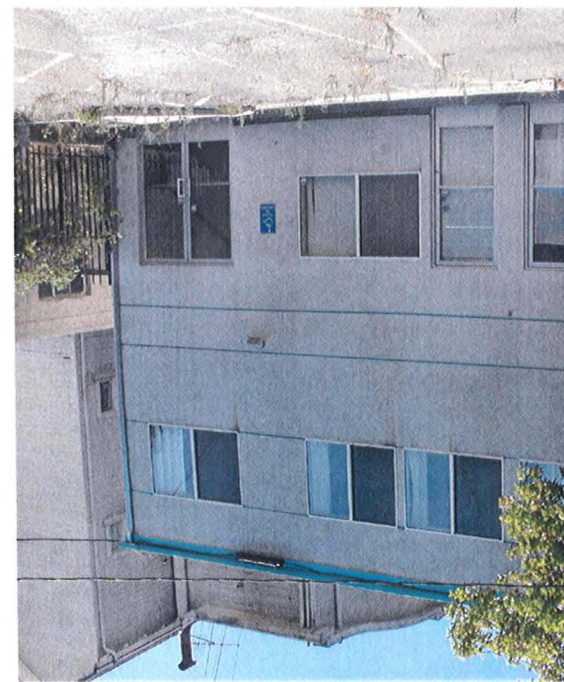


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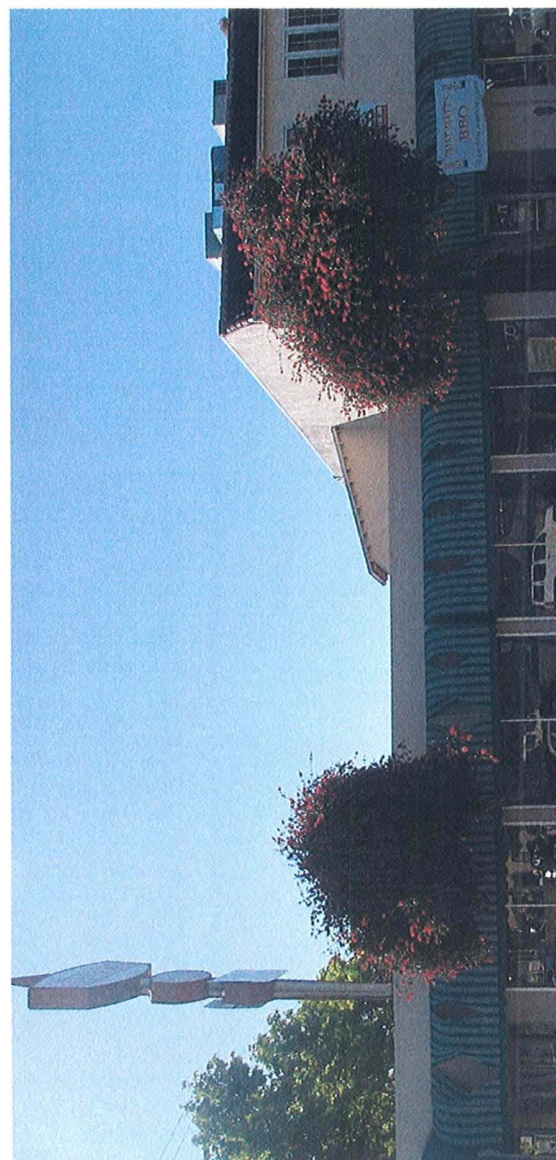


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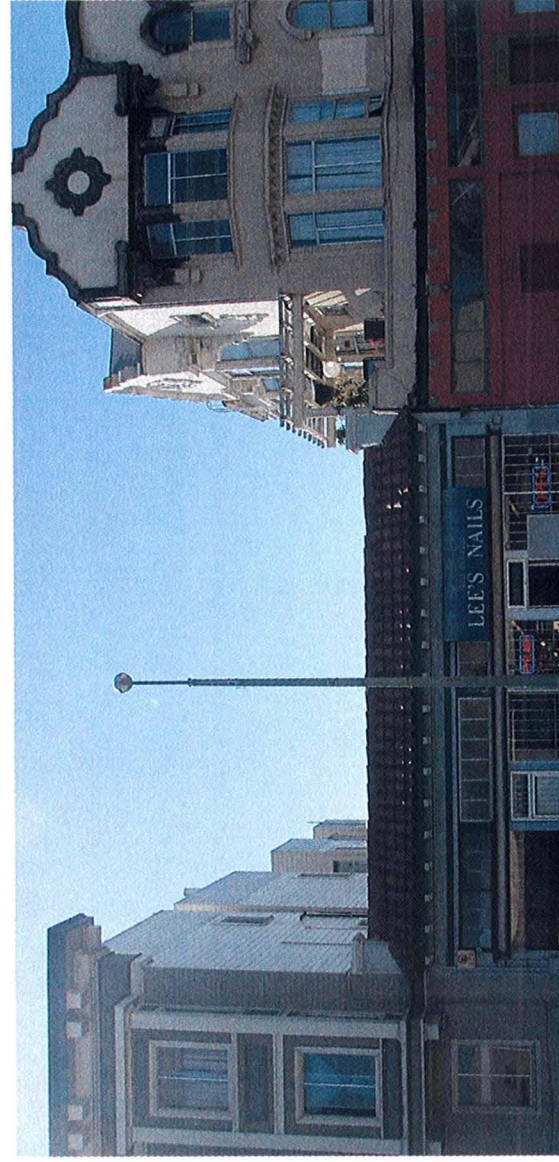
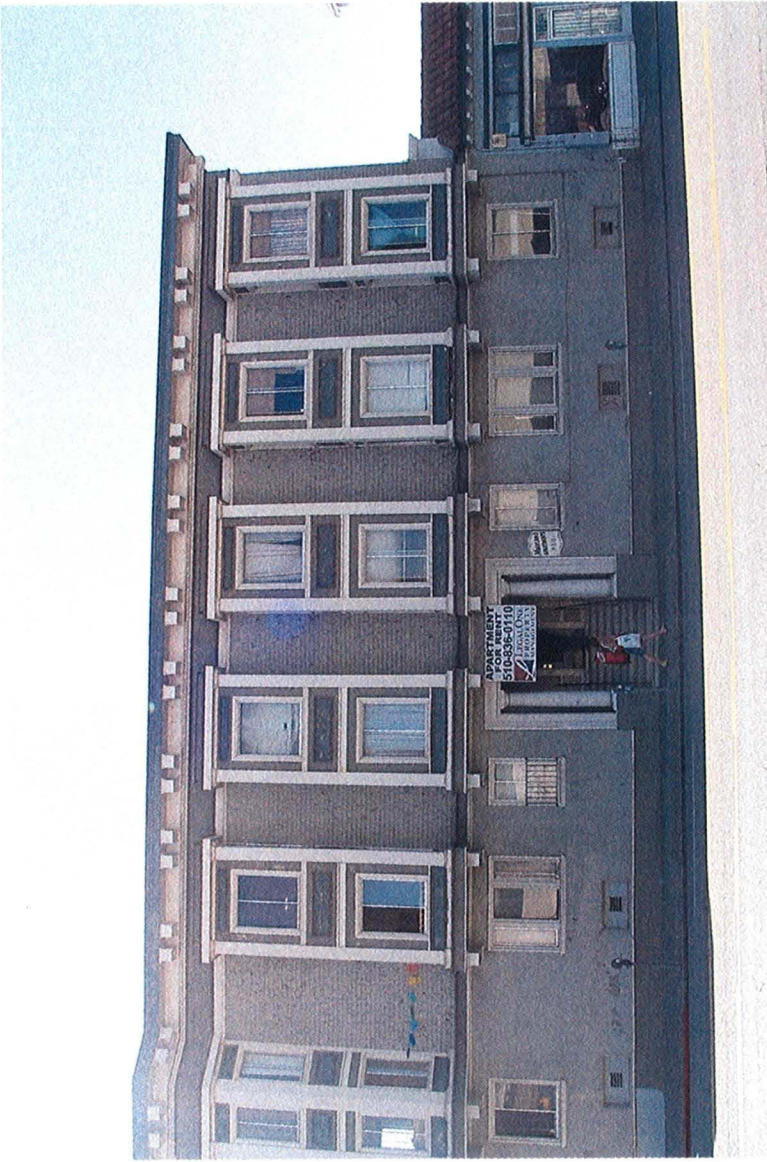




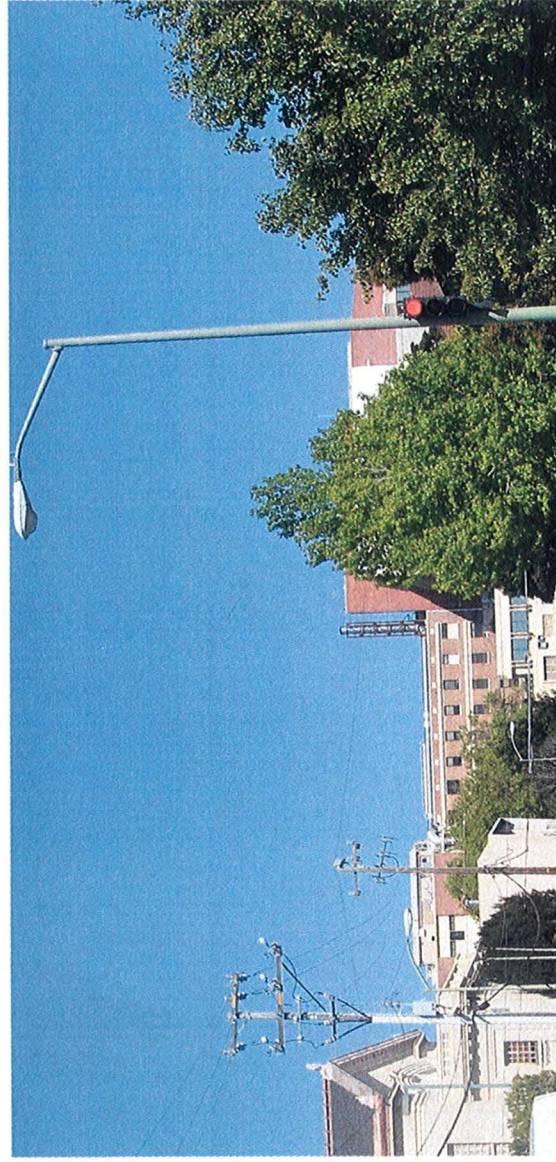




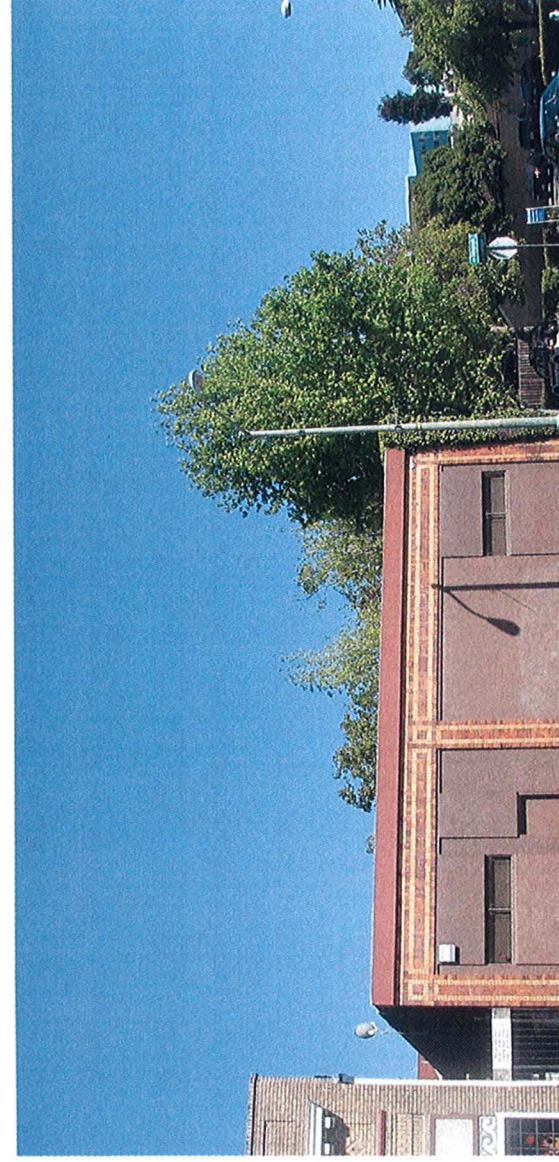








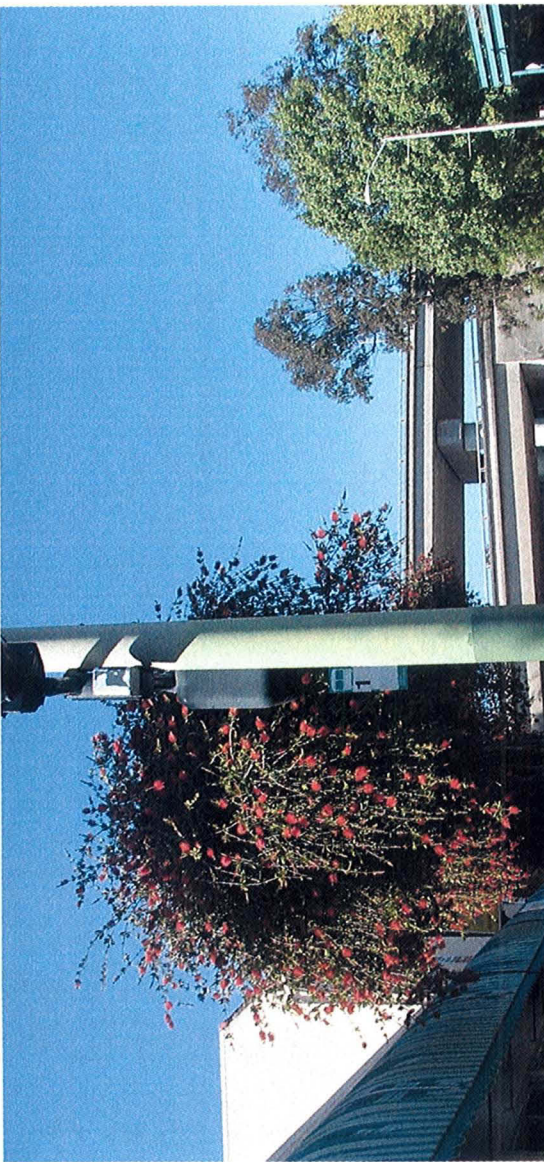




























# **OAKLAND DAY REPORTING CENTER SAFETY AND RESPONSE PLAN**

**CENTER POINT, INC  
135 PAUL DRIVE  
SAN RAFAEL, CA 94903  
[WWW.CPINC.ORG](http://WWW.CPINC.ORG)**



**ATTACHMENT E**

In partnership and collaboration with the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations (CDCR/DAPO), Center Point, Inc has developed this **Safety and Response Plan** to address the Agency's commitment to having a positive impact on the participants, the neighborhood and the surrounding community in which the Day Reporting Center (DRC) is located. Center Point will work closely with community-based agencies, businesses, neighbors, local law enforcement, fire, and medical emergency teams, and the local and regional offices of the CDCR/DAPO to help ensure adequate, appropriate, and rapid responses to issues of potential concern.

Center Point has developed this Safety and Response Plan in order to:

1. Promote the safe, efficient, regular and routine operations of the Day Reporting Center.
2. Ensure the safety of neighbors, community members, local merchants and their customers.
3. Promote the safety and security of the Day Reporting Center staff, participants and visitors.
4. Implement appropriate and prompt responses to events and incidents of concern.

The Day Reporting Center is a formal collaboration between Center Point and the Division of Adult Parole Operations. Center Point and DAPO each have specific roles and responsibilities in the development and implementation of this Safety and Response Plan, including the formalization of relationships and response protocols with the Oakland Police Department.

### **Law Enforcement**

The Division of Adult Parole Operations, the Oakland Police Department, and the Alameda County Probation Department have developed a **Police and Corrections Team (PACT) Inter-Agency Mutual Aid Agreement** (see attached Oakland Police Department Memorandum of Understanding) to address and respond to community incidents related to parolees and probationers. The PACT has been developed to closely monitor parolees and probationers, reduce the crime recidivism and jail-return rate of persons on probation and parole and to provide intervention services including rehabilitation, counseling, job training, and mentoring. The Day Reporting Center serves as a centralized location and primary referral for these coordinated services.

PACT procedures and policies include emergency responses to crime-related community events involving state parolees; protocols defining required team members (including Oakland Police Department, Alameda Probation, and State Parole); single points of contact between each team; probation and parole visits, checks, and searches; monitoring and supervising persons on probation and parole; and referring probationers and parolees to appropriate outreach, counseling, and rehabilitation programs. The Mission and Objectives of the PACT include the establishment of protocols that focus "primarily on rehabilitation and intervention, but utilize incarceration when there is a threat to the public".

The Standard Operating Procedures of the PACT are not available to the public, as they include critical strategic procedures which are directly related to the effectiveness and safety of PACT members and the public. Center Point and the DRC staff will adhere to all PACT requirements, requests for information specific to DRC participants, and will provide full access to law enforcement officials during and after all incidents that require law enforcement involvement.

### **Parole Agents**

Center Point will provide on-site Parole Agents with a secure and dedicated office fully equipped with telephone and internet connections at the Day Reporting Center. DAPO Parole Agents are fully vested and armed law enforcement officers who can restrain and arrest parolees who are deemed to be a threat to themselves and/or the public. Parole Agents, under the coordination and supervision of the Parole Unit Supervisors, serve as the lead partners in responding to safety and security concerns during the regular business hours of the DRC. Center Point's Day Reporting Center staff will respond appropriately and as determined by this Safety and Response Plan when a Parole Agent is not on-site.

The hours of the on-site Day Reporting Center Parole Agent shall be determined by DAPO but shall be of a sufficient number of hours to meet the expectations and requirements of the Oakland Police Department PACT Memorandum of Understanding. Additionally, Parole Agents from Parole Units in and around Oakland (Edgewater Units 1, 2, and 3 – the primary source of DRC referrals; Berkeley 1 and 2; Hayward and San

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Leandro) will visit the DRC facility on a regular basis to conduct routine field visits with participants under their supervision. Drug testing and other routine monitoring and supervision activities will also take place during these announced and random Parole Agent visits to the Day Reporting Center.

The presence of Parole Agents and their monitoring activities will provide additional safety and security for the Day Reporting Center program and the surrounding community.

### **Incident Reports**

Center Point's Day Reporting Center staff will provide incident reports to DAPO regarding any adverse or unusual participant behavior (including unexcused absences from scheduled activities and services). These reports will be given to the on-site Parole Agent as well as to the Duty Officer at the Edgewater Drive Parole Unit (the primary source of referrals and the location of the supervising agents).

Incident Reports will be reviewed by the Parole Agent, DRC Case Manager, and other service providers where relevant and additional rehabilitative services and interventions will be implemented to address the parolees behavior and conduct. Depending on the context and severity of the observed behavior, participants may be discharged from the program and referred to DAPO for additional sanctions.

### **Emergency Event Responses**

Center Point will notify identified law enforcement agencies as required when there is a perceived or actual threat to public safety or in the event that a participant is deemed to be a danger to him or her self or others. Center Point will utilize the following procedure when there is a emergency:

<b>Event</b>	<b>Contact Agency</b>
Incidents or threats of violence within the DRC facility	On-Site Parole Agent Edgewater Unit Duty Officer Oakland Police Department (if required)
Incidents or threats of violence within the community involving DRC participants	On-Site Parole Agent Edgewater Unit Duty Officer Oakland Police Department (if required)
Health Emergency (DRC Participants)	Contact 911
Health Emergency (DRC Staff)	Contact 911
Psychiatric Emergency	Psychiatric Emergency Services Alameda County Behavioral Health Care
Fire	Oakland Fire Department

Center Point has an extensive history providing rehabilitative services in residential, institutional, clinic, and outpatient treatment settings. Through this more than forty years of experience the Agency has addressed and appropriately de-escalated participants in varying degrees of emotional and psychiatric distress. The Day Reporting Center staff will receive training, direction, and ongoing supervision in the implementation of the policies and procedures addressing: an assessment of behavior and conduct; strategies for de-escalating and calming agitated participants; appropriate use of a quiet room, including documentation, to assist in defusing anger, anxiety, or tension; and how to properly and accurately report behavior and conduct that allows a qualified clinician to determine the need for a possible involuntary psychiatric hold.

All incidents will be recorded on Center Point and CDCR Incident Report Forms. Incident reports will be reviewed within 24 hours for additional investigation where warranted and further actions may be taken as required to mitigate the possibility of repeat incidents or emergencies.

### **Fire and Emergency Evacuation**

Center Point has a DAPO and Oakland Fire Department fire evacuation plan for the DRC facility. Emergency evacuation routes are prominently posted at all points of egress from the facility and in areas where participants and staff congregate. Center Point will conduct monthly fire drills to ensure that all staff and DRC participants are aware of the fire evacuation plan. Fire extinguishers will be inspected and charged as instructed by the

manufacturer and as required by the Oakland Fire Department. The facility will be reviewed and approved for scheduled fire prevention and safety inspections as required by the Division of Adult Parole Operations and the Oakland Fire Department, but no less than once every two years.

### **Public Safety Contacts Procedures**

Center Point has developed policies, procedures and protocols for members of the public and the DRC staff to use for regular and emergency public safety and information contacts. The following are the primary points of contact for emergencies, complaints, information, and general questions about the Day Reporting Center.

These contact phone numbers (all numbers will be provided upon approval) are prominently posted in the Day Reporting Center and are updated regularly.

Center Point Emergency Contact (Seven Days/Week, Twenty-four Hours/Day)	415-XXX-XXXX
Center Point Senior Management (Monday – Friday 9:00 – 6:00)	415-XXX-XXXX
Center Point Senior Management (Off Hours Emergency Contact)	415-XXX-XXXX
Center Point Day Reporting Center Director	415-XXX-XXXX
Center Point DRC Community Advisory Board Liaison	510-XXX-XXXX
Center Point Medical Clinic	415-XXX-XXXX
Center Point Psychiatrist	415-XXX-XXXX
Division of Adult Parole Operations, District Administrator (Monday – Friday 9:00 – 6:00)	510-577-2000
Division of Adult Parole Operations, Edgewater Unit (Monday – Friday 9:00 – 6:00)	510-577-2407
Division of Adult Parole Operations, Office of the Day (7 Days/Week, 24) Hours/Day	510-577-XXXX
Oakland Police Department	510-XXX-XXXX
Oakland Police Department, Local Precinct	510-XXX-XXXX
Oakland Fire Department	510-XXX-XXXX
Oakland Psychiatric Emergency Services	510-XXX-XXXX
Neighborhood Crime Prevention Councils (NCPC)	510-XXX-XXXX
City of Oakland, Mayor's Re-entry Task Force	510-238-6905
Emergency Medical Response Team	510-XXX-XXXX
Detoxification Program	510-XXX-XXXX

In the event that a Day Reporting Center participant requires immediate transportation to the emergency room, local detoxification program or other emergency services, Center Point will make arrangements with the participant's family or friends or will provide transportation as required.

### **Breathalyzer/Urinalysis Testing**

Drug and alcohol use can adversely impair judgement and promote irrational decision-making and behavior. Drug and alcohol use is expressly prohibited for all parolees and the DRC will promote a drug and alcohol free lifestyle. Center Point believes that breathalyzer and urinalysis testing can be used to promote long-term recovery. Center Point will conduct breathalyzer and urinalysis testing for all DRC participants on a random and for probable cause basis. Participants will be selected in a manner that ensures that they are tested for alcohol and illicit drug use during each phase of the program. Breathalyzer and urinalysis testing will be conducted by trained and experienced DRC program staff.

Positive results from an Instant Test will trigger an automatic submission of the urine sample to Center Point Diagnostics for a full drug and alcohol screening to confirm the positive result. Positive Breathalyzer and Instant Tests will be reported to the DAPO representative and the Agent of Record or the Officer of the Day.

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Incidents of participants refusing to submit to testing will be considered a positive test and will be reported to the AOR, Officer of the Day or DAPO Unit Supervisor immediately. Sanctions for positive tests will be addressed and implemented on a case-by-case basis with the input of DAPO and the Agent of Record.

### **Property Searches**

All DRC participants and visitors to the facility are subject to random property searches. Searches will be conducted by DRC staff and/or the On-Site Parole Agent, as warranted. Participants found to be in possession of illegal drugs, licit drugs suspected for illegal use, contraband, and/or weapons will be immediately reported to the On-Site Parole Agent and the Oakland Police Department for further action. A Center Point and CDCR Incident Report will be completed and appropriately reviewed by DAPO and the DRC Program Manager.

### **Neighborhood Crime Prevention Councils & Community Advisory Boards**

Center Point will participate in activities and meetings sponsored by Neighborhood Crime Prevention Councils (NCPC) in close proximity to the DRC facility. The two NCPCs that Center Point will engage with are the North Oakland/Shattuck Area - Police Beats 8X and 14X (Hoang Banh - 238-6566 or [hbanh@oaklandnet.com](mailto:hbanh@oaklandnet.com)), and the North Oakland/Greater Rockridge- Beats 9X, 10X, 10Y, 11X, 12Y and 13X (Paul Brekke-Meisner - 238-3102 [pbrekke@oaklandnet.com](mailto:pbrekke@oaklandnet.com)).

Center Point will also invite members of these Neighborhood Crime Prevention Councils and other recognized neighborhood associations to join the Community Advisory Board.

### **DRC Staff Security Clearances**

Center Point will ensure that all DRC staff meet the requirements for clearance to work in a CDCR setting or program. None of the DRC staff members will be currently under parole or probation supervision; all will be free from supervision for a minimum of three years; none of these individuals will be identified as a person involved in the trafficking of narcotics; and none will have any arrests or drug and/or alcohol related convictions during the past three years. All candidates will be 18 years old or older.

### **Fraternization Policy**

At the time of hire, the CDCR Digest of Laws Related to Association With Prison Inmates/Parolees and their families (CDCR Form 181), as well as CDCR regulations pertaining to safety and security issues, appropriate staff-parolee boundaries, the dress code, and Center Point and CDCR policies, including those related to sexual misconduct (Title 15, California Code of Regulations), is reviewed with new employees. New employees must sign an acknowledgment of receipt of a copy of these policies and will receive an orientation as to their practice and application at the Day Reporting Center. DRC staff will receive routine annual training regarding fraternization and over-familiarity with parolees and their families.

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**OAKLAND POLICE DEPARTMENT**

**MEMORANDUM OF UNDERSTANDING**

for

**The Police And Corrections Team**

***P. A. C. T***

- I. Mission and Objectives
- II. Organization
- III. Fiscal Procedures
- IV. Equipment
- V. Liability
- VI. Standard Operating Procedures
- VII. Amendments to the Memorandum of Understanding
- VIII. Terms of Agreement
- IX. Signatures

**ATTACHMENT F**

This Memorandum of Understanding (MOU) is being executed by the agencies listed below for the purpose of forming the Oakland Police And Corrections Team (PACT). The agencies listed agree to abide by the terms and provisions of this MOU throughout the duration of this joint operation.

City of Oakland Police Department  
Alameda County Probation Department  
California Department of Corrections

There are approximately 3000 registered parolees and 6000 probationers living in Oakland. Many of these individuals do not comply with the law or outlined conditions of parole and/or probation. On average, there are over 800 parolees at large and 2000 probation violators in Oakland. It is estimated that persons on probation and parole commit over 50% of the crimes committed in Oakland.

To reduce crime in Oakland, we must reduce the recidivism rate of persons on probation and parole and hold them accountable to live within all specified conditions.

#### I. MISSION AND OBJECTIVES

- A. The mission of PACT is to reduce the crime recidivism and jail-return rate of persons on probation and parole in order to reduce the overall crime in Oakland. This will be accomplished by identifying those persons who are at a high risk of returning to prison, and providing intervention services, to include; rehabilitation, counseling, job training, mentoring, and in repeat cases, incarceration.
- B. The team will closely supervise and monitor "high return-rate" persons, recognize warning signals, and intervene at the first signs of problems. For purposes of the team, warning signals are reflected by the violation of the specific conditions of probation and parole. Conditions include, missed meetings, substance abuse, unemployment (or the lack of trying to gain employment), loitering in areas known for narcotics, associating with known criminals, or other violations of the conditions of probation and/or parole.
- C. The team will establish a protocol that focuses primarily on rehabilitation and intervention, but utilize incarceration when there is a threat to the public as evident by repeat probation/parole violations or new criminal charges. In lieu of incarceration, the Probation Department and the Department of Corrections will mandate outreach services recommended by the team and apply administrative sanctions to hold persons accountable for their actions. Sanctions will include, but not limited to, community service and fines.

- D. The outlined protocols will be applied against person(s) that violate conditions of their probation and parole that have been identified by the team as "high return risk".

#### Parole Protocol

Violation	Sanction
First	Counseling/Outreach Services
Second	Admin. Sanction (30 days)/Counseling
Third	Incarceration (60 days)/Admin. Sanction (60 days)
Fourth	Incarceration (6 mo.)/Admin. Sanction (90 days)
Fifth	Incarceration (1 year)

#### Probation Protocol

Violation	Sanction
First	Counseling/Outreach Services
Second	Admin. Sanction (30 days)
Third	Admin. Sanction (60 days)
Fourth	Probation Violation Petition (6 month)
Fifth	Probation Violation Petition (1 yr.)

- E. The probation and/or parole officers assigned to the team will supervise persons assigned to work crews as part of administrative sanctions. Work crews will be formed once a week for an 8-hour day. The team leader will coordinate with the City of Oakland to obtain equipment.

## II. ORGANIZATION

### A. Task Force Supervisor

The team supervisor will be an Oakland Police Department Sergeant of Police assigned to the Criminal Investigation Division.

### B. Team Members

Team members will include the following full-time personnel:

- 1 Oakland Police Sergeant
- 6 Oakland Police Officers
- 2 California Department of Correction Parole Officers
- 2 Alameda County Probation Officers



### C. Team Duties/Responsibilities

- ✓ Provide a single point of contact between Parole, Probation and Police.
- ✓ Design a formula to identify the Top 300 "High-Risk" persons on probation/parole, and initiate case management file.
- ✓ Closely monitor the Top 300 offenders for warning signals.
- ✓ Create a local database of all Oakland parolees and probationers by Area, type of crimes committed, etc.
- ✓ Participate in Law Enforcement Automated Data System (LEADS).
- ✓ Conduct probation and parole visits, checks and searches on high-risk persons.
- ✓ Develop Summary Profiles and Information Bulletins for distribution to field officers.
- ✓ Conduct surveillance of career offenders on probation/parole.
- ✓ Facilitate parole/probation sweep for wanted offenders.
- ✓ Monitor and supervise persons on probation/parole.
- ✓ Conduct substance abuse testing.
- ✓ Alert field officers of the release of all "high-risk" persons from jail/prison.
- ✓ Refer persons to the appropriate outreach services, counseling, rehabilitation, job training, etc.

### D. Team Assignment & Location

The team will be assigned to the Criminal Investigation Division and operate from the Oakland Police Administration Building.

## III. FISCAL PROCEDURES

### A. Payroll/Overtime

Each participating agency will be responsible for the full payment of its' personnel assigned to PACT and such salary shall be deemed to be full salary and payable to such assigned personnel on duty with the PACT Task Force.

Each participating and core agency will notify the Team Supervisor of any overtime constraints for their personnel.

#### IV. EQUIPMENT

##### A. Vehicles

Each agency will provide their team members with a vehicle, and provide the fuel and maintenance for that vehicle. All agencies, whether providing a vehicle or not, will be responsible for any claims arising out of the operation of any PACT vehicle by that agency's team member. This will include both liability and collision.

##### C. Other Equipment

Other equipment including, but not limited to, in-house covert equipment, office equipment, computers, hand tools, cameras, video equipment, and safety equipment will be supplied on a loan basis from the participating agencies.

#### V. LIABILITY

For the purpose of indemnification, each participating agency of the Oakland Police And Correction Team (PACT) shall be responsible for the acts of its participating officer(s) and shall incur any liabilities arising out of the services and activities of those officers while participating in PACT operations. Personnel assigned to the PACT shall be deemed to be continuing under the employment of their jurisdiction and shall have the same powers, duties, privileges, responsibilities and immunities as are conferred upon them as a peace officer in their own jurisdiction.

Each core and participating agency agrees to defend, indemnify and hold harmless any other parties to this agreement to the extent that any liability is imposed on the participating agency due to the acts or omissions of the agency's employee. In addition, any core or participating agency shall be liable for any workman's compensation or similar benefit extended to its employees.

#### VI. STANDARD OPERATING PROCEDURES

All PACT members shall abide by the standard operating procedures (SOP) which shall be prepared by the team Supervisor. The completed SOP will be subject to review and approval by the Department heads of each participating agency. The SOP shall specify policies and procedures for the PACT.

These policies and procedures shall include, but not be limited to, the following specified articles:

- A. In any situation where there is a conflict between the policies and procedures of the *PACT* and any participating agency, the team member shall abide by the most restrictive directives.
- B. The investigation of officer involved shootings and vehicle accidents shall be handled by the agency of jurisdiction in which the incident occurs. Nothing precludes further investigation or concurrent investigation by the individual agency of the *PACT* members.
- C. The *PACT* will conduct preliminary investigations of on-view cases observed by team members. Any further investigation or leads to other types of criminal activity will be the responsibility of the agency of jurisdiction.
- D. Evaluations of *PACT* members shall be handled jointly by the Team supervisors and the individual agency.
- E. The release of media information regarding the *PACT* operations will be coordinated through the team supervisor.
- F. The *PACT* supervisor will be responsible for implementing a monthly reporting system of team activities and accomplishments. The monthly reports will be used to generate the quarterly reports given to the Agency Heads at the end of each calendar quarter.
- G. Complaints against *PACT* members will be evaluated, and if applicable, forwarded to the individual agency for investigation. Disciplinary action will be recommended and approved solely by the concerned agency.

#### **VII. AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING**

Participating agencies may amend any portion of this agreement by a majority vote of the quorum.

#### **VIII. TERMS OF AGREEMENT**

Participating agencies may elect to terminate this agreement prior to the designated termination date. Any participating agency, which chooses to terminate its participation in this agreement, shall indicate such intent in writing stating its reasons for termination.



IX. SIGNATURES

This agreement is executed and adopted this \_\_\_\_\_ day of \_\_\_\_\_ by and between:

The undersigned state they represent and have the authority to execute this Agreement on behalf of their respective agencies/departments and, in signing this agreement, concur with and support the Oakland Police Department Police, Probation & Parole Team as set forth in this Agreement and for the period and purpose as stated herein.

\_\_\_\_\_  
Richard L. Word, Chief of Police  
Oakland Police Department

\_\_\_\_\_  
, Regional Manager  
California Dept. of Corrections

\_\_\_\_\_  
Sylvia Johnson, Chief  
Alameda Co. Probation Dept



## CENTER POINT'S DAY REPORTING CENTER IN OAKLAND

### NEIGHBORHOOD CODE OF CONDUCT

Congratulations on your decision to volunteer to participate in the Oakland Day Reporting Center! The staff at Center Point looks forward to assisting you in your efforts to obtain a job, enroll in trade school or college, and to obtain sober living housing if you are in need of a positive and supportive place to live while attending the Day Reporting Center. We also can assist you to abstain from using illegal drugs, learn how to develop a personal budget, open a checking and savings account, reunite with your family and practice making good decisions that will help you to be accepted into the community as a productive and law-abiding citizen.

As a new member of the Day Reporting Center (DRC), you are expected to conduct yourself in a respectful manner in and around the facility at all times, including the times before and after you arrive each day to the DRC program. Center Point is new to this neighborhood and we are very committed to being excellent neighbors, which includes all of the parolee-members of the DRC. Here is a list of rules that each prospective member must agree to before we can admit you to the program:

1. You are encouraged to take public transportation to and from the DRC facility. There are several bus lines that have stops very near the facility. There are bus schedules available for you to pick-up at the front counter and are also posted on the bulletin board in the reception area. We can provide bus tokens and fast passes for members who are in need of financial assistance. Please see your DRC Caseworker if you need bus fare or other transportation assistance.
2. If you must utilize a vehicle to get to and from the DRC, you must first get approval from your Parole Agent and DRC Caseworker. You will need to furnish your DRC Caseworker with a copy of your driver's license, vehicle registration, and insurance verification card. You can only park your vehicle in off-street parking places or paid parking lots. **At NO TIME CAN YOU PARK IN THE PARKING LOT OF THE BUILDING!** Your vehicle will be towed!
3. Once you arrive at the DRC, you are expected to immediately enter the building and sign in at the front desk. There is **NO LOITERING, CONGREGATING, OR HANGING OUT** allowed in the front or on the side of the building **AT ANY TIME**. If you need to go outside for a break, there is a designated area in the rear of the property. While in the break area, observe the signs that will remind you to **"KEEP YOUR VOICES DOWN IN RESPECT FOR THE NEIGHBORS."** No more than 5 DRC members can be in the break area at any given time without a staff member present. So if you are the 6<sup>th</sup> person, return to the building and wait your turn.
4. Smoke breaks will be at designated times that will be scheduled by the staff on duty. There is a designated smoking area behind the building. Smoke breaks will



be staggered throughout the day, but there is a limit of 5 members that can enter the break area at any one time. While in the break area, observe the signs that will remind you to "KEEP YOUR VOICES DOWN IN RESPECT FOR THE NEIGHBORS." Due to severe health risks to yourself and others associated with tobacco products, you are encouraged to quit smoking while in the DRC program. We have Smoking Cessation classes to help you quit. Please see your Caseworker to enroll in the Smoking Cessation classes.

5. You are expected to conduct yourself with dignity and to respect the neighbors at all times. Be courteous and polite to persons you meet on the street and in the local businesses. Do not use profanity or make comments that might offend the neighbors or passersby. You are to go directly inside the DRC building once you arrive in the area. If you arrive before business hours, you are to wait in the break area until staff arrives to open up the facility. Upon leaving the facility, go directly to the bus stop or to your vehicle. If you are walking, go directly to your destination. There is no loitering or hanging around outside the facility or in the surrounding neighborhood at any time.
6. You are welcome to shop at the local businesses within the area, but remember to be courteous when you are shopping. Loitering or hanging out near local business entrances is not allowed at any time.
7. Do not hang out on or near the property or other businesses in the area, other than to help maintain the neighborhood when instructed to do so as part of your 2 hours of community work that you will be required to perform each month. In addition to cleaning the neighborhood, other volunteer duties can include sweeping the sidewalks next to the building and to the end of the street, removing the leaves and other debris that can clog the street sewer drains during the rain season, removing graffiti, and/or other duties in other parts of the City of Oakland that will be assigned by your Caseworker or Parole Agent.
8. Drinking alcohol beverages, being under the influence or in possession of alcohol and/or illegal drugs is forbidden at all times while you are enrolled in the DRC. Random drug tests will be performed on a routine basis. Any parolee-member that tests positive for alcohol and/or illegal drugs will be discharged from the program and your Parole Agent will immediately be notified.

I have read the above rules and agree to follow them. I have been informed that violating the above rules is grounds for disciplinary action, up to and including discharge from the Day Reporting Center. I also understand that any rules violations will be reported to my Parole Agent and that he/she may impose additional sanctions, depending on the severity of the infraction.

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Printed Name

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CDCR Number

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Signature

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Date

(FROM PETER LEAHY) rec'd  
8/5/10

**Oakland Parolee Day Reporting Center – 3333 Telegraph Ave – Center Point Inc.**

**Contractual Requirements for Zoning Approval in RFP P10.0003**

Acquire and maintain throughout the term of the contract an approved zoning letter from the city/county where services will take place. The zoning letter must be signed by an official of the city/county indicating that the facility location is not in violation of any zoning requirements or that the city/county does not object to the services being provided at the specified address.

**Overall Concerns:**

- **Safety:** Center Point's lack of experience and preparedness for handling safety issues that may arise in the building or with adding hundreds of high-risk parolee's in the neighborhood.
  - **Negative Economic Impact:** Representing the property owners and merchants the CBD fears that bringing literally hundreds of parolee's into the neighborhood already struggling with safety issues will drive customer's away and that will in turn drive down rents and property values which all work against the stated goal for economic revitalization.
1. **Statement of "Voluntary" Only Participants**
    - a. Center Point has represented that all participants will be volunteers.
    - b. "The DRC program is a three-phase, voluntary and **mandatory** remedial sanction program ..." [http://www.cdcr.ca.gov/Parole/Program\\_Development\\_Unit/DRC/](http://www.cdcr.ca.gov/Parole/Program_Development_Unit/DRC/)
  2. **Statement of "Non-Violent" Only Participants**
    - a. Center Point has represented that all participants will be non-violent offenders.
    - b. The State in the RFP P10.0003 for the grant says that "**All** parolees are eligible for this program."
  3. **Statement of "Parole Agent will be on-site at all times"**
    - a. Center Point in its public meeting on July 7, 2010 stated at first that a State Parole Agent would be on-site at all times. When pushed further they changed to say a State Parole Agent would be on-site some of the time Monday – Friday but on call for all hours of operations.
    - b. The State in the RFP P10.0003 makes no commitment to providing any State Parole Agent and only mentions that the contractor must supply a minimum of 110 square feet for use by one state staffer from the Department of Rehabilitation and Corrections.
  4. **Statement of the number of people being concurrently served and therefore the required minimum staff for the building when in operation is unclear**
    - a. RFP P10.0003 states that they are to serve a minimum of 300 parolees a year in a 180 to 300 day long program (three phases and aftercare) and that the facility itself must accommodate up to 100 concurrent parolees with a 1 employee to 18 parolee ratio.
    - b. Center Point in its public meeting on July 7, 2010 stated they believe there would only be 35-45 parolee's during the given 4 hour time periods they hold classes therefore bringing 70-90 parolees on-site per day. They discussed the number of people entering/leaving including those participating in the Cal Trans projects which made it difficult to get an exact number. At one point, they said there could be 50 or more parolees on-site with intakes, orientation and assessments and running a three/four phase program that required a set number of hours that a participant must be on-site during a given week.
    - c. There is a concern that the program will bring far more than 300 unique parolees into the area as Center Point staff said they only accept a low percentage of applicants however to do this

**ATTACHMENT H**

stringent acceptance process they must then bring many more potential parolees on site to perform intakes and assessments.

**5. Concerns with Center Point and the Parolee Day Reporting Center**

**a. High Risk Felons**

- i. State in its own web site refers to these individuals as those at "increased risk of violating their parole and/or returning to custody".  
[http://www.cdcr.ca.gov/Parole/Program\\_Development\\_Unit/DRC/](http://www.cdcr.ca.gov/Parole/Program_Development_Unit/DRC/)
- ii. State in the RFP P10.0003 for the grant says that participants will be "determined by a risk assessment to be of moderate to high risk to re-offend."

**b. No Demonstrated Mutual Aid Agreements with Law Enforcement**

- i. Center Point is required in the State RFP P10.0003 to have Mutual Aid Agreements in place with multiple law enforcement agencies. They are also required to "have a positive relationship established with the local law enforcement agency."
- ii. Center Point has not demonstrated that it has received the required official Mutual Aid Support Agreements with the Oakland Police Department, Alameda County Sheriff and California Highway Patrol.

**c. Center Point is required to provide adequate security not the State**

- i. State RFP P10.0003 requires the agency to "ensure that the staff on site can adequately ensure the security of all staff and program parolees." Also the RFP states that the contractor must "Ensure the DRC facility is secure by providing adequate supervision during hours of operation."
- ii. Center Point has not provided any detailed safety/security plan outlining policies, procedures and staffing that demonstrates that they have adequately ensured the security within the building let alone in the neighborhood.

**d. Center Point's lack of safety plan/security plan including policies, procedures and staffing**

- i. When asked directly about this issue Center Point staff said simply if there was an issue they would call 911 if the State Parole Agent was not on-site. When we asked how often the police have been called to respond to issues at other Day Reporting Centers they were not able to provide that information as they have had no previous experience running a facility like this.

**e. Center Point has not previously run a Parolee Day Reporting Center**

- i. While the agency may have significant experience running drug treatment and recovery programs and some joint public-private prisons in California and Oklahoma they lack the specific experience of running this type of program where they have significantly less control of their clients.
- ii. Center Point's own staff have consistently misspoke or misrepresented key facts about the parolees and how the program is to operate which raises concern that they are not prepared or trained to operate this type of program. This lack of experience and knowledge was clear when asked how often have police been required to come onsite to other DRC facilities and they were not able to answer that question.

**f. State CDCR has recently created problems selecting locations and non-profits for other Day Reporting Centers including placement near schools**

- i. "We knew the school was there. In San Francisco, there's logistically, many, problems, but nothing in the penal code prohibits the program from having [a school nearby] right now." [http://blogs.sfweekly.com/thesnitch/2010/04/corrections\\_department\\_no\\_choi.php](http://blogs.sfweekly.com/thesnitch/2010/04/corrections_department_no_choi.php)
- ii. The fact that State officials are unable to use even their own best judgment on site and contractor selection but driven on simply a low-bid point system that is counter to their own judgment as the experts is troubling.



**g. Center Point has a recent history for failing to adequately supervise their staff and manage programs with extreme consequences to clients and neighbors**

- i. Injury of a child under Center Point's supervision in private prison program whose mother was participant.
  1. From Lawson v. Superior Court (Center Point, Inc. et al., Real Parties in Interest): Plaintiff Denisha Lawson alleges that during her incarceration at the facility her newborn daughter Esperanza developed breathing problems and that she begged her jailers for over a week to take Esperanza to the hospital. Center Point and Department of Corrections and Rehabilitation staff failed to have any medical personnel present at the facility and failed to take Esperanza to the hospital. Eventually, five-week-old Esperanza stopped breathing and was taken to the emergency room with life-threatening viral pneumonia. Esperanza was admitted to the neonatal intensive care unit and intubated for several weeks. She survived, but was left with permanent lung impairment.
- ii. Stabbing by Center Points clients of two people near the Center Point facility
  1. From Rice v. Center Point Inc.: On the night in question, the "inmates stole a non-secured knife from the kitchen of the subject HRC site, and thereafter escaped from the subject HRC site." The "inmates traveled to the Cooper Gulch Park area, where they subsequently attacked, stabbed, and seriously injured plaintiffs."

**h. Low cost biased bid**

- i. The actual State RFP P10.0003 gives significant points for the lowest bid for a contract.
- ii. This often creates situations where a contractor is understaffed in both quality and quantity of employees and will not have sufficient budget to address any issues that arise including the need for additional staffing or security measures.

**i. Hours of Operation**

- i. It appears the DRC would be open at least 10 and up to 13 hours a day Monday through Friday and 5 or more hours on Saturday and Sunday for a total of 60 to 75 hours a week. The center must also be open every single day of the year including all holidays for at least 4 hours.
- ii. Center Point has not demonstrated that it has developed a staffing plan to sufficiently cover the hours of operations and ensure security of the parolees on site or in the surrounding neighborhood.

**j. Size of staff during operations**

- i. State RFP P10.0003 requires at least a 1 employee to 18 parolee ratio. As well as the minimum requirement of at least 2 journeymen level employees be on site during all hours of operation.
- ii. Center Point has not published a staff schedule to verify that they will have sufficient staffing. Center Point's representative at the July 7<sup>th</sup> public meeting mentioned that they would open before posted hours to let those in from the rain – the casual attitude to disregard the minimum state requirements in their contract are disconcerting.

**k. Level of training for staff**

- i. State RFP P10.0003 requires only a high school diploma and six months of work experience for the journeymen level employees. Case managers on site are not required to be Licensed Social Workers or have other professional training. Center Director is only required to have a bachelor's degree and 3 years of experience.
- ii. There is a strong likelihood that the DRC could be open during times of the day when there would be only 2 employees on site each with only a high school diploma and 6 months of experience handling up to 36 "high-risk" felony parolees.

**6. Negative impacts for the area**

**a. Highly Vulnerable Healthcare Patients**

- i. Several nearby healthcare related businesses who treat primarily elderly, frail and those with limited vision and mobility have shared their concerns that their patients are highly vulnerable to injury and theft and may choose other providers in areas where they might feel more safe.

**b. Negative economic impact to merchants**

- i. The number one economic driver for the northern part of Telegraph Avenue including Koreatown/Northgate CBD is Alta Bates Summit Hospital and the other medical offices on Pill Hill. It has been the goal of the CBD to increase safety concerns and address the problems that prevent the large nearby workforce from feeling safe walking and shopping in the area.
- ii. When these workers fear for their safety and the recent loss of 80 police officers -- bringing 100 convicted felons to the area during their work day makes it significantly more difficult to convince them that the area will be safe for them to shop.

**c. Negative economic impact to property owners**

- i. There is significant concern that other property owners with vacancies will not be able to lease space at even the current low market rates thereby further depressing the value of their properties.

**d. Automobile Traffic Impact**

- i. Several neighbors are concerned about the impact of increased car traffic and the dangerous situation for pedestrians as increased traffic stops and makes right and left turns on to 34<sup>th</sup> from Telegraph Avenue.
- ii. There are concerns that parking in the area is already limited and that the long hours, set times when large groups of 30-50 people enter/leave classes will encourage people to drive or be picked up by cars driven by others.

**e. Pedestrian Traffic Impact**

- i. Several neighbors are concerned about the impact of increased pedestrian traffic including: those waiting and congregating in the area to be picked up by car and bus; those attempting to cross at 34<sup>th</sup> Street as well as those walking in potentially large groups to and from the Macarthur BART station.

**f. Nearby drug trade in public park**

- i. Several neighbors are concerned that the site is not suitable for those in drug and alcohol recovery as there are nearby public parks with significant and day-long drug trade which would tempt parolee's rather than encourage recovery. Significant concern for additional drug traffic, loitering and prostitution.

**Clevenger, Ann**

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**From:** Starks, Carletta  
**Sent:** Friday, July 23, 2010 1:53 PM  
**To:** 'wendy Tocchini'  
**Cc:** Clevenger, Ann  
**Subject:** RE: 3333 Telegraph Avenue

Thank you for your e-mail. I will forward it to the planner on this matter, Ann Clevenger.

Take care,

Carletta L. Starks  
Community Liaison/Policy Analyst for  
Councilmember Nancy Nadel, District 3

Phone: 510/238-7032  
Fax: 510/238-6129

*People will forget what you said, people will forget what you did,  
but they will never forget how you made them feel. Maya Angelou*

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**From:** wendy Tocchini [mailto:wattwendy@hotmail.com]  
**Sent:** Friday, July 23, 2010 1:12 PM  
**To:** phil@interplay.org; Nadel, Nancy; Starks, Carletta; Darlene@KoreatownNorthgate.org  
**Subject:** 3333 Telegraph Avenue

Dear Sir/Madame:

Our office at 3300 Telegraph is across the street from the Day Reporting Center proposed by Center Point, Inc. Our Retina practice treats patients for Diabetic Retinopathy and Age Related Macular Degeneration, the primary causes for blindness.

Many of our patients are elderly, visually impaired, frail and reliant on walkers or wheelchairs. They represent the most vulnerable members of our society. Just as it would not be prudent to place the Day Reporting Center next to an elementary school, it is not wise to put the Day Reporting Center next to medical offices that often serve frail elderly defenseless individuals.

We attended the meeting July 7th put on by the representatives for Center Point, Inc., the Agency who would be administering this program for parolees. At this meeting they stated that approx. 40 Felony Parolees would be attending meetings/classes for 4 hours each morning across from our office. Another 40 would be attending meetings/classes in the afternoons. Center Point, Inc. will be recommending that these parolees use bus or bikes rather than driving and impacting the parking in the area. However, that means there will be

7/23/2010



an additional 80 people a day in the immediate vicinity of our building, most likely debarking from or waiting for a bus.

We are worried about our patients (especially the frail or elderly) walking past a group of people waiting for the bus on the way to our front door. Even if our patients can safely walk past a group of 40 parolees waiting for the bus, will they feel comfortable doing so? I don't think so. This may significantly impact our office.

As tenants in this district, we are strongly opposed to the Use Permit for the purpose of a Day Reporting Center in this area.

Thanks,

Wendy Tocchini  
Practice Manager  
East Bay Retina Consultants, Inc.  
3300 Telegraph Avenue  
Oakland, CA 94609  
(510) 444-1600

Clevenger, Ann

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**From:** lg@graffarchitects.com  
**Sent:** Wednesday, August 25, 2010 5:51 PM  
**To:** Dennis McCray; Marc Hering; Clevenger, Ann; Peter Leahy; Darlene Drapkin  
**Cc:** Rose Nervis; Phil Porter; Vic Meinke  
**Subject:** Draft of possible conditional use permit mitigations

**Importance:** High

**Attachments:** DRC NEIGHBORHOOD CODE OF CONDUCT[1].doc; SanRafaelCP.pdf



DRC

NEIGHBORHOOD CODE OF C



SanRafaelCP.pdf

(544 KB)

Dear all,

At the last Center Point informational meeting I spoke about several draft ideas. They are not in legal terms, but they can be reformulated for mitigation and insurance of compliance with the conditions of the use permit.

Thank you to the Center Point staff for introducing us again to the other related professionals that you work with and clarifying more of what branch of the Dept of Corrections has jurisdiction for certain roles, eg., that the Safety Plan for 3333 Telegraph would be under Steven Christian, Police and Community Team Coordinator for the Adult Parole program region 2. Christian will be responsible for establishing the safety protocols, which should be a part of the Use Permit conditions.

Attached is a copy of the Center Point Neighborhood Code of Conduct which gives specific expectations for participants. It also should be a part of the conditions of the Use Permit.

We understand that it is the individual's parole officer who initially determines if the person should be referred to Center Point. Dennis McCray, Vice President of Center Point indicated that if Center Point staff, in their evaluation, does not think the person is a suitable candidate they can refuse the applicant.

**Proposed Mitigations:**

- 1) The conditions of the parole office and the Center Point program mentioned above should be incorporated into the Use Permit conditions.
- 2) Parolees who have committed violent crimes or have been sex offenders shall only be considered for the program after the first year of the program, after thorough community discussion and after the commission hears a report and proposal for such parolees.  
Because it takes time to develop a Therapeutic Mileu among the group of parolees, and because Center Point wants to develop a good rapport with the neighborhood and because this is an exceptional activity, requiring a Major Conditional Use Permit the community needs to be informed and be supportive of their activities.
- 3) In order to assure the community that the conditions are being met, there will be regular monthly joint Center Point and community meetings for the first year and quarterly thereafter. Because there is an underlying concern that once the Conditional Use Permit is obtained, Center Point could ignore the expectations unless they are a part of the approval. The Community members will likely not have effective recourse if the expectations are not included and enforced.
- 4) If there are complaints from the community, they will be discussed at the regular community meeting, and solutions agreed to in good faith.
- 5) If these meetings can not reach a mutually agreeable, workable solution to joint issues within three months ( or

some other specific time limit) the Planning Commission will hear the complaints and can add further conditions or revoke the Use Permit.

6) If such unresolved Center Point--Community complaints are brought to the Planning Commission on three separate times, and the commission determines they are legitimate complaints the Planning Commission shall suspend or revoke the Conditional Use Permit.

7) A Parole officer will be on site during operating hours for the first three months of operation to assure the community that safety concerns are appropriately and continuously met.

8) Commission will require Center Point to release participants in staggered terms and in numbers such that no more than 20 participants leave at a time, and participants keep the sidewalk open for others passing by.

Neighboring businesses, especially by the bus stops, have raised concerns that having all 40-50 participants leave at one time, would be intimidating to the patrons they are trying to attract. The one bus stop has many bushes along the edge of the sidewalk, and even a group of 10 - 15 people at or behind the bus shelter could basically obstruct the sidewalk for passersby. The other bus stop is very close to the doorway of a business.

9) The conditions from the city of San Raphael are more directed at the building appearance and those conditions that are consistent with this building shall be incorporated into the conditions.

10) It may be appropriate for this Use Permit to have a time limit because Center Point has only a three year commitment. However, we have been informed that a Use Permit in Oakland follows the Land, therefore it is critical that the mitigations be included in the conditions NOW, and that there is an effective way for the community to demand revocation if the institution does not comply, without instituting legal proceedings.

11) Without conditions and mitigations that are enforceable the Use Permit should be denied.

Sincerely, Linnea Graff and Grier Graff owners of 494 Hawthorne Ave, Oakland Linnea Graff, Board Member of Koreatown/Northgate CBD

The document entitled "Neighborhood Code of Conduct" attached to this Comment Letter can be found as "Attachment G" in the Staff Report



- (ll) All landscaping shall be maintained in a healthy and thriving condition, free of weeds and debris. Prior to building final, the applicant shall provide a two year maintenance contract for landscaping or post a two year maintenance bond.
- (mm) The proposed parking lot pavement shall be marked/painted with appropriate directional signs/arrows for ingress and egress. This shall be done to the satisfaction of the Traffic Engineer prior to building permit issuance.
- (nn) All on-site parking shall be double striped with wheelstops or curbing provided at each space. Handicapped parking shall be appropriately marked on the pavement and closely accessible to the pertaining use.
- (oo) All trash enclosures shall be constructed of concrete block or masonry and surfaced with the same materials used for the main building.
- (pp) All lighting improvements, facilities and fixtures shall be subject to the review and approval of the Police and Planning Department prior to issuance of a building permit. This review shall be to insure that all doors and entrances are adequately illuminated and to insure that all illumination is directed at the subject property.
- (qq) Approval of this application is subject to submittal and City approval of a lot consolidation application prior to issuance of building permits.
- (rr) Prior to the issuance of building permits, the applicant shall submit proof of recordation of the lot consolidation of the two subject parcels.
- (ss) This environmental and design review permit shall be approved for two year or until September 26, 1991, and shall become null and void if a building permit is not issued or a time extension granted.  
UP89-63
- (a) This use permit allows up to 7,797 sq. ft. of professional office space. Medical office use is not approved with this permit.
- (b) Approval of this application is subject to submittal and City approval of a lot consolidation application prior to issuance of building permits.
- (c) This use permit shall run with the land until such a time that a change in use is proposed.



**CENTER POINT, INC. OAKLAND DAY REPORTING CENTER  
3333 TELEGRAPH AVENUE; OAKLAND, CA 94603**

**SIX MONTH COMPLIANCE REVIEW**

**General Compliance:** The Center Point Day Reporting Center (DRC) has enjoyed a very smooth and trouble-free activation. The census at the DRC continues to grow and the participants are being effectively screened and referred to the Center by the Division of Adult Parole Operations Oakland field offices. DRC management staff make regular presentations at the local parole offices about the program and the Parole Agents have done their part by routinely referring only those parolees who are genuinely sincere in their efforts to secure meaningful employment and in making good decisions towards becoming productive citizens. There have been no incidents that have required law enforcement intervention and the DRC participants have at all times been respectful and courteous with the neighbors. There have not been any complaints or concerns expressed by the neighbors or the neighborhood association (Korean Northgate Benefit District) regarding participant conduct.

The Oakland DRC now employs a proficient and diverse group of staff with decades of collective experience in effectively working with the target population. The Oakland DRC recently implemented its joint venture program with Caltrans, in which eight of the DRC participants will be employed on a regular basis to conduct Caltrans maintenance activities (see Oakland and Berkeley Tri-City Post article, attached). In addition, the DRC job developer has been very successful in identifying other employers that have expressed a willingness to hire participants and a solid number of participants have gained employment.

In keeping with its commitments, Center Point has painted the front of the building and participants sweep the sidewalks and gutters in and around the DRC twice daily. In addition, the DRC participants have been volunteering to assist in the set-up and clean-up of local street fairs and other events.

Immediately after receiving the Conditional Use Permit (CUP) from the Oakland Zoning and Planning Department, Center Point began recruitment for the project's Community Advisory Board (CAB) and commenced the monthly meetings. The CAB is comprised of a representative cross-section of community members, including a representative, Linnea Graff, from the KoreaTown Northgate Community Benefit District (KTNG-CBD), who have been extremely supportive of the project and have been very helpful in assisting the DRC to become successfully integrated into the community. Center Point and the KTNG-CBD have signed an MOU (see attached) and the provisions contained within have been adhered to by the Agency and the DRC. In fact, the Center Point DRC is now in the process of finalizing a contract with KTNG-CBD to have DRC participants assist in neighborhood clean-up and graffiti removal activities for a stipend. (See minutes from Koreatown Northgate Benefit District Security and Operations Meeting.)

**PROJECT -SPECIFIC CONDITIONS**

**14. Safety and Response Plan Parameters**

**Ongoing**

- a. The Day Reporting Center (DRC) will operate between the hours of 9:00 am to 7:00 p.m. Monday through Friday, and 12:00 p.m. to 5:00 p.m. on Saturdays and Sundays. On weekdays services will be provided in two shifts: morning from 9:00 a.m. to 1:00 p.m. and afternoons from 3:00 p.m. to 7:00 p.m.

**Status: The Center Point DRC is in full compliance with this condition.**

- b. The DRC shall be fully staffed with qualified, professional employees at all times, which generally shall include at least 9 full-time employees; one Project Director, one Casework Supervisor, four Case-Managers, one Job Developer, and two support staff.

**Status: Center Point DRC is in full compliance with this condition.** The DRC Program Manager holds a Master's Degree and has extensive experience with criminal justice populations and all of the DRC staff have previous relevant experience in effectively working with parolee populations and/or within the discipline of their respective job classification. Further, all Center Point DRC staff have undergone rigorous background checks by the Department of Justice and have been approved to work at the Oakland DRC by the Division of Adult Parole Operations.

- c. There will be no more than 50 participants on the premises at any one time, except as to accommodate the transition/overlap of participants between the morning and afternoon sessions.

**Status: The Center Point DRC is in full compliance with this condition.**

- d. There shall be a Parole Agent and/or Parole Services Associate (PSA) on-site at least 8 hours per day, Monday through Friday. Center Point shall work with the California Department of Corrections and Rehabilitation to secure, to the maximum extent possible, that on-site coverage by either a Parole Agent and/or a Parole Services Associate is staggered so that there is coverage on weekends and for operating hours that exceed 8 hours per day Monday through Friday. In addition, there shall be a Center Point Supervisor on site at all hours of operation (see Condition 14a above), every day including weekends.

**Status: The CDCR has assigned a Parole Services Associate (PSA) to work on-site. The PSA has been provided an on-site office and has become an integral part of the program's daily operations,** including regular interaction with all of the DRC participants. Center Point also maintains a Supervisor position during all shifts, including weekends, which has a designated shift supervisor that is also supported by the Program Manager and the Case Manager Supervisor on the weekends.

- e. The release of participants from the facility will be staggered and managed to minimize the likelihood of participants loitering or congregating on the streets, at bus stops, etc. No more than 20 participants shall be released in any 20 minute period.

**Status: The Center Point DRC is in full compliance with this condition.**

- f. The terms of the Safety and Response Plan will be adhered to so as to minimize adverse impacts on the safety and security of the community as well as of the participants, staff, including:
- g. A list of the Public Safety Contacts and phone numbers shall be posted prominently in the DRC and updated regularly.

**Status: The list of Public Safety Contacts has been posted in all the main rooms of the DRC.**

- h. The Day Reporting Center (DRC) staff will implement sign-in and sign-out logs, daily attendance records, breathalyzer and urinalysis testing on a random and probable-cause basis to ensure no drugs or alcohol are being used, and property searches on participants and visitors to ensure they are not in possession of illegal, drugs, contraband, weapons, etc. Any violations will be immediately reported to the on-site parole agent and the OPD for further action.

**Status: The Center Point DRC is in full compliance with all of the provisions within this condition.** Records of same are maintained on site and notifications have been made, when necessary, to the on-site PSA and Parole Agents of Record. There have been no instances of criminal behavior or activity that have required notification to the OPD.

- i. Community Involvement and Creation of Community Advisory Board:

- i) Center Point shall participate in activities and meetings sponsored by the Neighborhood Crime Prevention Councils (NCPC) in close proximity to the DRC facility, including the North Oakland/Shattuck Area and North Oakland/Greater Rockridge Area.

**Status: The Center Point DRC Program Manager has attended meetings sponsored by the NCPC in both Areas.**

- ii) Center Point shall also create a Community Advisory Board (CAB) and, at a minimum, a representative from the Koreatown-Northgate (KTNG) Community Benefit District and NCPC Beat 8 X shall be invited to become members. Also, a local member of the professional banking community shall be invited to attend meetings of the CAB.

**Status: Center Point has created a Community Advisory Board (CAB) for the Oakland DRC.** Membership on the CAB includes a representative of the KTNG Community Benefit District, a newly identified representative for NCPC Beat 8 X and a representative from the Investment Banking community Ron Jones, has joined the CAB. For a full list of CAB members please see the attachment.

- iii) At least one meeting of the CAB shall be held *prior* to commencement of operations of the DRC. The Board shall meet at least once monthly for the first 6 months *after* operations commence and at least quarterly thereafter.

**Status: The Center Point DRC is in full compliance with this condition.** The DRC CAB met prior to commencement of operations and has been meeting on a monthly basis thereafter. Please see attached CAB Minutes from the monthly meetings.

- j. In addition to all of the required screening procedures conducted by the Division of Adult Parole Operations (DAPO) and Center Point, Center Point staff shall ensure that each participant of the Center Point's Day Reporting Center in Oakland shall sign the "Neighborhood Code of Conduct" document prior to admission to the program.



**Status:** The Center Point DRC is in full compliance with this condition. All participants have signed the Neighborhood Code Conduct prior to admission into the Oakland DRC. A copy of the signed document is given to the participant and the original is kept in each participant's file.

## **15. Nuisances**

### ***Ongoing***

#### **a. Graffiti**

Graffiti shall be removed from the premises within 72 hours (3 days) of application.

**Status:** The Center Point DRC is in full compliance with this condition.

#### **b. Trash and litter**

The Applicant shall clear the gutter and sidewalks along Telegraph Ave. plus twenty feet beyond the property lines along this street of litter twice daily or as needed to control litter.

**Status:** The Center Point DRC is in full compliance with this condition.

#### **c. Pay Phones**

No pay phones are permitted outside of the building.

**Status:** The Center Point DRC is in full compliance with this condition.

#### **d. Loitering**

The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiterers who refuse to leave. Persons hanging around the exterior of the establishment with no apparent business from more than ten minutes shall be asked to leave. Techniques discussed in the manual entitled "Loitering: Business and Community Based Solutions" may be used.

**Status:** The Center Point DRC is in full compliance with this condition. Signage prohibiting loitering has been posted. There have been no incidents of loitering around the facility.

#### **e. Securing Site**

Applicant shall conform to Ordinance 12390 related to securing sites after hours to discourage loitering and crime on the street, in the parking lots, etc. Street-facing windows shall be maintained free of curtains or other visual obstructions so as to maintain clear sight lines inside the facility from outside, and from inside to the sidewalk and street.

**Status:** The Center Point DRC is in full compliance with this condition.

## **16. Operational Project Conditions**

### ***Ongoing***

- a. The facility shall meet all Uniform Building Code standards to the satisfaction of the Building Department and Fire Code requirements to the satisfaction of the Fire Marshall at all times.

**Status: The Center Point DRC is in on-going compliance with this condition.**

- b. Center Point shall maintain evidence of on-going compliance with all CDCR contractual requirements and other applicable State and Federal requirements for City review at all times.

**Status: The Center Point DRC is in ongoing compliance with this condition.**

- c. The parking spaces shall be striped and maintained at all times. Additionally, no inoperable vehicles shall be stored in the parking area at any time.

**Status: The Center Point DRC is in ongoing compliance with this condition.**

- d. Landscaping shall be maintained in a health and thriving condition at all times to the satisfaction of the Planning Department. Such maintenance shall include regular watering, weeding, pruning and replacement of dead or dying plants.

**Status: The Center Point DRC is in ongoing compliance with this condition.**

- e. All exterior lighting shall be maintained to the satisfaction of the Oakland Police Department.

**Status: The Center Point DRC is in ongoing compliance with this condition.** Exterior lighting is consistently maintained.

- f. A permanent location shall be provided for the trash enclosure prior to occupancy of the use and subject Planning Department approval.

**Status: The Center Point DRC is in ongoing compliance with this condition.** Trash receptacle is enclosed in the rear of the building behind a locked gate.

## **17. Compliance Review**

### ***(Within 6 Months of commencement of operations)***

The project shall be re-evaluated for compliance with conditions approval and impacts by the Planning Commission within 180 days of commencement of operations. The Applicant shall initiate said Compliance Review by paying the Reconsideration/Revision fee to the City Planning and Zoning offices (currently \$1,803.87).

**Status: Reconsideration/Revision fee enclosed with this Compliance Review.**



MOU





**KoreaTown Northgate Community Benefit District  
Center Point, Inc.  
Memorandum of Understanding  
3333 Telegraph Avenue**

This Memorandum of Understanding delineates mutual agreements made by the KoreaTown Northgate Community Benefit District and Center Point, Inc. regarding the Oakland Parolee Day Reporting Center located at 3333 Telegraph Avenue in Oakland, CA. The purpose of this agreement is to ensure accountability, mitigate activities which might negatively impact the community, and to establish a cooperative relationship between the KoreaTown Northgate Community Benefit District, residents, the California Department of Corrections Division of Adult Parole Operations, the City of Oakland, the Oakland Police Department, the City of Oakland Zoning and Planning Commission and Center Point, Inc. To this end, the KoreaTown Northgate Community Benefit District and Center Point, Inc. have agreed to the following:

1. The selection of participants in this program involves several steps to insure that those admitted are the most likely to benefit from the program. The criteria used by the Division of Adult Parole Operations and Center Point should be sufficient to screen out candidates for behavior that could be problematic to others in the program and to the neighborhood.
2. Division of Adult Parole Operations staff will be in the building and neighborhood and will be alerted to possible security issues by Center Point. The Oakland Police Department will also be alerted to security issues and will develop a plan of action to patrol the neighborhood. Additionally, Center Point staff will be available to monitor the area around the building during transition times when participants will be arriving and leaving (in the morning, at midday and in the early evening).
3. The Day Reporting Center will not be a residential program and there will not be any residential services provided at 3333 Telegraph Avenue. No drop in services will be offered.
4. Participants who are in need of housing will be referred to transitional housing and shelters outside of the district.
5. The Day Reporting Center participants assessed with active substance abuse or psychiatric issues will be referred to appropriate organizations to receive treatment services.
6. Participants shall be removed from the program for any significant disruption of the community including but not limited to physical or verbal assaults, excessive noise that disturbs nearby residents, unlawful activity of any kind. The facility will maintain a log of all nuisance activities and the log will be kept on site.
7. Center Point will work with the Oakland Police Department and the Division of Adult Parole Operations to remove individuals who create significant disturbances, are violent, or who participate in unlawful activities on the premises.
8. Center Point also agrees to address noise that disturbs nearby residents expeditiously.

9. The Day Reporting Center program will maintain daily shift reports for AM and PM sessions.
10. Center Point will improve and maintain the building visibility and discourage criminal activity.
11. Access to the facility will be limited to Center Point staff, Parole staff, active and appropriately referred participants, and Community Advisory Board members.
12. Day Reporting Center staff and Parole staff will have identification cards to justify their presence. All participants will be required to render their photo identification (driver's license, California ID card, or CDCR issued ID cards) when they enter the facility which will be returned before exiting the facility. Community Advisory Board members and approved guests will be required to show valid identification when they enter the facility.
13. Center Point will maintain exterior lighting on the three sides of the building.
14. Center Point will work collaboratively with other concerned businesses (Taste of Denmark Bakery) to ensure that exterior lighting is not obscured by trees or shrubbery.
15. The City of Oakland will install at least one City trash container near the Day Reporting Center facility.
16. Center Point will post signs regarding trespassing, loitering, consumption of alcohol, and prohibiting smoking. Center Point will enforce these rules and document violations in the Day Reporting Center daily logs. Violations will be reviewed with the Community Advisory Board during CAB meetings.
17. Street-facing windows shall only have *limited* visual obstructions so as to maintain clear sight lines inside the facility from the outside, and from the inside to the sidewalk and street. Window and door blinds will be opened at all times during the hours of operation.
18. Signage from the previous business names shall be removed. The front of the building shall be repainted. It is agreeable with the Koreatown Northgate Community Benefit District if no identifying sign is put up. The address must be easily read (as at present).
19. If Center Point installs an identifying sign there will be no mention of "parolee" on it.
20. Day Reporting Center staff will stagger the release of participants such that no more than five participants shall be released in any five minute period.
21. Center Point employees shall utilize onsite parking first. Employees can use on-street parking only during shift change or when all onsite parking stalls are occupied by employees.

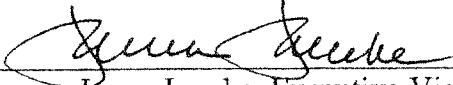
22. The two parking spaces in front of the 3333 Telegraph property will only be utilized for "passenger drop off or pick up" as long as a Day Reporting Center operates at the 3333 Telegraph Avenue site.
23. A sign shall be installed by the City of Oakland that reads: "Passenger loading and unloading, 3 minute maximum, 8:00am to 8:00pm." Center Point will inform employees and participants that only these two spaces can be used for passenger pick up or drop off, and not to block Telegraph Avenue.
24. The City of Oakland shall paint traffic lane marking on 34th Street from Telegraph to Martin Luther King. Currently 34<sup>th</sup> Street has no marking along these blocks currently.
25. Center Point will perform routine gutter and sidewalk cleaning in front of the Day Reporting Center facility including twenty feet beyond the property lines along Telegraph Avenue and 34th Street. Participants from the AM and PM sessions will perform this task Monday-Friday, and once on Saturday and Sunday.
26. The Community Advisory Board shall have a minimum of two Koreatown Northgate Community Benefit District representatives; one representing local business owners, and one representing local residents.
27. Complaints from community members concerning the Day Reporting Center operations or participants will be addressed by Center Point within 24 hours of receipt. Contact information for Center Point staff will be distributed to neighbors. Complaints will be documented by program staff for discussion at the next Community Advisory Board meeting.
28. Complaints will be reviewed at the next Community Advisory Board meeting. Community Advisory Board members and Center Point will collaboratively develop faith solutions to be implemented.
29. All participants will receive and agree to the program's *Neighborhood Code of Conduct* which all program participants are responsible.
30. Center Point will comply with the City of Oakland Planning Commission compliance schedule as outlined in the Conditional Use Permit for 3333 Telegraph Avenue.
31. Center Point will provide prompt notice to Community Advisory Board and the Korea Northgate Community Benefit District that they are vacating 3333 Telegraph Avenue.
32. With any change of operator, the City of Oakland Planning Commission will review the documents and records about how the previous program(s) have affected the safety, traffic, and business development of the Community Benefit District. A Public hearing will be before the Planning Commission to determine whether the Major Conditional Use Permit continues, and if it continues, what new conditions are needed for new operator.

33. Center Point will seek to admit 25% of the participants in this program from residents in the general neighborhood who meet the admission criteria. The KoreaTown Northgate Community Benefit District will assist in this process by identifying the general area surrounding 3333 Telegraph that it feels will need the most attention.



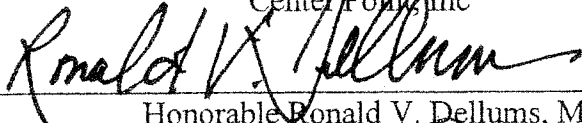
Phil Porter, KoreaTown Northgate  
Community Benefit District

2/4/2011  
Date



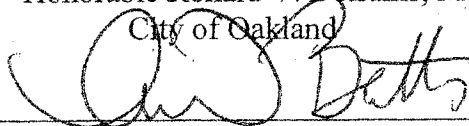
Laura Lambe, Executive Vice-President  
Center Point, Inc

12/10/2010  
Date



Honorable Ronald V. Dellums, Mayor  
City of Oakland

12/15/2010  
Date



Anthony Batts, Chief of Police  
City of Oakland

1/12/2011  
Date

California Department of Corrections & Rehabilitation  
Division of Adult Parole Operations

Date

Scott Miller, Zoning Manager  
City of Oakland

Date



**KoreaTown Northgate Community Benefit District  
Center Point, Inc.  
Memorandum of Understanding  
3333 Telegraph Avenue**

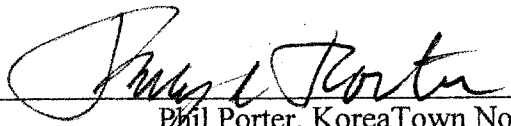
This Memorandum of Understanding delineates mutual agreements made by the KoreaTown Northgate Community Benefit District and Center Point, Inc. regarding the Oakland Parolee Day Reporting Center located at 3333 Telegraph Avenue in Oakland, CA. The purpose of this agreement is to ensure accountability, mitigate activities which might negatively impact the community, and to establish a cooperative relationship between the KoreaTown Northgate Community Benefit District, residents, the California Department of Corrections Division of Adult Parole Operations, the City of Oakland, the Oakland Police Department, the City of Oakland Zoning and Planning Commission and Center Point, Inc. To this end, the KoreaTown Northgate Community Benefit District and Center Point, Inc. have agreed to the following:

1. The selection of participants in this program involves several steps to insure that those admitted are the most likely to benefit from the program. The criteria used by the Division of Adult Parole Operations and Center Point should be sufficient to screen out candidates for behavior that could be problematic to others in the program and to the neighborhood.
2. Division of Adult Parole Operations staff will be in the building and neighborhood and will be alerted to possible security issues by Center Point. The Oakland Police Department will also be alerted to security issues and will develop a plan of action to patrol the neighborhood. Additionally, Center Point staff will be available to monitor the area around the building during transition times when participants will be arriving and leaving (in the morning, at midday and in the early evening).
3. The Day Reporting Center will not be a residential program and there will not be any residential services provided at 3333 Telegraph Avenue. No drop in services will be offered.
4. Participants who are in need of housing will be referred to transitional housing and shelters outside of the district.
5. The Day Reporting Center participants assessed with active substance abuse or psychiatric issues will be referred to appropriate organizations to receive treatment services.
6. Participants shall be removed from the program for any significant disruption of the community including but not limited to physical or verbal assaults, excessive noise that disturbs nearby residents, unlawful activity of any kind. The facility will maintain a log of all nuisance activities and the log will be kept on site.
7. Center Point will work with the Oakland Police Department and the Division of Adult Parole Operations to remove individuals who create significant disturbances, are violent, or who participate in unlawful activities on the premises.
8. Center Point also agrees to address noise that disturbs nearby residents expeditiously.

9. The Day Reporting Center program will maintain daily shift reports for AM and PM sessions.
10. Center Point will improve and maintain the building visibility and discourage criminal activity.
11. Access to the facility will be limited to Center Point staff, Parole staff, active and appropriately referred participants, and Community Advisory Board members.
12. Day Reporting Center staff and Parole staff will have identification cards to justify their presence. All participants will be required to render their photo identification (driver's license, California ID card, or CDCR issued ID cards) when they enter the facility which will be returned before exiting the facility. Community Advisory Board members and approved guests will be required to show valid identification when they enter the facility.
13. Center Point will maintain exterior lighting on the three sides of the building.
14. Center Point will work collaboratively with other concerned businesses (Taste of Denmark Bakery) to ensure that exterior lighting is not obscured by trees or shrubbery
15. The City of Oakland will install at least one City trash container near the Day Reporting Center facility.
16. Center Point will post signs regarding trespassing, loitering, consumption of alcohol, and prohibiting smoking. Center Point will enforce these rules and document violations in the Day Reporting Center daily logs. Violations will be reviewed with the Community Advisory Board during CAB meetings.
17. Street-facing windows shall only have *limited* visual obstructions so as to maintain clear sight lines inside the facility from the outside, and from the inside to the sidewalk and street. Window and door blinds will be opened at all times during the hours of operation.
18. Signage from the previous business names shall be removed. The front of the building shall be repainted. It is agreeable with the Koreatown Northgate Community Benefit District if no identifying sign is put up. The address must be easily read (as at present).
19. If Center Point installs an identifying sign there will be no mention of "parolee" on it.
20. Day Reporting Center staff will stagger the release of participants such that no more than five participants shall be released in any five minute period.
21. Center Point employees shall utilize onsite parking first. Employees can use on-street parking only during shift change or when all onsite parking stalls are occupied by employees.

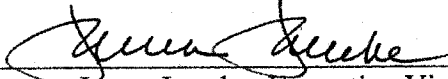
22. The two parking spaces in front of the 3333 Telegraph property will only be utilized for "passenger drop off or pick up" as long as a Day Reporting Center operates at the 3333 Telegraph Avenue site.
23. A sign shall be installed by the City of Oakland that reads: "Passenger loading and unloading, 3 minute maximum, 8:00am to 8:00pm." Center Point will inform employees and participants that only these two spaces can be used for passenger pick up or drop off, and not to block Telegraph Avenue.
24. The City of Oakland shall paint traffic lane marking on 34th Street from Telegraph to Martin Luther King. Currently 34<sup>th</sup> Street has no marking along these blocks currently.
25. Center Point will perform routine gutter and sidewalk cleaning in front of the Day Reporting Center facility including twenty feet beyond the property lines along Telegraph Avenue and 34th Street. Participants from the AM and PM sessions will perform this task Monday-Friday, and once on Saturday and Sunday.
26. The Community Advisory Board shall have a minimum of two Koreatown Northgate Community Benefit District representatives; one representing local business owners, and one representing local residents.
27. Complaints from community members concerning the Day Reporting Center operations or participants will be addressed by Center Point within 24 hours of receipt. Contact information for Center Point staff will be distributed to neighbors. Complaints will be documented by program staff for discussion at the next Community Advisory Board meeting.
28. Complaints will be reviewed at the next Community Advisory Board meeting. Community Advisory Board members and Center Point will collaboratively develop good faith solutions to be implemented.
29. All participants will receive and agree to the program's *Neighborhood Code of Conduct* to which all program participants are responsible.
30. Center Point will comply with the City of Oakland Planning Commission compliance review schedule as outlined in the Conditional Use Permit for 3333 Telegraph Avenue.
31. Center Point will provide prompt notice to Community Advisory Board and the KoreaTown Northgate Community Benefit District that they are vacating 3333 Telegraph Avenue.
32. With any change of operator, the City of Oakland Planning Commission will review the documents and records about how the previous program(s) have affected the safety, traffic and business development of the Community Benefit District. A Public hearing will be held before the Planning Commission to determine whether the Major Conditional Use Permit continues, and if it continues, what new conditions are needed for new operator.

33. Center Point will seek to admit 25% of the participants in this program from residents in the general neighborhood who meet the admission criteria. The KoreaTown Northgate Community Benefit District will assist in this process by identifying the general area surrounding 3333 Telegraph that it feels will need the most attention.



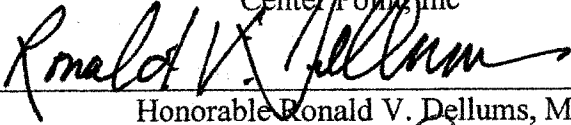
Phil Porter, KoreaTown Northgate  
Community Benefit District

2/4/2011  
Date



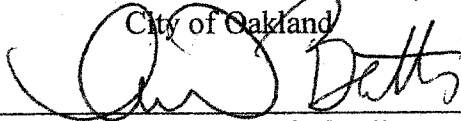
Laura Lambe, Executive Vice-President  
Center Point, Inc

12/10/2010  
Date



Honorable Ronald V. Dellums, Mayor  
City of Oakland

12/15/2010  
Date

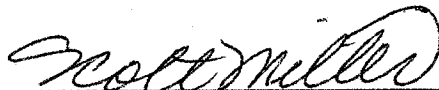


Anthony Batts, Chief of Police  
City of Oakland

1/12/2011  
Date

California Department of Corrections & Rehabilitation  
Division of Adult Parole Operations

Date



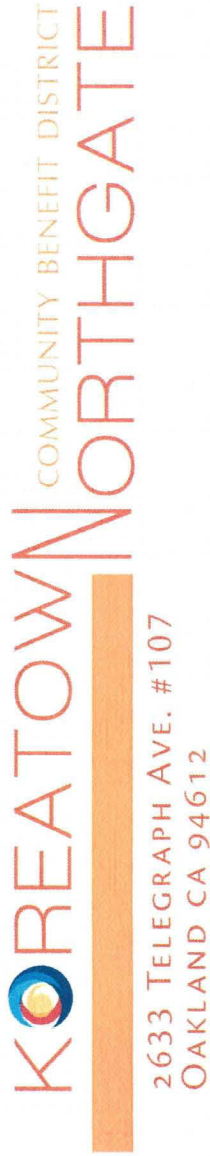
Scott Miller, Zoning Manager  
City of Oakland

6-16-11  
Date

KTNG MINUTES







**KOREATOWN OAKLAND  
KOREATOWN NORTHGATE COMMUNITY BENEFITS DISTRICT**

**SECURITY & OPERATIONS MEETING**

Koreatown Northgate Office, 2633 Telegraph Ave #107, Oakland, CA 94612  
May 23, 2011 – 9:00 am

**Agenda**

1. Discussion on in-house vs. contracted maintenance
2. Using Warren's crew for maintenance and graffiti abatement
3. Update on security cameras and security contract
4. Next meeting date and time

(REFERENCE TO  
WARREN MOREY,  
DEC PROGRAM MANAGER)

**Documents:**

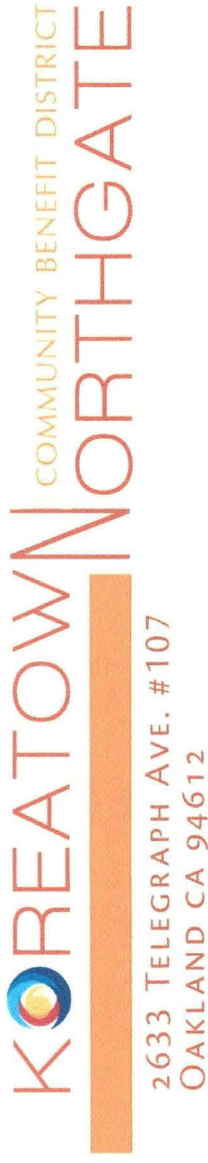
Minutes from last meeting

Notes from merchants meeting on security cameras

**BROWN ACT:**

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The Corporation posts Agendas at 2633 Telegraph Ave #107, Oakland CA 94612. Action may not be taken on items not posted on the agenda. Meeting facilities are accessible to persons with disabilities. If you require assistance to participate in the meeting, notify Shari Godinez at 510-343-5439 at least 48 hours prior to the meeting.





KOREATOWN OAKLAND  
KOREATOWN NORTHGATE COMMUNITY BENEFITS DISTRICT

SECURITY & OPERATIONS MEETING

Koreatown Northgate Office, 2633 Telegraph Ave #107, Oakland, CA 94612  
May 4, 2011 – 4:30 pm

Minutes

**Attendance:**

BJ Yu, Sheila Katz, Warren Morey, *(Warren Morey, Program Manager for DRC)*

**Guests:**

Marcus Clark, Latham Hodges, Officer Brown

**Staff:**

Marco Li Mandri, Shari Godiez

1. **Maintenance – explore option to hire in-house maintenance crew.**
- 2.

As requested from a previous Maintenance Task Force meeting, Marco brought a twelve page packet which included a comparison of the cost and services of the existing maintenance company verses hiring in-house to make sure we are getting the maximum value for our money.

The Committee reviewed the Management District Plan's spending limits on sidewalk operations, beautification and order which is set at 60% of the budget and is currently estimated at \$167,076.

The Committee reviewed the Maintenance services for the CBD for 2010 with an actual cost of \$73,943.00 and the spending for 2011 for the first two months at a cost of \$19,113.52. Marco's projection for the year based on this figure is \$114,681.12. (Marcus later clarified that this include 3 billings for sidewalk sweeping, not two).

The Committee reviewed the scope of services of the proposed in-house KTRNG CBD maintenance crew including all tasks and frequency and set up costs estimated at \$5,000, personnel costs estimated at \$76,939 for a total 1<sup>st</sup> year cost of \$81,939.





The monthly average for maintenance for 2010 was about \$ 6,000. Sheila said she wants to get the cleaning contract down to \$55,000 and the security contract to \$ 75,000 per year, for a total of \$130,000 per year. This was the previous goal set by the Board by the end of the third year budget period.

Shari reminded the committee that the current contract, (proposal 5) with 1<sup>st</sup> Building Maintenance, is at \$4,000 per month for five days per week of service including a \$1,000 cap on graffiti abatement.

Warren stated that there are men coming through his program and they are trying to help acclimate them back into the community and they are required to do community service. We are part of the community and want to remain as part of the fabric of the community. Warren has access to 100 guys that we have to help assimilate into the community each day. He may be able to have them provide a gap fill service. The question was asked whether they are required to provide a certain number of hours per week or per program. Warren said this can be flexible. He also suggested that maybe one or two guys could get a stipend for the work. He suggested that this can be a success story for Koreatown Northgate.

Marco suggested that we set a number like \$5,000 per month for in-house maintenance per month and work with Warren's program and maybe we could hire 2 full time maintenance workers, supplemented by 2 volunteers from Warren's program. .

Marcus said that he has worked with training programs in the past and that he has tremendous experience working with BIDs and CBDs also.

Sheila stated that she is interested in getting the maintenance allocation number down to \$5,000 per month. She likes the idea that it is daytime hours and they would be wearing Koreatown Northgate vests.

Marcus Clark said he is willing to train the guys and have them make more than \$13.00 per hour but he is open to all ideas. Marcus stated that his business has over 50 years of experience.

Marco said that Koreatown Northgate needs to set a budget like \$5,000 per month.

Action: Make a recommendation to the Executive Committee and then to the Board to set a \$5,000 limit on maintenance services, commencing July 1<sup>st</sup>, 2011. Marco will bring back a proposal for in house maintenance, using Warren's guys, not to exceed \$5,000 per month at the next SO meeting. Marcus will be asked to submit a proposal for complete services during the daytime hours, with KTNG uniforms, not to exceed \$5,000 per month. This will be reviewed and considered at the next SO meeting, leading to the Executive Committee and then the Board of Directors for final consideration at their June Board meeting. (Dir. participat)

Marco said the Downtown ambassadors wear colored vests, bright orange for Downtown and blue for Lake Merritt. He had suggested red vests for maintenance and security and that they be similarly uniformed to act as cleaners and a deterrence to crime. Sheila stated that the black uniforms have been a concern for her. She wants the uniform to say Koreatown Northgate ambassador. Marco suggested that we also put the KTNG website on their vests. Sheila said she likes green.

Officer Brown said that robberies are low this year and he contributes it to the Safety1st ambassadors. They have motorcycles (E-bikes) and people know they are more mobile. It is about perception, so maybe the bright red will be better. Maybe go with a dull or medium green so it is not as visible, but it can be associated with the district.

Sheila believes it is about perception and wants to increase the positive perception of the neighborhood. She acknowledged that Kyle and Latham (Safety1st) have done an amazing job and they know the elements in the neighborhood that we are trying to eliminate.

Officer Brown stated that he knows more people are coming into the area more frequently to shop and dine and many are people that live by the lake. This area is starting to be more of a nuisance area but not a high crime area. It has come a long ways. People are feeling more and more comfortable here. He used to do 3-4 arrests a day in this area and it is become noticeably different.

BJ said he would like to put cameras on the blocks and asked Officer Brown if we give him photos of the criminal caught on camera would it be helpful.

Officer Brown said it depends on the totality. There is only one investigator for OPD. If it is a picture of a known criminal, than it can be useful later on. There are times when he has caught someone and then if the picture is kept he can charge them with the other crimes.

BJ asked about posting the picture of the person caught on camera.

Officer Brown said if you find out who the person is, than you need to pick him out of a line-up. If you see him on the street, than you need to talk to him and get his identity than hand it over to the investigator. He thinks it is smart to put up cameras and display signage stating that this place is monitored by cameras. He said that people will try to destroy the cameras and suggested putting them in a box. He said that you can also use the cameras to see who is doing the drug dealing. He suggested that we use the cameras as a deterrent and surveillance tool and this may force the criminals to move out of the area.

BJ researched the cost of a camera surveillance system. For about 100 cameras to cover the 15 blocks it would cost about \$115,000. He not only researched the camera system, but also the quality of the cameras.

Marco suggested that we ask the Board to authorize the S&O Committee to authorize the SO Committee to investigate a pilot camera system for the district. This can be discussed at the Executive Committee meeting on Friday. It can be an action item for the Executive Committee and then for the full Board.

Actions to take to the Executive Committee:

1. **Make a recommendation to the Executive Committee and then to the Board to set a \$5,000 limit on maintenance services commencing July 1, 2011.**
2. **Ask Executive Committee to give S&O Committee authorization to look for a camera system.**

Next Security & Operations Committee Meeting: **May 23, 2011 at 1:00 pm** at the Koreatown Northgate office, 2633 Telegraph Ave #107 Oakland, CA94601  
For next S&O meeting:

**Review proposal for in-house maintenance and new proposal from Marcus that includes day time hours and Koreatown Northgate vests.**

**Action: Shari will verify actual reserve budget amount and that Marco and the cameras are to be paid out of that budget.**

Minutes taken by Shari Godinez, Executive Director



LIST of CAB MEMBERS





**Center Point, Inc**  
**Oakland Day Reporting Center**  
**Community Advisory Board Members**

**Linnea Graff**  
Member, Koreatown Northgate  
Community Benefit District  
94 Ramona Ave.  
Piedmont, CA 94611  
Work: 494 Hawthorne Ave. Ste B  
Oakland CA 94609-3037  
Hm :510-653-9945  
Wk: 510-653-4500  
[lg@graffarchitects.com](mailto:lg@graffarchitects.com)

**Myron Turner**  
Counselor, Merritt College  
2801 Summit #251  
Oakland, CA 94609  
510-467-5959  
[nzm-muhammad@yahoo.com](mailto:nzm-muhammad@yahoo.com)

**Willie C. Posey**  
Community Advocate  
Work: 844 60th St  
Oakland, CA, 94608  
Hm: 510-772-7920

**Rose Pratt -Nervis**  
Member, Koreatown Northgate  
Community Benefit District  
4096 Piedmont Ave., #545  
Oakland, CA 94611  
Wk: 1233 Alpine Blvd  
Walnut Creek, CA 94549  
HM: 510-652-3180  
Cell: 510-712-4096  
[rose.prattnervis@gmail.com](mailto:rose.prattnervis@gmail.com)

**D'Michael Couvson**  
NCPC Beat 8X  
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Oakland, CA 94612  
PH: 510-717-6739  
[couvsond@yahoo.com](mailto:couvsond@yahoo.com)

**Charles H. Turner**  
Oakland PIC  
415 Rubinson St.  
Oakland, CA 94553  
Wk: 1212 Broadway St. #630  
Oakland, CA 94612  
Hm :925-957-6173  
Wk: 510-768-4485

**Ron Jones**  
Associated with  
Blaylock Robert Van, LLC  
350 Frank H. Ogawa Plaza  
Tenth Floor  
Oakland, CA 94612



CAB MINUTES





**Center Point Inc.**  
**Oakland Day Reporting Center**  
**Community Advisory Board Minutes**  
**January 20,2011**

<u>Board Members Present</u>	<u>Absent</u>	<u>Staff Present</u>
Rose Pratt-Nervis		Laura Lambe
Willie C. Posey		Chris Geiger
Charles H. Turner		Jim Ricci
Linnea Graff		
Myron Turner		

- The first meeting of the Day Reporting Center Community Advisory Board was called to order at 5:25pm by Center Point Executive Vice President Laura Lambe.
- Ms. Lambe welcomes all members and thanked them for participating on the Advisory Board. Introductions of Community Advisory Board members and Center Point staff followed.
- Community Advisory Board members were provided with copies of the Day Reporting Center Organizational Chart, the Center Point mission statement, the Memorandum of Agreement between key entities involved with the Day Reporting Center, and the Neighborhood Code of Conduct to be signed by each participant. Discussion by Advisory Board members followed.
- Members discussed key components of the Day Reporting Center project to include:
  - Services for women
  - Employment training opportunities through PIC
  - Participant referral resources
  - Procedures for referrals and on-site parole officials
- Members offered recommendations to facilitate start-up activities including inviting Parole representatives to a "meet and greet" at the facility, conducting a PACT meeting at the facility, attending the monthly Alameda County Re-Entry Coordinating Council meetings and inclusion on the Neighborhood Crime Prevention Committee.
- Members also discussed the goals and objectives of the project
- Members provide additional recommendations:
  - Center Point staff to provide a list of services that are needed by participants for re-entry objectives
  - Strongly enforce the "No Loitering" rule
  - Attend the monthly meetings of the Koreatown Northgate Community Board
  - Conduct walks within the community with a Community Advisory Board member to provide information and respond to questions/concerns about the Day Reporting Center.



Center Point Inc.  
Oakland Day Reporting Center  
Community Advisory Board Meeting Minutes  
February 17<sup>th</sup> 2011

Board Members Present	Absent	Staff Present
Rose Pratt-Nervis Willie C.Posey Linnea Graff Myron Turner	Charles Turner	Warren Morey Chris Geiger

- 
- Meeting was called to order at 5:30 by Center Point Day Reporting Center Program Director Warren Morey.
  - Board members given a copy of the last minutes and today's agenda
  - Mr. Morey thanked the Board Members for attending. Mr. Morey formally introduced himself and highlighted his background and qualifications. Introductions of the board members followed.
  - Mr. Morey updated the board on the continued program activation efforts. Where we are now Re: the physical Plant, clients, contacts, collaborative efforts, community concerns, program implementation, staffing etc...
  - Re: Linkages to community partners, a spirited conversation from all the board members strategizing on how to partner with local business to solicit donations of goods and services to assist our clients such as haircuts, suits, shirts& ties etc.. Rose Pratt- Nervis stated that she will explore the possibility of securing a partnership with sports/entertainment venues for donations...i.e..Tickets etc....Mr. Turner distributed a resource directory to enhance our efforts to secure generic services for our clients. The Board requested a generic 501(c) 3 letter from Center Point.
  - Ms. Graff inquired about the building's façade, when will the signage be removed painted. Mr. Posey suggested that in the interim, maybe the front of the building could be power washed. Mr. Morey stated that plans are in the making for sprucing up the front façade and noticeable changes should take place within 2 to three weeks. Ms. Graff also expressed a concern about the graffiti on the neighboring building
  - Next meeting scheduled for March 17<sup>th</sup>
  - Meeting Adjourned



CENTER POINT INC.

OAKLAND DAY REPORTING CENTER

COMMUNITY ADVISORY BOARD MEETING MINUTES

MARCH 17, 2011

Board Members

Absent

Staff Present

Willie Posey  
Myron Turner  
Linnea Graff  
Rose Pratt-Nervis

Warren Morey  
Chris Geiger  
Michelle Allen

- Meeting was called to order at 5:30 by Mr. Geiger
- Introductions were made for me being introduced as the Administrative Asst. For the DRC.
- Mr. Morey updated the board on the progress of the DRC, power washing, and painting the building, our growing attendance, and what is being said at the PACT meeting to further our growth.
- There will be a meeting next Monday with Cal Trans we are hopeful to get this program up and running as soon as possible. We will have a van but we will know more about that after the meeting on Monday.
- Mr. Morey stated that he is hopeful to meet with the agents so that they can be well informed of what to expect from this program. Rose suggested a meet and greet with the agents. Mr. Posey reiterated that there really needs to be an open line of communication between the DRC and the agents.
- Ms. Pratt-Nervis suggested that there be a three-prong approach to getting the participants into the program, there should be 1) Something for the Participants, 2) Something for the Agents, and 3) Something for Corporate types. Mr. Morey stated that he only has a few moments to catch the participants attention and with the group/staff that he is working with, he is confident that they are spreading the word on our behalf, he stated that Sonia is very instrumental in opening doors for him to speak to people.
- Ms. Graff inquired if the police were coming in regularly, Mr. Morey explained that Safety First comes in a few times daily.
- An Open House is in the Works, we are looking to have it in Mid May.
- Mr. Morey stated that our plans for the DRC are doable only with the collaboration of other service providers, such as Gamble Institute.
- The Next Meeting will be April 21<sup>st</sup> @ 5:30pm
- Meeting Adjourned at 7:30pm





**CENTER POINT INC.**

**OAKLAND DAY REPORTING CENTER**

**COMMUNITY ADVISORY BOARD MEETING MINUTES**

**April 21, 2011**

<b>Board Members</b>	<b>Absent</b>	<b>Staff Present</b>
Willie Posey Charles Turner Linnea Graff Rose Pratt-Nervis	Myron Turner	Warren Morey Chris Geiger Michelle Allen

- Meeting was called to order at 5:30 by Mr. Morey
- The DRC Open House has been postponed until further notice, the facility needs plumbing repairs.
- We are moving ahead with Caltrans we will be implementing the work program in May.
- We have partnered with Options, for housing and drug treatment, and we are also referring to Healthy Oakland for HealthCare. The Gamble Institute has extended their computer workshop to the DRC participants
- We are encouraging our participants to take advantage of any educational opportunities that are available to them.
- Other Business - PACT meeting format will be changing to reflect more on the providers and services available for parolees. If you have any resources that you feel might be useful to us, please drop an email to Mr. Morey.
- DRC will be encouraging are participants to volunteer clean up services at the Culture Fest.
- Next Meeting May 19<sup>th</sup>
- Meeting Adjourned 7:10 pm



CENTER POINT INC.

OAKLAND DAY REPORTING CENTER

COMMUNITY ADVISORY BOARD MEETING MINUTES

May 19, 2011

Board Members	Absent	Staff Present
Willie Posey Charles Turner Rose Pratt-Nervis Myron Turner	Linnea Graff	Warren Morey Chris Geiger Michelle Allen

- Meeting was called to order at 5:30 by Mr. Morey
- Mr. Morey informed the CAB that our participants assisted in the local Culture Fest .Our participants were monitoring street corner barricades. The DRC received permission to provide assistance at the Koreatown Culture Fest from Shari Godinez, Koreatown Board President.
- The DRC Caltrans participants will be selected this month. A selection panel will consist of the Program Director, Case Manager and a DAPO Representative (Department of Parole Administration). The selection committee will select the most qualified eight applicants. Participants must have good attendance and have been drug free as a pre-requisite.
- DRC/ Koreatown Alliance: Talks have begun with the Koreatown Northgate Board to explore the possibility of DRC participants being a part of the Business Corridor revitalization. Mr. Morey stated that his goal for the DRC is to create 2-3 part-time positions. Discussion followed
- Rose Pratt-Nervis said that she has 6 comedy show tickets for our participants. The show is on June /25/2011 at the Abyssinian Church on 34<sup>th</sup> Street Oakland. She stated that she is wishes to donate tickets to events in the Bay Area regularly (tickets, coupons, discounts). Mr. Morey will explore the possibility of providing incentives for those who show exceptional performance and progress at the DRC.
- Regarding enrollment: Mr. Myron Turner stated that the Hayward PACT Meeting should be attended by the DRC. Mr. Turner provided the address and dates of the PACT meetings for us to attend.
- The next CAB meeting is scheduled for Thursday, June 23<sup>rd</sup> at 5:30PM
- Meeting Adjourned at 7:00 pm



SUPPORTIVE INFORMATION





**Laura Lambe**

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**From:** lg@graffarchitects.com  
**Sent:** Friday, June 03, 2011 4:30 PM  
**To:** Scott Miller  
**Cc:** Ann Clevenger; Phil Porter; Sheila Katz; Laura Lambe; Chris Geiger; Warren Morey  
**Subject:** When could we meet to sign the Koreatown/Northgate-Center Point MOU?

Dear Mr. Miller,

Last fall you and Ann Clevenger were helpful in the negotiations, initiated by Mayor Dellums, between the Koreatown Northgate CBD and Center Point regarding 3333 Telegraph Ave.

I currently serve as one of the Community Advisory Board members for Center Point, and the program is going well.

Since I last emailed you April 8th, Ms. Lambe of Center Point has sent the original MOU document to me at our office, Graff Architects at 494 Hawthorne Ave., Ste B. I would like to set up a time when we could get together so you could sign the document as Zoning Manager for the City of Oakland.

I realize your calendar must fill quickly. Both the weeks of June 13 and June 20th are good for me. Do you have anytime available then during your work day?

Alternately, if its more convenient for you to stop at our office (near Summit Hospital) on your way in or after work, I can be here by 7:30am and normally work until 5:30 or later. My work number is 510-653-4500.

Thank you very much for your assistance. Sincerely, Linnea Graff



**From:** CPI Center Oakland  
**Sent:** Wed 5/18/2011 12:54 PM  
**To:** CPI Center Oakland  
**Cc:** Warren Morey; Sonia Sandoval  
**Subject:** CultureFest Volunteer Certificates

The following people received Certificates for volunteering their services at this weekend's CultureFest event put on by the KoreaTown Northgate community:

Michael [REDACTED], Archie [REDACTED], Michael [REDACTED] & Armsberry J [REDACTED].

These people also volunteered but were not present to receive their certificates. I will attempt to give them their certificates the next time I see them.

Anthony C [REDACTED], Kenneth R [REDACTED], Andre S [REDACTED], Robert M [REDACTED], & Kenneth F [REDACTED].

Doug Yee



**CENTER POINT, INC: OAKLAND DAY REPORTING  
NEIGHBORHOOD CODE OF CONDUCT**

Congratulations of your decision to voluntarily participate in the Oakland Day Reporting Center! We look forward to assisting your efforts to obtain a job, enroll in trade school or college or achieve your GED, and to obtain safe, affordable, and appropriate housing if you are in need of a sober and supportive place to live. The Day Reporting Center program services will teach you to abstain from illegal drug use and maintain your recovery; how to manage money and develop a personal budget; open a checking and savings account; reunite with your family and; practice making good decisions that will help you to reintegrate into the community as a productive and law-abiding citizen.

As a participant of the Day Reporting Center (DRC), you are expected to conduct yourself in a respectful manner at all times, remain courteous and appropriate with neighbors and local businesses. Center Point and the DRC require all participants to adhere to the following Code of Conduct as a condition of admission and ongoing participation:

1. The DRC strongly recommends that you take public transportation to and from the DRC. Several bus lines and BART have stops very close to the facility. There are schedules available at the front counter and posted on the in reception area. We can provide bus tokens for participants who are in need of financial assistance.
2. You must obtain the approval of your Parole Agent and assigned DRC Case Manager if you plan to drive a private vehicle to the DRC. You will be required to provide a copy your driver's license, vehicle registration, and insurance verification card before approval is granted. Your vehicle must be parked in off-street parking or metered spaces. **PARKING IN THE LOT NEXT TO OR IN THE REAR OF THE BUILDING IS PROHIBITED!**
3. Upon arrival at the DRC you are required to immediately enter the building and sign in. There is **NO LOITERING, CONGREGATING, OR HANGING OUT** allowed in the front or on the side of the Building **AT ANY TIME**. You are required to sign and immediately leave the premises upon the completion of your DRC scheduled time. If you arrive before business hours, you are to wait in the break area until staff arrives to open up the facility.
4. Smoking will only be permitted in the designated area in the rear of the DRC. Smoke breaks will be at designated times that will be scheduled by the staff on duty. While in the break area observe all posted reminders to **"KEEP YOUR VOICES DOWN IN RESPECT FOR THE NEIGHBORS."** No more than six DRC participants can be in the break area at any given time.
5. You are required to conduct yourself with dignity and to respect the neighbors at all times. Be courteous and polite to persons on the street and in the local businesses. Do not use profanity or make comments that might offend the neighbors or passerby. Gang-affiliated clothing, languages and "signs" are strictly prohibited.
6. You are required to provide two hours of volunteer community service work each month. Examples include, cleaning the park, sweeping the sidewalks next to the building, removing the leaves and other debris that clog the sewers, removing graffiti, and/or other duties that will be assigned by your Case Manager or Parole Agent.
7. Use of and /or possession of alcohol and / or illegal drugs is prohibited at all times while enrolled in the DRC. Random drug tests will be performed on a routine basis. Any parolee-participant that tests positive for alcohol and/or illegal drugs will be discharged from the program and your Parole Agent will immediately be notified.

I have read these rules and agree to follow them. I have been informed that a violation of these rules is grounds for disciplinary action, up to and including discharge from the Day Reporting Center. I also understand that any rules and/or violations will be reported to my parole Agent and the he/she may impose additional sanctions, depending on the severity of the infraction.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
CDCR Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





## NEWSPAPER ARTICLES



## "A Rapture," Not a Capture, for Parolees. They Find Jobs with Cal Trans

By Post Staff

When the court announced that 43,000 prisoners would be given an early release there were some mixed responses such as "A rapture, not a capture, for prisoners?" or, "Have mercy, what can we do to help them help themselves?" But the Center Point Oakland Day Reporting Center (Oakland DRC) has some answers that will make Oaklanders feel comfortable. They have some good news because they are helping to prepare parolees to find gainful employment.

(Oakland DRC) is a private, not-for-profit corporation that focuses on treating the whole person. They have joined forces with the California Department of Transportation (Caltrans) and are helping participants, all currently on active parole, become professional, responsible members of their community. The DRC Director Warren Morey says the joint venture program with Cal Trans provides support and education Oakland's men and women parolee population. He said DRC aims to help parolees "reclaim their dignity and develop life skills



From left to right back row: Warren Morey-ODRC Director, Roscoe Frederick-Participant, Marlin Whaley-Participant, Reggie Foster-Participant, Michael McClain-Participant, Tim Nelson-Participant, Doug Yee-ODRC Job Developer, From left to right front row: Trent Manning-Caltrans Project Manager, Bernard Thompson-ODRC Crew Supervisor, Therica Hubbard-Case Manager, Sonia Sandoval- CDCR Parole Service Associate, Lorenzo Haley-Participant, Stan Lovely-Case Manager, Andrew Josey- Case Manager Supervisor, Christopher Bonds-Participant.

training, vocational training, job readiness and job placement, individual and group counseling, treatment for addictive disorders and mental illness, parenting classes, and transitional and permanent housing placements."

Morey says, with hard work he and Caltrans Statewide Litter Abatement Pro-

gram Manager Trent Manning have developed a viable working relationship that will provide employment opportunities for parolees. "Our program allows male and female parolees to reintegrate into our community in a positive, discerning manner while earning a livable wage and learning necessary life and

job skills." The parolee/trainees will begin working June 1 at 7:30am, under the instruction of the Center Point Crew Supervisor Bernard Thompson. For information contact Warren Morey at (510)496-5140 or by email [wmorey@cpinc.org](mailto:wmorey@cpinc.org).

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## THE OAKBOOK

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NEW

### Parolee Service Center Open in Oakland



Oakland Day Reporting Center building will be spruced up

Parolees in Oakland now have a center that will help them navigate the return to their families and communities. The Oakland Day Reporting Center, at the corner of 33<sup>rd</sup> Street and Telegraph Avenue, opened its doors in late January.

"We still have to work on the outside. We're hiring staff and doing training," said Laura Lambe, executive vice president of Center Point, the San Rafael based non-profit organization that runs the center, under contract with the state Department of Corrections and Rehabilitation.

The center will offer a range of services to help parolees re-integrate in their communities, including life skills such as how to dress for an interview, GED preparation, job search assistance and anger management. Lambe said it will serve a maximum of 100 people at a time with a morning and an afternoon session. Clients will participate for six to nine months.

"There will be a service plan for each person with links to community resources, individual counseling, family counseling if necessary, parenting education, substance abuse counseling, money management," Lambe said. The men and women will be referred by their parole agents, but participation is voluntary.

While this is the first center in Oakland, Lambe said similar centers are "sprinkled" around the state, including one in San Francisco.

"Center Point is very experienced in working with criminal justice, rehabilitation and community re-integration," Lambe said, underscoring the importance of re-entry services as budget restraints force the Department of Corrections to downsize and release more inmates from prison.



News of the proposed center sparked community concern in the fall. Merchants and residents of the Koreatown/Northgate area said just as the neighborhood is turning around and beginning to thrive, the opening of the center would be a step in the wrong direction.

"Resistance from the neighborhood is not unusual. We're used to that," Lambe said. She said Center Point has built strong relationships with the neighbors of facilities it has opened in the past. "Everyone is concerned about safety and security. But we've worked out agreements that are important to both sides."

Based on community concerns in Oakland, the lighting will be improved. And according to the center's policy, the ids of participants will be checked when they enter the building.

"We have a policy of no loitering. That was a big concern. There aren't going to be groups of people hanging out. Participants will sign a code of conduct - no loud voices, things of that nature," she said. Further, members of the neighborhood community association will sit on the community advisory board.

If the center has won over some of the area merchants, there is still opposition. Osman Othmann, owner of the Oasis Food Market down the street from the center, said he still doesn't want it to open.

"We're trying to fix the neighborhood. Since we opened, the area has become like a mall, with more businesses opening. We don't need to interrupt the growth. Some of us have invested and risked money to improve. We're trying to have the neighborhood go up, not down. Why don't they put it in a different neighborhood? In East Oakland? Or in Piedmont," Othmann asked. He was under the impression the city was still debating whether to allow the center to open.

The way Lambe sees it, however, the center enhances rather than detracts from the public safety of the area.

"It's important that we work with parolees so they have an opportunity to participate and learn a pro-social way of life, to become employed and be contributing members of community. To be taxpayers," she said.

Proponents of the center have pointed out parolees are already in the community. Citing data from the corrections department, they reported that nine parolees live within one block of the center and 50 live within a couple of blocks. Oakland has an estimated 2,500 parolees. The center will serve Oakland residents.

"For the safety and well being of the community, you have to promote successful re-integration. It reduces recidivism and helps minimize crime in the community," Lambe said.

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3333 TELEGRAPH AVE. photos by staff, 7/6/11







REAR







REAR PARKING AREA (BLDG. AT LEFT)



