

**VIOLENCE PREVENTION &
PUBLIC SAFETY OVERSIGHT
COMMITTEE**

Minutes of the Monday, March 19, 2012

Regular Meeting

6:30-9:00 p.m.

Mark Dunakin Hearing Room

1 Frank H. Ogawa Plaza, City Hall

The following minutes were developed by watching the DVD of the meeting recorded by KTOP. Inaudible portions of the meeting are indicated.

These are "action minutes" and, as such, are intended to report official action taken by the Measure Y Oversight Committee (Committee) and provide a brief synopsis of the items heard. Please refer to the recording of the meeting for more detail. The recording of the meeting is available from the Measure Y Coordinator at 510 238-6372 or calbano@oaklandnet.com.

1. Roll Call and Determination of Quorum

The meeting was called to order at 6:35pm.

Five members were present. No quorum could be declared at that time. As a result, they heard a presentation from 7x PSO Barocio including crime data, crime hotspots, problems properties, calls for service, top beat priorities and PSO updates. PSO Barocio also answered questions as did Lt. Hamilton.

After the presentation was concluded, the roll was called and a quorum was declared at approximately 6:50pm.as 7 members were present

The following members were present:

Peter Barnett
Joanne Brown
Vicente Cruz
Nicole Lee
Melanie Shelby
Ryan Hunter
Chairperson Dorado

The following members were excused:

Nyeisha DeWitt
Qa'id Aqeel

The following members were absent:

Richard Carter
Brandon Sturdivant

Chairperson Dorado welcomed new member Vicente Cruz to the Committee.

2. Open Forum- One speaker Jim Dexter

Jim Dexter made the following points:

- Welcomed member Cruz to the Committee
- The 22 PSOs taken off of the 57 patrol beats and put into CRT teams are being paid by Measure Y funds. When OPD moved to 35 beats, the PSOs were immediately moved to CRT teams. From July until now they have been on CRT Teams and he

asked how many of the Committee members knew this? He said as the Measure Y Oversight Committee should know this as they have a fiduciary responsibility for the Measure Y program.

- Mr. Dexter said he did not want to bundle his speaker-time and would like to speak on every item.

Member Brown commented:

- There is a letter from the Chief on the OPD website stating that the PSOs not assigned to the 35 beats would be assigned to CRT teams for 90 days. That is not a surprise. However, that change had not come to the Committee, and the first time she heard about it was reading it on the website. She is concerned about what is going on with the CRTs, how long the reassignment will last, and suggests this should be an agenda item.

3. Approval of Draft Minutes from the January 4 and February 27, 2012 Oversight Committee Meetings.

MOTION: It was moved by Member Hunter and seconded Barnett to accept the January 4, 2012 minutes with the following corrections: *1) on page 6 regarding Street Outreach and crisis/Incident response services, that Member Shelby made the motion to restore \$125,00 to Crisis Response Services and to take it from the Late Night Program and Member Sturdivant seconded it. 3) and typos throughout the document.* 5 ayes, 0 nos, 2 abstentions.

MOTION: It was moved by Member Hunter and seconded by Member Brown to accept the Feb 27, 2012 minutes as corrections: *Item #10, first paragraph was moved by Member Hunter not Member Brown.* 5 ayes, 0 nos, 2 abstentions.

4. Update from the City Attorney's Office regarding the Coliseum Parking Surcharge - Closed Session issue

A legal opinion from City Attorney's Office was provided in written form.

MOTION: It was moved by Shelby and seconded by Member Lee to table this document until the next meeting so the City Attorney's Office can be present to walk the Committee through the legal opinion. 7 Ayes, 0 nos, and 0 abstentions.

5. OPD – Breakdown of PSO Hours

Lt Hamilton said that a PSOs primary duty is to work on their assigned beats to solve problems. They have, however, been taken off of their beats to work on Occupy Oakland in 2011 and 2012 were on October 28, November 2 for the General Strike, November 11, November 25, and late January for the Kaiser Convention Center action, February 3, and March 2 and on Saturdays, approximately one squad from BFO 1 and two squads from BFO 2. When PSOs work Occupy Oakland they charge their time to the General Fund, not Measure Y. A squad consists of 1 sergeant and 6-8 officers, or approximately 25 officers. A written report will be presented at the next meeting which will include the list of the PSOs, the dates they were pulled off, and the percentage of time they spend on their beats/ beat-related projects. Lt Hamilton will look into seeing whether there is a report that details the ration of officers to protesters.

Lt Hamilton said it was around June 11 that the PSOs were assigned to the CRT teams. Generally, CRTs work hand-and-hand with the PSOs to solve problems. PSOs can't do it alone and need a team to help them. The duties of CRTs are similar to a PSO in that they are following up on the problems the PSOs are dealing with.

6. Measure Y Budget – OPD Revenue and Expenditure Report (this item was taken out of order and was heard as item #7)

Gilbert Garcia from OPD presented the OPD Revenue and Expenditure Report for January 2012 and made the following points:

- Approximately 5.5 million of Measure Y funds have been spent so far in FY 2011-12 - 7 months into the fiscal year.
- OPD spend \$72,000 on overtime for holiday pay via the union contract
- All of the Measure Y spending for OPD is for salary and benefits with some funds for training.
- There is Training in the OT budget, however, and was for regular training that was scheduled outside of their normal working hours like time at the range – and not PSO specific training.
- Mr. Garcia said that MY has a structural deficit, so even though there is a budget for training anything that isn't spend will go to the General Fund.

MOTION: Moved by Member Hunter and seconded by Member Cruz to recommend to the Public Safety Committee that OPD develop a PSO training plan for the \$10K in the training budget. Ayes 2, nos 4, abstentions 0. Motion fails.

- Member comments regarding this motion included: concern about setting precedent, micromanaging, and its being beyond the scope of the Committee. It was also commented that it is appropriate for the Committee to ask questions about plans to professionalize the PSOs and what OPD's training plan is.

Speaker: Jim Dexter

- The real question is what are the PSOs doing with their time? Lt. Hamilton was parsing his words about what PSOs are doing with their time...which is any police work.
- Regarding OPD's budget narrative, it is incomplete; referring to the "over time for community meetings" line item...do we have to pay overtime for 238 meetings? This data makes no sense and he would like to see questions like this asked of OPD.
- Joanne brown remarked that if it is 35 officers over 7 months it could make sense. \$600 a month for 35 officers may not be inordinate.

7. Measure Y Budget – Measure Y Revenue and Expenditure Report for January 2012 (This item was taken out of order and was heard as Item: #6)

Priya Jagannathan gave an overview of the Revenue and Expenditure report provided to the Committee for January 2012 making the following points:

- The Measure Y invoicing is on a quarterly basis so 95% of the expenditures for January were for second quarter contract payments.
- There was a question last time on the indirect charges. You will see that journal vouchers were submitted, retroactively, to correct that.

8. Response to the Measure Y Audit presented at the last meeting.

There was a general discussion about the Audit and the Evaluation, comments included the following:

- One member found it the Audit incomprehensible, poorly written and unsatisfactory. If you look at the audit and the evaluation they don't equate. If you have 2 documents evaluating the same program - 1 financially and one for performance, the documents should correspond to each other and these documents do not.
- Other members commented that not all programs were evaluated in this round and that could contribute to the discrepancy as well as different definitions of what it means to "serve" as in the numbers of clients "served". It was also commented that if this is true, staff should clarify this.
- It was suggested to compose a letter to the City Administrator pointing out the difficulties we have in looking at these two documents. One member suggested asking to hear from staff first regarding our questions.
- Members should send their questions or comments to Member Barnett or the Measure Y Coordinator within a week so they can be compiled for a response.

9. MYOC Retreat

Chairperson Dorado asked for volunteers to work on retreat logistics. Members Brown volunteered. Member Shelby said she knows of a facilitator (Mr Parker) and a location (Lincoln facility in West Oakland), and an idea to break up the retreat into a series of short meetings on various topics including what Measure Y means, procedural brush up, and more substantive issues. June 23 is the date of the retreat.

10. Proposed bylaw amendment regarding the proposal to specify vote requirement (tabled from last meeting)

MOTION: It was moved by Member Barnett and seconded by Member Brown to amend Article 7 of the Measure Y Oversight Committee Bylaws to read: "a majority vote shall be required for the adoption of any motion or resolution". 5 ayes, 2 nos, 0 abstentions. Motion fails because two thirds are needed to pass a bylaw change.

- Member Shelby said a ruling by the City Attorney's Office should be sought on the legality of this prior to voting.

10. Proposed bylaw amendment regarding the appointment of a recording secretary or recording secretary pro tempore

MOTION: It was moved by Member Barnett and seconded by Member Brown to table item #11. 6 ayes, 1 abstention 0 nos. Motion passes.

- There was a discussion about having a recording secretary to help with communication, and to help record motions insure accuracy. Member Brown volunteered.
- It was suggested that the vice chair could help with the setting and developing the agenda. Vice Chair Barnett said he would do that.

11. Agenda Building

The following items were suggested:

- Retreat report from ad hoc committee
- New Fire Chief – for April or May
- Sara database - April
- State of Community Policing - DC Breshears - April
- Lt Hamilton regarding the PSO hours - April

- PSO presentations as requested
- Chiefs from other jurisdictions, or their designee. Jose will contact the chiefs.
- A panel on community policing that could turn that into a larger community discussion.
- Possible Retreat Topic: Ask OPD or whomever to first tell us how they capture PSO data, and then ask for the numbers.
- Possible Retreat Topic: Use summary data to determine how effectively the PSOs are using their time.

12. Adjournment

The meeting was adjourned at 8:46 pm

Respectfully submitted by C. Albano, Measure Y Coordinator.