

**MEASURE Y: VIOLENCE PREVENTION AND  
PUBLIC SAFETY OVERSIGHT COMMITTEE**

**DRAFT MINUTES: "Special Meeting," January 11, 2010, 6:30 p.m.**

**Oversight Committee Members**

Qa'id Aqeel, City Council At-Large

Peter Barnett, District 5

Joanne Brown, District 1

Michael Brown, Jr., District 3

Richard Carter, District 2

Jose Dorado, District 4

Mark Forte, District 7

Vacant, District 6

Nicole Lee, Office of the Mayor

Ron Owens, Office of the Mayor

Chairperson Donald Blevins, Office of the Mayor

City Hall

City Council Chambers

1 Frank H. Ogawa Plaza

Oakland, California 94612

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**Item 1:**        **Roll Call and Determination of Quorum:**

**Present:**        Members Aqeel, Barnett, M. Brown (arrived late), J. Brown, Carter,  
Dorado, Forte, Lee, Owens and Chairperson Blevins

**Absent:**

Quorum achieved.

**Item 2.**        **Open Forum**

There was one speaker on this Item:

Sandjiv Handa, East Bay News Service:

Mr. Handa commented on the upcoming City Council budget process.

There are two separate budget shortfall figures: \$19+ million for the current fiscal year ending June 30, 2010; the second is \$25.4 million for the fiscal year beginning July 1, 2010. The City Council must cut around \$46 million dollars out of a \$421M General Fund. You should also be aware that Councilmember Brunner recently voiced her opinion that the City should go to the voters for a new tax to support the Oakland Police Department. Lastly, there is a Measure Y line-item, and the Committee may want to consider putting together a presentation of the Measure Y budget for the City Council.

**Item 3.      Approval of Minutes, November 16, 2009**

There were no speakers on this Item.

**Motion:** Member J. Brown made Motion to approve Minutes of November 16, 2009.  
Seconded by Member Owens.

**Action:** Minutes approved by 9-0 vote; Member Aqeel abstained.

**Approval of Minutes, December 14, 2009**

**Motion:** Member Owens made Motion to approve Minutes of December 14, 2009.  
Seconded by Member Dorado.

**Action:** Minutes approved by 8-0 vote; Members Lee and J. Brown abstained.

Member Barnett requested Minutes of the October Meeting to (1) reflect the full text of the document submitted to create the Ad Hoc Committees of the Oversight Committee and (2) to place the Measure Y Semi-Annual Report (2008) on the Measure Y website.

There were no speakers on this Item.

**Item 4:      Budget Report Regarding Revenue, Expenditures, Fund Balance and Interest Earned as of September 30, 2009, October 30, 2009 and November 30, 2009 w/Narratives**

**Motion:** Member J. Brown made the Motion that the Mayor's Re-Entry Specialist provide a status report on re-entry efforts undertaken by the Office of the Mayor including the type of re-entry services provided, the number of persons served as well as the evaluation of the outcomes and effectiveness of the re-entry effort. Seconded by Chairperson Blevins.

**Action:** The Motion was approved by consensus.

**Motion:** Member Dorado made Motion to accept Budget Report of September, October and November 2009. Motion seconded by Member Aqeel.

**Action:** The Motion approved by consensus.

There was one speaker on this Item.

Sanjiv Handa, East Bay News Service.

In the event the City Council decides to lay-off police officers at the point where the appropriated number of officers drops below 739 the Measure Y tax collection ceases. There will still be money available through Measure Y since

property taxes are collected in April and December. Since the money is collected in advance, a full year of tax dollars will be in the City coffers. Will the City Council move to suspend collection for one year or will the City Council move to sustain the police department with the collected funds?

**Item 5: Report: Oakland Police Department Truancy Strategy (Overview)**

(This Report on Truancy was pulled at the request of the Police Department and the City Administrator.)

There were two speakers on this item.

Sandjiv Handa, East Bay News Service:

Generally, OPD strategic reports are provided "on the cuff," reactive and generally unknown throughout the ranks of the Oakland Police Department. For example, on any weekday, go to the corner of 42<sup>nd</sup> and Broadway and view the number of students walking around during the course of the school day. I urge the Committee to advise OPD to provide a written report on the truancy strategy to be included in the Agenda packet for review by the Committee and the public.

Jim Dexter

I recommend this Committee shut down Measure Y entirely. According to Claudia Albano, Neighborhood Services Division Manager, OPD has recommended all NSC positions, NSC Supervisors and Police Technicians be eliminated in the upcoming budget process. Measure Y requires this staffing remain in place. In addition, there are less than 780 officers. There must be less than 739 officers if 57 officers are Measure Y funded officers – the Measure Y taxing threshold. There is currently no academy scheduled for OPD officers – we lose 5-7 officers a month, thus OPD will drop below 700 officers and there is no academy scheduled to replace the officers.

Member J. Brown requested OPD address the issues of overtime for school resource officers and alternatives to this form of assignment and deployment.

Chairperson Blevins added the OPD report should include data regarding the number of students picked-up during truancy sweeps and what occurs in the aftermath, i.e., are the students referred to counseling services, after-school programs, etc.

Member Aqeel requested OPD include whether the department and the Oakland Unified School District share the same "vision" regarding truancy, including a job description of the school resource officers.

Member Owens added that OPD officers are paid at a premium rate [overtime] should the OUSD Police Department hire "truant officers" at a cheaper rate? Further, Member Owens requested a status report on the closed "Truancy Center" and alternative drop-off locations for students.

**Item 6: Outcome Evaluation Report, FY 2008-09, Measure Y Community Policing Program, Resource Development Associates**

Dr. Patricia Bennett, CEO, Resource Development Associates, provided an overview of the methodology and guiding principles of the evaluation.

Tonight's focus is on the Measure Y Violence Prevention Programs. There are thirty-seven programs, divided into five clusters: School-Based Prevention Projects; Street/Youth Outreach and Engagement; Employment and Training; Diversion and Re-entry; and Special Services (Exposure to Violence). Our comments tonight will be brief since we know you have had the report for some time and we are available to answer questions from the Committee. The evaluation activities were guided by a variety of principles developed through our evaluation experience over many years of working with comprehensive and complex community initiatives. We learned that for evaluation experiences to be worthwhile, they have to be continuous and engage stakeholders in the learning process.

In order to help foster continuous learning with the violence prevention programs, we established a team of evaluation coaches that were assigned to specific programs throughout the year. This method enhanced our capacity to be in touch with the programs, understand their needs and help them hone their goals and objectives. Our aim was to help participating organizations clarify and strengthen their approach to service delivery. Evaluation coaches also did a lot of work helping programs refine their logic models and map their program activities to evidence-based practice. Evaluation coaches facilitated group discussion at quarterly contractor provider meetings, among clusters of service providers which furthered collective learning among the groups. The information we used to provide the report before you this evening was taken from client satisfaction surveys, site visits, data entered by providers into the web-based data system, interviews with staff and clients, and the results of matching of outcome data against archival data sets. The data matching was completed to ascertain the degree to which providers were realizing positive outcomes.

By their very nature, multi-jurisdictional, multi-disciplinary efforts take a long time and a lot of resources to show impact. However, we believe if all stakeholders use the information provided through evaluation to inform their practices and to make changes to their programs, over time, positive impacts will be achieved. Our report is filled with recommendations for creating improvement both in programs and in processes for data collection and enhancement of services. It is our sincere hope that the recommendations and findings will serve to provide the concrete steps of actions to be taken. Our ongoing evaluation will continue to monitor not only the areas of inquiry that we undertook this year but the degree to which findings and recommendations are adopted and implemented.

It is hoped the policy and advisory bodies, such as yourself, support the recommendations and encourage their implementation. Finally, the last principle is that you can't change or improve what you can't measure. In other words, in order to know the extent to which the violence prevention programs are successfully engaging individuals and having a positive impact on their behaviors, we have to be able to collect data and analyze it. We've had a good start this past year in doing just that and we have an eye toward being able to provide even more information regarding effectiveness and continuing recommendations for continuing improvement.

Kayce Garcia Rane, M.C.P., Senior Consultant, Resource Development Associates, provided the evaluation findings and recommendations.

In this evaluation report we've taken some time to answer five major evaluation questions; whether the programs are doing what they were supposed to be doing in terms of adhering to the principles of Measure Y; whether or not the practices being implemented were consistent with evidence-based practices; whether the programs were effective in reaching out to and engaging the highest risk individuals and what outcomes related to school improvement, juvenile justice involvement and employment were impacted as a result of program activities and lastly, what were the participants' feeling and sentiments about their engagement with violence prevention programs and what impact or difference did the program make in their lives. We've answered all these questions in our evaluation report and I hope you've had a chance to read it.

I would like to go over some of the findings I found most exciting, most relevant and most engaging. The first finding we're excited about is that the violence prevention programming did appear to appropriately target the highest risk individuals in Oakland. The risk factors in the Cityspan database consistently reported high risk behaviors documented among Measure Y participants; participants were at risk for exposure to violence, some type of academic risk, juvenile justice risk or sexual exploitation risk. Sixty percent of participants had some type of exposure to violence, thirty percent had

juvenile justice risks; thirty percent of participants had academic risks (chronic truancy, suspensions or severe academic troubles.) We found that Measure Y participants involved in juvenile justice had more detentions in juvenile hall on average than non-Measure Y participants. We also found that Measure Y participants involved with juvenile justice were more likely referred for felonies rather than misdemeanors. In academic performance, Measure Y participants were more likely to have poor outcomes than non-Measure Y students. For OUSD students, 9<sup>th</sup> grade and higher, Measure Y participants were more likely to be truant, suspended and have more days absent than non-Measure Y students. This finding showed that Measure Y participants had greater risk factors than other youths in Oakland – that Measure Y programming was engaging youth with the greatest risk factors.

The second finding that was exciting to us was the impact Measure Y programs had on program participants. Between January 2007 and June 2009, we took a retroactive look at the rate participants who had any contact with a Measure Y program were being referred to juvenile justice programs and activities. We found that participants who had some contact with Measure Y programming had diminishing rate of contact with the juvenile justice system.

The third finding was that dosage matters. The more service hours participants received the better the outcomes. We saw consistent correlations between service hours and juvenile justice referral rates. We saw it most strongly at the Initiative level but also at the cluster level – so this was a theme that repeated itself over and over. Moreover, the level of service hours impacted the suspension and truancy rates - where there were increases in service hours there was a decrease in suspensions and truancy. Where the OUSD youth also had a juvenile record – that was where the most significant impact was found. Our regression analysis disclosed OUSD students who were Measure Y participants, in general, had better outcomes if they were also a juvenile justice referral. Thus you may have multiple risk factors and do well within a Measure Y programs.

Another finding was that truancy and suspensions stayed flat among Measure Y participants. Overall, over the same period of time, truancy and suspension rates went up for all other OUSD students. At the same time, the truancy and suspension rates remained the same for Measure Y participants.

Regarding employment, we had inconsistent data upon which to base an analysis in our database. We are presently working to devise more effective data collection strategies. Of the 13 violence prevention programs in employment and training related programs, seven reported employment data into the database. We were a little concerned about the degree of data within the system and believe the amount of data is too inconsistent upon which to base an evaluation report. Qualitatively, employment placement opportunities

are very hard to find. The programs are getting participants in training programs, getting participant interviews and obtaining employment referrals – but sustaining participants in employment opportunities is much harder. We plan to measure a few intermediate steps to understand the job readiness of the Measure Y workforce participants.

We learned that clients and community stakeholders really appreciated Measure Y programs. They felt that Measure Y filled a really important niche. Schools in particular, appreciated the opportunity to partner with someone to help with their most troubled youth. Clients had nothing but positive statements about interaction with violence prevention programming. Youth, in particular, had formed bonds with program staff that were really meaningful and important to them. Programs were viewed as “home” and program staff as “family members.” Client surveys disclosed that participants believed that program participation resulted in making better choices, attending school more regularly, decreasing use of alcohol or drugs, helping to better at controlling anger and helping to learn skills that assist with their future. Community stakeholders noted that violence prevention programs staff members were cultural competent and dedicated to working with clients. Individual programs that had strong collaborations with other programs had stronger outcomes. Programs that had collaborations with juvenile justice or the school district had the strongest collaboration and the strongest outcomes.

A recommendation we feel is most important include the intermediate risk and resiliency factors that identify what individuals have in place in their lives that relate to decisions to engage recklessly in activities that are violent, result in cutting classes, or commit an offense. We are presently working to strengthen the data collection process to investigate the intermediate risk and resiliency factor with a pre and post survey to identify how client behaviors change over time. Further, we have recommended the strengthening of MOUs and partnerships to support collaborations but also recognize that informal relationships are just as important as formal relationship. Lastly, we want to emphasize is that dosage matters. There seems to be periodic dips in service hours particularly in the Spring; and when service dips, outcomes worsen. We look forward to speaking with programs and DHS about this phenomenon.

Member Lee asked whether any attention was paid to the post-school population, ages 18-24, since Measure Y serves this age group and when you look at the crime data and homicide rates these are the individuals involved.

Kayce Garcia Rane responded that RDA’s approach was to take matched data from the Cityspan database and match it with existing database for adults. Unfortunately we did not receive the adult probation data in time for this analysis. We are optimistic that we will receive the adult probation data in time for next year’s database.

Member Aqeel asked whether "pre and post" tests were included in the 2008-2009 evaluation.

Patricia Bennett answered that the "pre and post" tests are being implemented presently and will be included in the 2009-2010 Report. The tests are geared to identify whether clients have changed behaviors due to violence prevention programming. Kayce Garcia Rane added that many of the programs apply their own "pre-post test" but they were all different. RDA is attempting to conduct an "initiative-wide" evaluation that compares "apples to apples" – we're all asking the same questions of clients in the same way.

Member Carter asked whether a "cost analysis" is included in the evaluation.

Patricia Bennett responded that in the Executive Summary of the Section 1, page 7, we show the total number of hours of service delivery and the total number of dollars spent on violence prevention programs to obtain a general cost of \$24.00 per hour. We did not look to see if one program received more money and better outcomes than another program.

Member Carter asked whether the evaluation could provide the Committee with guidance as to which programs would be best to fund – how the Council could obtain the "biggest bang for the buck."

Patricia Bennett responded that the question is really complex. The Committee would first have to decide what outcomes are really important. For example, if truancy is the most important outcomes and the evaluation shows that your truancy programs are producing the outcomes the Committee desires, truancy may be a higher funding criteria on your list. However, violence is a very complex phenomenon and that there are numerous factors and indicators that require deep strategic planning and data collection efforts. RDA made a variety of recommendations regarding data collection and we are honing in on this right now. Regarding resource expenditures, rather than continuing to spend funds across many different domains, it may be important to have a process where you look at data over a period of time and clearly target and fund what you want to accomplish at the end of the year – implemented in a way that truly reflects what science states works.

Sara Bedford, Department of Human Services, added that during this fiscal year, the outcomes are more strategically focused on violence reduction with input from the Oversight Committee and the City Council. Thus, we currently do much less programming related to truancy and school-based services and more with preventing clients from recidivism through the juvenile or adult justice systems or through domestic violence cases. Our strategies are built on key collaborations, particularly with OUSD



and Probation being very tightly focused with the providers and public entities. The domestic violence work is also tightly focused with the collaboration with the District Attorney's Office and the Family Justice Center.

Chairperson Blevins noted that the evaluation pointed out that truancy and suspension rates are "lukewarm" (they didn't get better or worse); there was not much occurring with substance abuse and lastly, employment related outcomes are poor. Is there anything on the horizon in these three areas to help better the outcomes?

Sara Bedford responded that these are not areas the overall strategy is focused on. We first focused on school-based high school, high risk youth. There was some concern that we were not targeting the highest risk youth. These strategies have now morphed into the juvenile justice strategy – the more we work with higher risk youth, the better the outcomes. The substance abuse issue is huge and we acknowledge it's a big hole and we rely on the County or State systems for treatment which tends to be "group" services and is generally insufficient. Residential treatment on demand is difficult to obtain. We have invested heavily in employment and I think there were some data collection issues which have been cleared up. Long-term job retention is still about 20%: 20% of our 30-day placements got to 180 days. That's not great...what we find often with re-entry is that we can get people jobs but holding onto the job is very difficult with all the chaos in the client's life. We have to work harder on long-term job retention strategies; there are not many great models and we are looking at more transitional job opportunities, perhaps in sheltered employment where there is a greater likelihood of surviving minor infractions and an opportunity for mentoring.

Member J. Brown asked whether Volume II contains the "employment outcome data?"

Patricia Bennett responded that outcome data on every employment program is contained in Volume II. There was insufficient data to say much on the employment strategies. The way in which data was collected and maintained in the data collection system made it difficult to ascertain how many people were placed and retained employment. Much of the information was placed in "case notes" and it was particularly difficult to glean retention information from the data files.

Sara Bedford responded that there are six employment providers – not 13 as represented in the evaluation. The largest provider, America Works, is paid based on job placement; 30 day retention, 90 day retention, 180 day retention. These numbers are reported out to you at the end of the year. America Works is a "pay for performance" contract. Other contracts, like YEP and Allen Temple, are paid for service levels for individual clients and "track" their employment outcomes and have benchmarks for the employment outcomes. Their employment contracts are a little less stringent than the performance

based contract of America Works. There are very clear outcomes for these providers, there is a lot of room for improvement, but these are the varying type of employment contracts we have. I think the confusion with the evaluator is that there are programs, such as Project Choice, that is engaged in getting persons employed, they are not held to the employment benchmark – they are a case management program, but were erroneously lumped into the employment category.

Member Owens asked whether the evaluation found that our violence prevention programs utilized strategies to counter the mixed messages society sends to youth regarding violence.

Patricia Bennett responded that the RDA coaches could probably provide examples of preventive measures utilized by program grantees. All Measure Y program strategies are related to reducing the risk of clients being involved in violent behaviors. Kayce Garcia Rane added that each program was challenged to articulate how their program was to make an impact in the reduction of violence; the respective logic models for each program show what the program intended to do; how they planned to do it and what would demonstrate the implementation – all of this information is contained in the logic model for each program.

Member M. Brown added that there is a tendency of programs to provide services “they want to provide” rather than “services desired by the clients.”

Member Forte asked how would you capsule the violence prevention programs versus the community policing component.

Patricia Bennett responded that the violence prevention programs are extremely diverse and multi-faceted, with different organizations doing different things. Most of the providers, however, had worked with one another before. The similarities were that both violence prevention and community policing components wanted evaluation to continuously improve their programming efforts. Both components were welcoming of the evaluative component.

Member Dorado asked that if dosage is a major factor and if there is a “drop-off” each Spring, how is the reduction in dosage being addressed?

Patricia Bennett responded that there are meetings planned with providers regarding the drop-off in services in the Spring.

There were two speakers on this item:

Jim Dexter:

The RDA evaluation provided in the initial report was missing Appendix G, H and I. Appendix G defines the community policing questionnaire. The City Council has continued to appeal the Measure Y lawsuit. This is now tracking approximately \$20 million of Measure Y funds. I have seen no action by this Committee to get involved in the Measure Y lawsuit. The City Council is in the process of re-writing Measure Y, they're going to can Measure Y and make our lives more difficult. Captain Toribio announced today that criminal investigators have been moved from Criminal Investigation Division to Patrol. Chief Batts, Gilbert Garcia and Captain Toribio at the meeting at Bret Hart School this week, announced that the PSOs will most likely be full-time reassigned away from Measure Y duties very soon – this is an impending decision based upon staffing issues. The PSO data tracking information is still unreleased to the public. There is an OPD draw going on right now, two PSOs have chosen to move to patrol and other PSOs have already moved away from PSO duty.

Sandjiv Handa, East Bay News Service:

Community policing has become more like special interest group in recent years. The way the system is set up, the NCPC is the neighborhood group – they know nothing of what is happening in the neighborhood. They're all in bed around 9:00 p.m., thus the speeding in the neighborhood at night never becomes an NCPC priority. On the second floor, right now, there is a meeting of Make Oakland Better Now – and they have a ballot being passed out that lists things that can be eliminated from the City's budget. Option #1 is the elimination of 179 sworn police officers to save \$8 million. The elimination of 179 police officers will save \$50 million. This type of misinformation makes it difficult to have an intelligent discussion on the issues. The City Council has 14 legislative and policy analysts for an eight-member council. That's five times the staff of San Francisco, Los Angeles or New York. Even with 14 policy analysts, the Council cannot provide accurate information. If you look at the Los Angeles or Seattle websites and look at what their legislative analysts do – when any issue comes up you see the tracking, the letters, the staff reports, the analysis, all posted on the web.

Member Owens made a Motion to adopt the RDA Evaluation Report. Motion seconded by Member Lee. The Motion failed, 4 in favor, 5 against and 1 abstained.

Member J. Brown added that she could not "adopt" the report since she has not had the opportunity to review all of the report – she is willing to "accept" the report not "adopt" the report.

Member Owens made a Motion to "accept" the report as presented by RDA. Motioned seconded by Chairperson Blevins. Motion approved by consensus.

**Item 8:**      **Agenda Building for February 15, 2010**

Chairperson Blevins inquired whether Committee members are available to meet on February 15<sup>th</sup>, Lincoln's Holiday or President's Day on February 22, 2010. The consensus of Committee is to meet on February 22, 2010.

Member J. Brown requested an invitation be extended to Chief Batts to meet with the Measure Y Oversight Committee in February or March.

Member J. Brown requested a report from OPD on PSO training and its training budget, specifically as it relates to the Measure Y Initiative.

Member Carter requested an update regarding the police officer recruitment as it relates to the budget and the diminishing number of police officers.

Member Forte requested an update by the City Attorney regarding Sacks vs. City of Oakland lawsuit.

There was one speaker on this item:

Sandjiv Handa, East Bay News Service:

The information you requested regarding the number of PSOs and the academy plans of OPD are made available to the Public Safety Committee in a monthly report. The report is somewhat dated however, it should provide you a point of reference to engage the department. Secondly, the Community Policing Advisory Board, among others, has an OPD staff person assigned to that Committee. Occasionally, the Chief or other Command Staff appears at these meetings in addition to the assigned officer. Your staff should pick up the telephone and request such an assignment from OPD.

**Item 9:**      **Adjournment**

Motion to adjourn by Member /2<sup>nd</sup> by Member Dorado, approved by consensus. Meeting adjourned at 9:20 p.m.

**MEASURE Y: VIOLENCE PREVENTION AND  
PUBLIC SAFETY OVERSIGHT COMMITTEE**

**DRAFT MINUTES: "Special Meeting," February 24, 2010, 6:30 p.m.**

**Oversight Committee Members**

Qa'id Aqeel, City Council At-Large

Peter Barnett, District 5

Joanne Brown, District 1

Michael Brown, Jr., District 3

Richard Carter, District 2

Jose Dorado, District 4

Mark Forte, District 7

Vacant, District 6

Nicole Lee, Office of the Mayor

Ron Owens, Office of the Mayor

Chairperson Donald Blevins, Office of the Mayor

City Hall

City Council Chambers

1 Frank H. Ogawa Plaza

Oakland, California 94612

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**Item 1:**      **Roll Call and Determination of Quorum:**

**Present:**      Members Aqeel, Barnett, M. Brown, J. Brown, Carter, Dorado, Lee,  
Owens and Chairperson Blevins

**Absent:**      Member Barnett (excused), Member Forte (excused)

Quorum achieved.

**Item 2.**      **Open Forum**

There were two speakers on this Item:

Jim Dexter, District 4:

First, I would like to congratulate Chief Blevins on his work as Chairperson of the Oversight Committee. Secondly, I want to register my concern regarding the two minute time limitation for speakers in this forum. The time limitation defeats the purpose of inviting the public to speak in this forum. Thirdly, the OPD staffing report indicates we presently have 774 sworn officers. If we subtract the 63 Measure Y officers, it leaves approximately 711 officers, well below the threshold to collect Measure Y Funds.

Sandjiv Handa, East Bay News Service:

Mr. Handa commented on the Mayor's State of the City report, specifically the Mayor's comment that the doors of City Hall are wide

open. The Mayor is misinformed. The doors of City Hall are slammed shut – not because of the Mayor, but due to the City Council and the Oakland disease that public input is contrary to the public process. The City Council, the Port of Oakland and many of Oakland's boards and commissions do not know how to read basic rules. The rules of Oakland's Sunshine Ordinance are that speakers are to be given a minimum of two minutes for each agenda item, not maximum of two minutes. The California Attorney General issued an opinion in 1992 that states speaker time should be allocated based on the number of speakers, the number of Items and the complexity of the issue; and that a limitation of five minutes for each item would be reasonable. Chief Blevins, thank you for your service – you're getting out right before the ship sinks. February 2010 will go down as the month when open government and transparency died in Oakland. This coming Thursday at 10:45 a.m., the City Council Rules Committee will convene to further reduce speaker's time limits. Thanks you.

**Item 3.      Approval of Minutes, January 11, 2010, Special Meeting**

There was one speaker on this Item.

Jim Dexter, District 4:

Two issues: The quality of the Minutes is excellent. The Minutes summarize what occurred at the meeting and from reading them I can tell what occurred at the previous meeting. Secondly, we currently have 774 police officers in the City of Oakland. With the data you have in your agenda package, we have an attrition rate of 3.7 officers each month. By December 2010, we will have lost 40 officers. That takes us to 734 police officers in the City of Oakland. You can imagine the pressure on PSOs when we're down to 734. If we were to hold a lateral academy today and could get ten officers (100% graduation rate), it would be one calendar year before any of the ten officers set foot on the streets of Oakland. The question for you, as the Oversight Committee, is whether the money being paid from the Measure Y Fund for PSOs is now being used to fund regular patrol officers – contrary to the mandate of Measure Y.

Member Brown commented that the discussion of whether to "adopt" or "accept" the RDA Evaluation report was adequately captured in the Minutes.

**Motion:** Motion to adopt Minutes of January 11, 2010 by Member J. Brown, seconded by Member Dorado.

**Action:** Motion approved by consensus.

**Item 4: Budget Report Regarding Revenue, Expenditures, Fund Balance and Interest Earned as of December 31, 2009**

Staff person Baker provided the report and made note the anticipated revenue from the parking surcharge is currently less than half – about a two million dollar shortfall. Donna Hom, Oakland Fire Services and Sara Bedford, Department of Human Services were available for questions.

Member Carter asked whether the decrease in parking revenue is attributable to decreased parking at downtown parking meters.

Staff person Baker responded that the Measure Y parking surcharge is from use of commercial parking spaces only and the decrease is probably attributable to the drop off in parking at the Oakland Airport sites and decreased use of commercial spaces in downtown Oakland.

Member Lee asked if there is a decrease in revenue, how do it determined what programming cuts are made.

Staff person Baker responded that he was not sure but would make an inquiry to the Budget Division.

There were two speakers on this Item:

Sanjiv Handa, East Bay News Service:

First, there are three major contributors to the decline in the parking revenue; one is the substantial decline in the number of passengers at the Oakland Airport. The second is the “ghost town” that used to be known as Jack London Square. The departure of Barnes and Nobels alone impacts the Oakland General Fund to the tune of \$150,000 and probably \$30-40 thousand directly to Measure Y. There’s really no reason to go to Jack London any more; most of the restaurants have left and patrons park on the street. Thirdly, because of the economy, use of commercial parking space has dropped significantly. Five years ago you could not get space at the City Center garage, and if you did, the cost was well over \$200 per month. Now its \$120 a month and there are signs to encourage folks to park there. The demand for the City owned garage spaces has gone down. The reality is that next year the real pain will hit. You will not know until August or September 2010 what the actual cash revenues are through June 30<sup>th</sup> 2010. You will have to give the Fire Department their \$4 million and

split the remaining 60/40 between DHS and OPD. Since the City is obligated to fund the 63 Measure Y officers, there will have to be an appropriation from the General Fund to make up the difference.

Jim Dexter, District 4:

The last page of the Budget Report provides the number of staff paid for through the Measure Y Fund. What is the full-time person in the Mayor's Office doing for Measure Y. The City Administrator's Office is spending a half-million dollars for three persons. I don't know why we're spending this money. In Police Services, we are paying \$11.6M this year and I don't know where this money is going nor has the Police Department adequately informed this Committee where this money is being spent.

**Motion:** Member Owens made a Motion to approve the Revenue and Expenditure Report of January 11, 2010 as provided. Motion seconded by Member Dorado.

**Action:** Motion approved by consensus.

**Item 6: Information Report: Oakland Police Department, Problem-Solving Officer Roster**

(At the direction of the Chairperson, this Item was taken out of turn.)

Captain Paul Figueroa provided the report. As requested by the Committee, the Oakland Police Department provided a monthly report of PSOs paid for through the Measure Y Fund.

Member Carter asked what type of activities are the Crime Reduction Teams (CRT) engaged in?

Captain Figueroa responded that Crime Reduction Teams are engaged in focusing on crime problems in specific districts. Each CRT looks at the problems the PSOs need assistance with, e.g., drug trafficking, the CRT does the search warrants and the "buy/bust operations;" this is the group that does the specialized operations to resolve major beat problems.

Chairperson Blevins asked if OPD has any immediate plans to initiate an academy ?

Captain Figueroa responded that he was unaware of any immediate plans however the issue is being discussed by the Chief and his staff.



Member J. Brown asked how the present attrition rate (eight a month) measures with past attrition numbers and whether OPD conducts "exit interviews" with departing officers.

Captain Figueroa responded that the present rates are high; generally the rate is about 4-5 per month. The eight departures in a month probably represent service retirements at the end of the year. Exit interviews are conducted with each retiree and perhaps we could provide that information at a future meeting.

Member J. Brown asked the Captain to identify where the "school resource officers" are listed on the problem-solving officer list?

Staff persons Baker responded that his understanding was the Fund was no longer being charged for "school resource officers" since June 2009, thus they are not listed on the PSO list.

Member Dorado asked whether the PSO are utilizing the data collection system and at what point should NCPCs expect a report back regarding the "priority SARA projects." In addition, could the Maxwell Park NCPC submit a proposed format for receipt of feedback from PSOs on SARA projects undertaken in their area?

Member Aqeel asked whether OPD offers a mentoring program for middle school students – paid for through Measure Y funding?

Captain Figueroa answered that there are mentoring programs operated through the Police Activities League (PAL) program and the Mayor's O. K. Program with two officers from the Youth Services Division. Further, OPD would welcome a proposed format from NCPCs regarding feedback for SARA projects.

Member Carter commented that he noticed a list of police officer salaries and learned many officers are earning in excess of \$200,000 annually – a lot of that in overtime. What percentage is paid overtime?

Staff person Baker added that it may be prudent to inquire as to the overtime paid to Measure Y officers since an inquiry of this type would be well within the purview of the Committee.

Member Carter responded that the overall officer overtime figures may provide insight as to the total amount of dollars spent on straight salaries and overtime from the General Fund as it relates to funds expended from the Measure Y Fund.

Staff person Baker agreed to check with the Budget Division regarding police officer salaries and overtime paid through the General Fund contrasted with salaries and overtime paid through the Measure Y Fund and report back to the Committee.

Member Owens asked when a PSO officer resigns from the PSO position what is the time limit to replace the officer?

Captain Figueroa responded that there is an interest list and a number of officers want to become PSOs. Currently, officers are going through a "draw" for assignments and the process should be completed within the month.

There were two speakers on this Item:

Jim Dexter, District 4:

Mr. Dexter suggested that the question that should have been directed to Captain Figueroa is whether the Measure Y funded CRT members are being assigned general "patrol" duties. Secondly, the Neighborhood Councils are unable to ascertain how much time the PSO is working on their beat. This information is being kept by the PSO Sergeants – paid also through Measure Y and not disclosed to the public. There is no OPD report on the amount of time the PSO is spending on various projects. Third, there is no accounting by OPD on the amount of time PSOs spend working on non-Measure Y funded activities. If a PSO is working on a non-Measure Y activity, the Measure Y Fund should not be billed for the time. Lastly, Member Forte asked for an update on the Measure Y litigation for this meeting. It is not on the meeting agenda. PSO Randal Chew, Beat 13X, has been off for months with a physical injury. For all practical purposes there is no PSO and the Measure Y Fund is being billed for the time though no PSO services are received.

Staff member Baker responded that the City Attorney requested they provide a status report on Measure Y litigation at the March 2010 meeting.

Member M. Brown asked whether the PSOs conduct a "monthly reflection" regarding their feelings about PSO duties and work on the beat.

Captain Figueroa responded that there is not a "reflection process" however we could probably invite a PSO from each geographical area to speak directly to the Committee regarding their duties and beats.

Member Aqeel asked whether OPD fills the vacancy when a PSO is off with a physical injury, medical leave or worker's compensation?

Captain Figueroa responded that in Area III, (his command) a patrol officer is assigned to temporarily assume the duties when the primary PSO is off work for an extended period.

Member Carter asked whether CRT members are completing PSO work or patrol work?

Captain Figueroa responded that all "CRT officers" perform Measure-Y related work.

Member Aqeel asked what can be done to resolve issue of Beat 13X (officer off on medical leave) regarding PSO work in the beat?

**Motion:** Motion by Member Owens to accept the Informational Report on OPD Problem-Solving Officer Roster. Motion seconded by Member Dorado.

**Action:** Motion passed by consensus.

**Item 5:      Review and Adoption of Outcome Evaluation Report, FY 2008-09,  
Measure Y Violence Prevention Programming, Individual Grantee  
Evaluation, Volume II, Resource Development Associates**

(At the direction of the Chairperson, this Item was taken out of turn.)

Kayce Garcia Rane, Resource Development Associates and Brightstar Ohlson, Gibson & Associates provided the report. The main findings of Resource Development Associates were presented at an earlier meeting. In this meeting, our focus is first to correct some factual and grammatical errors in our initial report and to inform the Committee of our process in generating this evaluation report. First, we worked intensively to learn about the individual programs – we assigned individual coaches to each program, we conducted site visits, spoke with program staff, interviewed program directors and on some occasions, were able to interview clients. Through these activities, we developed "logic models" to reflect what programs were doing. For program outcomes, we looked at a few different data sources, including a participation survey to ascertain what clients thought of the program. We also reviewed the Measure Y Cityspan database to analyze downloads of information on individual program activities and service hours and determine how activities and service hours are related to outcomes. These findings were reported in the evaluation in aggregate format. We tried to make conclusions on the individual program level comparable to conclusions made on the Initiative level, however, the ends were consistently too low to draw findings.

The individual evaluation reports were created by coaches who worked as teams with each strategy. In most cases, we discussed "theory of change" that guided the way programs provided services. We also spoke about the basis inputs that went into each program, e.g., how many staff, who were program partners, how much money is invested in the program as well as the demographics of the participants, the risk and protective factors. There were limitations around the issue of "consent" of participants. In the overall program evaluation, many client participants expressed real concern and fear about providing names and placing names into the program database. The activities list was obtained from the CitySpan database and from time-to-time we found that units of service were inappropriately entered into the activity portion.

In the Outcomes Section of the evaluation, we tried to answer the question: How did the services affect clients? A good portion of the information is from the survey for programs that served clients intensively and where we had the necessary dataset, particularly for the Juvenile Justice and Oakland Unified School District participants, we were able to look at truancy and suspension rates. Qualitative interviews were included in the evaluation; received through in-depth interviews with program staff, clients, narratives, program reports and community partners. In the Quality and Recommendation Section, we looked at the strengths and challenges of each program. Many of the challenges identified in the report were obtained through our interviews with program staff and directors through a self-reporting process – so as you review this section, please note these are not only challenges found by the evaluators but challenges self-reported by programming staff.

Our hope for the individual reports is that programs use the findings for their own internal reflection as a base for guidance as to how to move forward. This is our first year of conducting the Measure Y evaluation and see this as a launching pad for future and successive years – building and elaborating on the evaluation plan from the first year.

Member Aqeel asked for an explanation of the "Safe Passages Middle School" strategy.

Ms. Rane, RDA, responded that Safe Passages is an evidence-based strategy that provides an opportunity for middle school students to learn new techniques and attitudes about violence, anger management and conflict resolution so that when violent situations occur, the acquired skill set diminishes the probability of students leaping into the fray. The goal is not just to change the norms and behaviors of the students, but the norms and behaviors of the school so that overall incidents of violence not arise.

Member Aqeel asked "how are students referred to Safe Passages."

Brightstar Olson, Gibson & Associates, responded that "Safe Passages," like many other non-profit programs, operates multiple programs outside of the Measure Y Funded efforts. The "Safe Passages" program evaluated by Resource Development Associates is a "school-wide" strategy versus a program that provides individual services to services.

Member J. Brown expressed concern regarding a generalized statement about "the inability to make dosage conclusions on individual programs," a critical area in coaching and enabling grantees to enhance program outcomes.

Ms. Rane responded that when dosage is viewed from "consented" participants, matching clients to service hours, the ends for a number of programs was not big enough. Some programs had big ends – that are reflected in the cluster and aggregate reports. While we had sufficient information on dosage, we did not have enough unique individual outcomes consistently for each program. Some of the consent rates were low and in programs serving adults, we did not have good match data to make same data correlations.

Member J. Brown asked whether there were any concerns about the validity or accuracy of dosage information received from programs?

Ms. Rane responded "no." However, the validity of the analysis was questionable given the numbers of consented clients.

Member J. Brown asked what are the biggest challenges facing the programs in the upcoming years that will yield greater outcomes.

Ms. Rane answered that RDA is working to establish stronger linkages with the California Department of Corrections and Adult Probations to obtain better data and progress is being made with help from DHS and the Office of the City Administrator. We are conducting follow-up on the pre & post tests collection procedures and resolving questions from programs on collection of data.

Member Aqeel read a quote from the individual evaluation: "The staff of The Mentoring Center constitute a fundamental asset of the organization. Many staff have been around for four or more years and are intensively and personally committed to the youth they serve. Additionally staff report they are able to create and maintain successful relationships with community organizations." However, when I read the challenges, they state "One of the major challenges experienced by The Mentoring Center is lack of human resources and high staff turnover." Are the comments regarding "challenges" a reference to a portion of the program not receiving Measure Y Funds?

Ms. Rane stated she could not answer the question. Sara Bedford, DHS, responded that she could not respond to the internal contradictions in the evaluation, however, noted that The Mentoring Center has had the same Project Manager case manager for 8 years, so there has been no turnover.

Member Dorado asked was there a follow-up on an earlier question regarding the decrease "dip in dosage" in service delivery levels during the Spring months?

Ms. Rane responded that there has been follow-up with DHS on the dosage issue and a future meeting is planned.

Member Carter asked whether there is data within the report to enable DHS to compare one program to another in terms of effectiveness. In the event of a budget shortfall, is there guidance within the evaluation report to make "objective" not "political" decisions as to where to best invest Measure Y monies.

Ms. Rane responded that the reports are written as "stand alone" individual reports that do not include a "ranking" of programs. The reports are clustered together by strategy. We tried to demonstrate the demographics of clients, e.g., what are the grade point averages of student client; did student clients have a juvenile justice status; what are the client outcomes regarding truancy and suspensions - we do not recommend comparing "apples" to "oranges." The programs, overall, do very different things. A metric that reviews how much money was spent and how many clients were served will oversimplify the successes and challenges of the various Measure Y violence prevention effort.

Member Carter commented that given the forecast of diminishing program revenue, is there anything RDA can do to make the evaluation more relevant to budgeting issues.

Staff person Baker commented the role of the evaluators is to provide the Oversight Committee, Public Safety Committee and City Council with an independent evaluation of violence prevention programming without a "ranking" or "budgetary recommendation" of which program is "best" or "worst." The evaluation's goal, consistent with the Initiative's mandate is whether the programs contribute to the "reduction of crime and violence."

Members Dorado, Carter and J. Brown each commented that the goal of the evaluation is to identify the "most effective" violence prevention programming – not a "general overall reduction" in crime and the evaluation should make these distinctions.

Member J. Brown added that there is no impetus for an oversight function unless the function translates into using the evaluative information to ask questions and to gather the information necessary to evaluate the effectiveness of the programming. While there is an internal use for a general evaluation of programming there is an exterior notion of evaluation that asks whether "the program is doing what they contracted to do." Additionally, there is another notion of evaluation that asks amongst the constellation of programs that have a generalized shared goal, which seem to be reaching whatever population or goals that are the priority of the public better than others. As the oversight function, that's the role we play. The information provided our Committee should be translated to provide guidance toward the drafting of RFPs [Request for Proposals], service contracts presented to the Committee as well as programs funded – there must be a process that links the evaluation to the effective use of public funds; not just to the mandate that funds be used for the general purposes of Measure Y.

Sara Bedford commented that the positions are not contradictory and budget determinations are within the purview of the City Council. The first version of the evaluation is helpful in determining whether the programs are identifying and engaging the "very high risk" clients as directed by the City Council. However, since the programs are focused on "very high risk" clients, the outcomes are never going to look great. For example, Project Choice's outcomes may indicate some clients return to the criminal justice system, however, the recidivism is not predicated on commission of a violent crime. Cumulatively, the effect of the programs should result in a reduction in the level of violence in communities.

Member M. Brown stated that the ultimate goal of the program is to keep youth from going to jail. The fact a youth is returned to detention for a non-violent offense is not a goal to celebrate – rather the goal should be to keep youth out of the criminal system altogether.

There were three speakers on this Item:

Monica Vaughn, Oakland Unified School District, Office of Alternative Education:

I came tonight to request the Oversight Committee consider further revisions to the evaluation. I understand some have been made and I appreciate the comments tonight. However, I would appreciate the comments and clarifications become part of the report. When I looked at the evaluation report for the Gang Prevention and Capacity Grant, there were some issues previously discussed with the evaluators – however, the discussions took place after the report was

presented to the Public Safety Committee. There were some inaccuracies in the presentation of data, for example, the report states that 34% of our hours are being spent in individual intensive work; 34% of my clients receive intensive individual work – it's either one or the other. There needs to be some clarification about how the results appear because of how they are presented – some are misleading, being presented in the report as an aggregate. If the data is disaggregated, the Committee could understand clearly what's happening in the program. In my program there is no disaggregation between levels of intensity of service, thus a student that is seen one time and then elected not to receive additional service was weighed the same as a student we saw intensively over a period of time. Under truancy and suspension our aggregate shows that we have a slight increase. Across the board, we can't tell if all of our students are slightly more truant or being suspended slightly more than before or if among the 100 students we serve, ten totally fell off and were absent 150 days and 90% of the students made moderate or big gains. Disaggregated data would tell me, inform the public and inform this Committee how effective our program is. I hope this Committee will consider my comments for further revisions and inclusion of verbal comments in the evaluation report.

Gaylon Parsons, Youth Employment Partnership:

We have four contracts evaluated in FY 08-09 Report. At the January 26<sup>th</sup> Public Safety Committee, I spoke regarding the many inaccuracies in our four evaluation reports. Since then an evaluator has contacted me, we had conversations about the changes and many of the changes are reflected in the revisions. I appreciate the responsiveness of the evaluators to our concern. The challenge I would like to issue is that prior to dissemination of the evaluation by the web, printed documents, etc., the grantees ought to be involved early, before the document enters the political process. The second challenge is regarding entering data into the CitySpan. YEP, in particular, has performance-based contracts which minimizes that gap between contract monitoring and evaluation. That's a boon to the evaluators. It appears in the write-ups that YEP has not been entering data that's valuable to the evaluation. I don't think that accurate.

Sanjiv Handa, East Bay News Service:

First, in terms of the evaluation, the City Council, particularly Jane Brunner, complimented the evaluation process and the findings where they've often found fault in the past. Ms. Brunner said that this was the best of all evaluations she's seen since being on the Council. All of the



evaluations are critical in measuring whether Measure Y was successful, particularly the violence prevention portion of it. As we get closer to a point where modifications are talked about – the City Council has exactly 13 days left if they are to take action on Measure Y and place it on the June primary ballot. Ms. Brunner and Ms. Quan has indicated an interest in modifying Measure Y and placing other tax hikes on the ballot. The Council is preparing to make drastic cuts and they can't touch Measure Y, however, if the revenues are down, keep in mind the monies available will be reduced by \$2 to \$2.5M dollars.

Motion: Member J. Brown moved to adopt the Outcome Evaluation Report, FY 2008-2009, Measure Y Violence Prevention Programming, Individual Grantee Evaluation, Volume II, by Resource Development Associates. Seconded by Member Aqeel.  
Action: Motion approved by consensus.

**Item 7: Nominations for Chairperson, Measure Y Oversight Committee**

Chairperson Blevins announced his appointment as Chief, Probation Department, Los Angeles County. As a result of the appointment, Chairperson Blevins officially notified the Committee, the Mayor's Office and the City administrator's Office of his resignation from the Measure Y Oversight Committee;

Staff person Baker read a Certificate of Appreciation from Mayor Dellums to Chairperson Blevins for the years of service to the Oversight Committee. Members Carter, Dorado, Owens, Aqeel and J. Brown all made comments of appreciation for the years of service to the Measure Y Oversight Committee by Chairperson Blevins.

Chairperson Blevins requested nominations for the position of Chairperson, Measure Y Oversight Committee:

There was one speaker on this Item:

Sandjiv Handa, East Bay News Service:

The City Attorney recently announced last Thursday at a community meeting that the City Attorney's Office will stop providing legal services to all Boards and Commissions other than the Landmarks Board, the Planning Commission and possibly the Ethics Committee. Secondly, it may be quite a while you acquire any new members to this Committee because the City of Oakland failed to post as required by law, by December 31, 2009, what's called the Maddy Directory, under Government Code Section 54973. Every board, commission, task force,

committee, multi-member board requires a posting of a directory of all vacancies scheduled or anticipated within the next 12 months. The position in the City Clerk's office was cut by the City Council to half-time and now the position does not exist. If there is no posting of the Maddy Act vacancies, there can be no replacement. The third and final thing is that whoever the Chairperson is must come to grips with Mayor Dellums decision whether to run for office or not and the possibly of a new Mayor and their decision to make changes in staffing.

**Motion:** Member Carter nominated Member Dorado as Chairperson of the Measure Y Oversight Committee. Chairperson Blevins seconded the nomination.

**Action:** The Motion was approved by consensus. Member Dorado abstained.

**Item 8:**        **Agenda Building for March 15, 2010, Measure Y Oversight Committee**

Member J. Brown requested a report from OPD regarding its Measure Y Training Budget as identified in the Resource Development Associates Evaluation.

Member Carter requested additional information from the City Attorney on the Sacks vs. City of Oakland litigation as to the cost of litigation and the downside cost in the event the City loses the appeal.

Member Aqeel requested a job description of the school resource officer.

There were no speakers on this Item.

**Item 9:**        **Adjournment**

**Motion** to adjourn by Member /2<sup>nd</sup> by Member Dorado, approved by consensus.

**Action:** Meeting adjourned.

**MEASURE Y: VIOLENCE PREVENTION AND  
PUBLIC SAFETY OVERSIGHT COMMITTEE**

**DRAFT MINUTES: February 24, 2010, 6:30 p.m.**

**Oversight Committee Members**

Qa'id Aqeel, City Council At-Large  
Peter Barnett, District 5  
Joanne Brown, District 1  
Michael Brown, Jr., District 3  
Richard Carter, District 2  
Mark Forte, District 7  
Vacant, District 6  
Nicole Lee, Office of the Mayor  
Vacant, Office of the Mayor  
Vacant, Office of the Mayor  
Chairperson Jose Dorado, District 4

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

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**Item 1: Roll Call and Determination of Quorum:**

**Present:** Members Barnett, M. Brown, Carter, Forte, Lee, Owens and Chairperson Dorado

**Absent:** Member Aqeel (excused absence), Member J. Brown (excused absence)

Quorum achieved.

**Item 2. Open Forum**

There were two speakers on this Item:

Sandjiv Handa, East Bay News Service:

The city is about to hemorrhage money and jobs. The federal stimulus dollars that have come into the City are not doing much. The job creation efforts are so slow that the monies may have to be returned by September's deadline. Alameda County is a good example. They received \$40 million dollars and as of three weeks ago they created 50 jobs. They have hired almost 300 persons in the Social Services Agency but that does not help people out in the community get jobs. Restaurants like Merritt Restaurant & Bakery are in danger of going under. It is not just the economy but because the City has mismanaged its parking – if people can't park they will go elsewhere. It should have become clear to the City Council last Thursday when the State Board of Equalization released figures that the federal retail sales tax collection were above

expectation up and down the state and throughout Alameda County. Every city in Alameda County with the exception of Oakland and Piedmont showed 3-21% increases in sales. Oakland dropped about 12%. Piedmont, which has about 8 retail businesses dropped 16%. It brought home two things; the first; the problems of the parking meters and the parking mess as a whole, and secondly, many of things persons wanted to buy they decidedly went outside of Oakland. There is a \$14 million shortfall this year ending June 30<sup>th</sup> and an anticipated \$26-30 million as a starting point, July 1, 2010.

Jim Dexter, District 4:

Thanked staff for continuing summary of Minutes. Item 3, page 2, the summary conflates two issues: (1) officers from the lateral academy would be on the streets no later than after 3 months after academy starts; (2) the full academy would take a calendar year for officer to arrive on the streets.

There are issues associated with what OPD is doing with PSOs. We need to have a formal description for charging Measure Y hours versus non-Measure Y hours. OPD should fully describe (as much as possible) all SARA projects in the City of Oakland. Thirdly, a weekly release of the hourly accounting for all 57 PSOs, 9 PSO Sergeants and M-Y CRT (crime reduction team) members. A weekly of report on the number of PSOs doubled up in vehicles -- (right now we have numerous PSO doubled up in vehicles) that means an automatic 50% reduction in work. Lastly a weekly report on the number of PSOs, Sergeants and CRT Member hours charged to overtime with the justification.

**Item 3:           Introductory Comments, Anthony Batts, Chief of Police, Oakland Police Department**

Deputy Chief Breshears, Field Operations, informed the Committee that Chief Batts was off sick and could not attend the meeting. D.C. Breshears stated he is a firm believer in benefits of community policing. Also understands there is a level of distrust as to how PSOs under Measure Y has been utilized. His goal is to re-establish the trust in how PSOs are being deployed and used. Hopefully as the year goes on the question of what the PSOs are doing and how they are being deployed becomes a "non-issue." A few things D.C. Breshears has been working on include: a re-education on Measure Y; the provisions, the resolutions, the lawsuit. as met on 3 occasions with Brightstar Olson, (Gibson and Associates)

regarding the audit and the use of the database. Met with Area Commanders, Lieutenants and PSO Sergeants to re-emphasize the tenants of Measure Y and associated resolutions and provided copies and discussed all documents with them. Also directed Captain Toribio to establish two days of training, (starting in a couple of weeks), for new PSOs, that will include a full day on Beat Health and problem-solving and another full day on database usage, searches and training on entries into the database. Directed that an "activity log" be developed for PSOs to account for their time on a given day. Directed that the annual evaluation for PSO have clear standards for the PSOs within the ratings themselves. Is currently writing a Bureau of Field Operations Policy on PSO Deployment, Objectives and Standards and developing a 2010 training calendar for the PSOs to increase their training on problem-solving.

Member Lee asked whether youth or youth oriented organizations or Measure Y partners will present during the PSO School?

D. C. Breshears responded he anticipated those types of training sessions occurring between youth, youth-servicing groups and the Department. However, the PSO School is for the PSO officers.

Member Forte expressed appreciation for the information provided by the Deputy Chief. An on-going issue for the Committee has been obtaining information from OPD. Of particular interest are the results from the "log" from deployment of PSOs. Is it possible to obtain information on SARA project outcomes? Member Carter emphasized the need for data within the report from deployment logs.

D.C. Breshears responded that the request seems possible, however, at this point he is not sure how the report would look. He assured the Committee that some type of report on PSO deployment and activities can be provided to the Committee. The short-term is to ensure that PSOs are effective, understand the expectations, are familiar with the applicable, accountable and the projects are reflected in the database.

Chairperson Dorado stressed the importance of obtaining the overtime hour accounting and the listing of PSO SARA projects. In addition, if the D.C. or a delegate would be present at each M-Y Oversight Committee meeting, it would ensure the Committee is informed.

There was one speaker on this Item:

Sandjiv Handa, East Bay news Service:

Three things are happening. As of March 20<sup>th</sup>, most of the three-day, twelve hour shifts will disappear. The Department is committed to ensuring there will be 57 problem-solving officers in Oakland. The suggestion of 57 problem-solving officers, 24 hours a day, would cost an estimated \$75 million a year, plus \$10 for equipment and vehicles.

**Item 4:        Approval of Minutes from February 24, 2010, Oversight Committee Meeting**

Member Barnett reiterated concern that the Committee make a clear distinction between “adopt” and “accept” the former meaning “endorsement.” Secondly, the Minutes reflect his presence and absence at the February meeting – he was absent.

There were no speakers on this Item.

Chairperson Dorado requested the Minutes reflect the earlier comments from public speaker Jim Dexter regarding the completion time of a “lateral academy.”

MOTION: Member Lee moved to approve the Minutes with corrections. Member Carter seconded.

ACTION: Motion passed by consensus. Member Forte abstained.

**Item 5:        Nomination and Election of Vice Chairperson, MYOC**

Chairperson Dorado opened the nominations for the position of Vice Chairperson, Measure Y Oversight Committee.

Member M. Brown nominated Member Barnett for Vice Chairperson. Member Carter seconded the nomination. The nominations were closed. A vote was taken on the nomination of Member Barnett as Vice Chairperson. The vote was unanimous.

Staff person Baker informed the Committee of the resignation of Member Ron Owens from the Measure Y Oversight Committee. A Resolution from Mayor Dellums was read into the record and signed by each Member of the Oversight Committee. Chairperson Dorado, Members Lee, M. Brown, Member Barnett, Member Forte and Deputy Chief Breshears all commented on the commitment and dedication of Member Owens to the Committee and thanked him for his involvement and membership since its inception.

There was one speaker on this Item:

Sandjiv Handa, East Bay News Service:

Mr. Owens will be missed. He is the last of two original members of the Measure Y Oversight Committee. There can be no more appointments made to this Committee or any other Board or Commission until the City comes into compliance with State law – the Maddy Act. Under the Act, the City is required to publish and post a directory of all vacancies or anticipated vacancies in the upcoming calendar year by December 31<sup>st</sup>. No appointment can be made until the directory is published or a special notice is published. Lastly, as new members arrive, the Board may want to consider a Brown Act training.

**Item 6: Budget Report Regarding Revenue, Expenditures, Fund Balance and Interest Earned as of January 31, 2010**

Staff person Baker provided the report. Gilbert Garcia and Sara Bedford were available to answer inquiries by the Board regarding the Police Department and Department of Human Services, respectively.

Member Forte noted the Fund balance, as reflected in the report, indicates the Fund is running at a \$2M dollar deficit.

Staff person Baker responded that the \$2M present deficit is correct, however, we have yet to collect a parcel tax surcharge and we have yet to collect the parking surcharge for this fiscal year. We remain hopeful that as we approach the end of the fiscal year, the revenues will pick up.

Member Lee asked whether a deficit will result in a revenue shortfall will result in less spending for Police, Fire and Violence Prevention Programming or just a shortfall for Violence Prevention Programming, alone.

Staff person Baker responded that the Initiative specifically mandates funding 63 police officers and a \$4 million contribution to the Fire Services Agency. However, no specific amount is mandated for the Violence Prevention Programming other than the amount cannot be less than a 60% - 40% split between the Police and the Department of Human Services allocation. In the event of a shortfall, Violence Prevention Programming will suffer.

There was one speaker on this Item:

Sandjiv Handa, East Bay News Service:

My explanation of what will occur is this: Since Measure Y is set up as a "fixed" and a "variable" no matter what happens to property tax assessment levels, it will not adversely impact Measure Y. However, the parking surcharge is a different story. With 60% of the parking surcharge collected, you're only collected 44% of the anticipated revenue. You will probably wind up with 4 to 4.25 million dollars versus the six million budgeted. Having said that, the next step is to look at where your money goes. Four million goes to Fire, the remainder split 60-40, Police and Human Services. The Measure is clear that there must be 63 officers. The only choice left to the City Council is to fund Measure Y with additional funds from the General Fund or Redevelopment to keep the 63 officers. You will see a reduction in the Violence Prevention Programming. When the Council approved Measure Y for the ballot, they put the restrictions in use of the revenues.

**Motion:** Member Owens made a Motion to approve the Revenue and Expenditure Report of January 31, 2010 as provided. Motion seconded by Member Lee.

**Action:** Motion approved by consensus.

**Item 7:        Status Report: Measure Y Litigation (Office of the City Attorney)**

Mark Morodomi, Office of the City Attorney, provided the report. There are two items of active litigations: Sacks versus City of Oakland and the City of Oakland versus the County of Alameda. Due to the active nature of the litigation there are limits as to the information I could provide tonight.

Member Forte inquired whether the litigation is protracted that could likely go on for years? Member Carter inquired as to the cost of the litigation to the City and requested a report on the City litigation costs be provided prior to the next meeting.

Morodomi responded that it was difficult to ascertain when the suits will end since there are other parties to the action. Regarding cost, the City does not retain outside Counsel on these cases. A report on the litigation costs will be provided.

**MOTION:** Member Forte made a Motion that the City Attorney report to the Measure Y Committee in 6 months with an update. Ms. Lee seconded the Motion with a friendly amendment that the 6-month report is provided only if there is a change in the status. Member Forte accepted the Amendment.

**ACTION:** Motion passed by consensus.



**Item 8:**        **Briefing: Form 700, Statement of Economic Interest (Office of the City Attorney)**

An overview of the Form 700 requirements was provided by Mark Morodomi, Office of the City Attorney.

**Item 9:**        **Report: Oakland Police Department Truancy Strategy**

Lt. Hamilton, Oakland Police Department, provided the report. Truancy is a major issue in the City of Oakland. The Department is appreciative of the \$150,000 provided by Measure Y for truancy abatement. All officers have been briefed on the Department's Truancy Policy. When a truant youth is encountered during the school day, they are taken back to the appropriate school. When this is not possible, the student is transported to the Family Center, 2111 International Blvd. The Measure Y Funds are evenly divided over the three geographic areas of the city to pay overtime costs for officers.

**Item 10:**       **Presentation: Re-entry Specialist, Office of the Mayor**

This Item was rescheduled to the April 19, 2010 Meeting.

**Item 11:**       **Agenda Building for April 19, 2010**

Member Brown requested PSOs from each geographic area present to the Committee.

Member Carter requested an overview of the various information collection systems within the Oakland Police Department to ascertain how all interact.

Chairperson Dorado requested second invitation to Chief Batts.

**Item 12:**

Motion to adjourn, approved by consensus. Meeting adjourned.

VIOLENCE PREVENTION AND PUBLIC SAFETY  
OVERSIGHT COMMITTEE

April 19, 2010  
6:30 P.M. to 9:00 P.M.  
Hearing Room 1  
City Hall, Oakland, California 94612

**DRAFT MINUTES**

**Item 1:** Roll-Call was commenced by staff at 6:35 p.m.

**Oversight Committee Members Present:** Aqeel, J. Brown, Carter, Forte, Lee and Vice Chairperson Barnett. (Chairperson Dorado arrived later in the meeting.)

**Oversight Members Absent:** Member M. Brown (excused absence).

Six members were present; quorum for the meeting was achieved. (Chairperson Dorado arrived later in the meeting – seven members present.)

**Item 2: Open Forum**

There were two speakers on this item.

- Jim Dexter  
Comments on Oversight Committee's hesitation to insist City Departments forward reports to Oversight Committee for review prior to City Council action.
- Sanjiv Handa  
Comments on inability of Mayor to appoint new members to replace vacant seats due to failure of City to comply with strictures of Maddy Act.

**Item 3: Approval of Minutes, March 15, 2010 of Oversight Committee Meetings.**

There was one speaker on this Item.

- Jim Dexter  
Requested follow-up on comments by OPD Deputy Chief Breshears regarding community policing in March 2010 meeting.

Motion by Forte to approve Minutes. 2<sup>nd</sup> Member Carter. The Minutes of March 15, 2010 were approved by consensus. (Member J. Brown abstained)

**Item 4: Review and Adoption of Budget Report Regarding Revenue, Expenditures, Fund Balance and Interest Earned as of February 28, 2010.**

Jeff Baker, Staff to the Oversight Committee provided the report.

Member Forte asked OPD for follow-up information regarding the PSO Training and implementation of the PSO Activity Log to track PSO activity.

Member J. Brown requested information regarding the OPD labor charge in the report for School Resource Officers.

Member Carter requested information on the "decision-making process" that resulted in using Measure Y funds to pay overtime for officers to conduct "truancy activities."

Member Carter requested OPD for the percentage of PSO earnings are salary and overtime from the Measure Y Fund.

Member Forte requested a report from the Fire Services Agency regarding their quarterly expenditures from the Measure Y Fund.

There was one speaker on this item:

- Jim Dexter  
(Pointed out inadequacies of the Revenue Report.)
- Sandjiv Handa  
(Provided a historical perspective of intent of Measure Y Initiative.)

Motion to accept report, Member J. Brown, 2<sup>nd</sup> Member Forte. The Revenue and Expenditures Reports of March 15, 2010, was passed by consensus.

Chairperson Dorado arrived and assumed Chair of Meeting.

**Item 5: Status Report: M-Y Problem-Solving Officer Activity, Oakland Police Department.** Problem Solving Officers Oscar Abucay (Beat 20X) and Joel Aylworth (Beat 18Y) provided the report.

The officers provided an overview of the type of community-based problems undertaken using the SARA (problem-solving) method.

There were two speakers on this item:

- Jim Dexter:  
Expressed concern regarding the lack of information on problem-solving project undertaken by PSOs on the OPD website or in any other location.)

- Sandjiv Handa:  
Expressed concern that Oversight Committee, like the City Council, has difficulty in obtaining accurate, up-to-date information from City staff. NCPC participants are generally out of touch with current activities in Beat.

**Item 6: Presentation: Mayor's Re-Entry Specialist**

Isaac Taggart, Re-Entry Specialist, Office of the Mayor, provided the report.

There were two speakers on this item:

- Jim Dexter:  
Voiced concern that Oversight Committee never advises Public Safety Committee or City Council.
- Sandjiv Handa:  
City Council "management efforts" ultimately result in huge tax burden on citizens of Oakland.

**Item 7: Agenda Building for May 17, 2010, Measure Y Oversight Committee Meeting**

Member Forte suggested development of a protocol to regularly inform the Public Safety Committee and Oakland City Council of M-Y Oversight Committee recommendations.

Member J. Brown commented that "retreat process" was an effective way to plan and strategize on direction of Oversight Committee.

Member Barnett suggested revival of Oversight Committee Sub-Committees to review and report out on programming, policing and financial issues facing the implementation of mandates of the M-Y Initiative. Further discussion needs to occur regarding process to forward "sub-committee" reports to Public Safety Committee and City Council.

There was one speaker on this Item:

- Sandjiv Handa  
The Agenda of the City Council and its Committees are mandated to be available 10 days in advance. Oversight Committee Members can sign up for an electronic agenda from the City Clerk for all City Council Meetings and Committees to review upcoming agenda items and reports.

**Item 8: Adjournment:**

~~Motion to adjourn.~~ Motion passed by consensus.

Meeting adjourned at 9:20 p.m.

VIOLENCE PREVENTION AND PUBLIC SAFETY  
OVERSIGHT COMMITTEE

May 17, 2010

6:30 P.M. to 9:00 P.M.

Hearing Room 1, 1<sup>st</sup> Floor

City Hall, Oakland, California 94612

**DRAFT MINUTES**

**Item 1:** Roll-Call was commenced by staff at 6:35 p.m.

**Oversight Committee Members Present:** Members Aqeel, J. Brown, P. Barnett, N. Lee and Chairperson Dorado. (The requirement of six members for quorum was not met.)

**Oversight Members Absent: (Excused Absences):** Member Carter and Forte.

**\* Late Arrival:** Member M. Brown at 7:00 p.m., quorum of six members achieved.

**Item 2: Open Forum**

There were two speakers on this item.

- Jim Dexter, District Four  
A formal vote of the Oversight Committee requested a seven-day advance notice for agenda materials. The materials in today's package were sent out at 5:30 p.m., Friday afternoon before a Monday meeting. Is this adequate "public notification?" Agenda Items 5, 7 and 8 are reports already scheduled for the May 25<sup>th</sup> Public Safety Committee. This Committee cannot adjust these reports – all you can do is rubber-stamp and indicate that you have seen the reports. What is the real purpose of the Oversight Committee? Are you taking action to ensure legitimate oversight of the M-Y funds provided to OPD? Are you taking action tonight for OPD's failure to provide adequate information for the over \$16,241,360 spent by OPD since July 30, 2009?
- Eric Sakamoto, Youth Radio  
Youth Radio receives funding from Measure Y to provide employment opportunities for youth on probation and parole. Measure Y provides a vital resource to our youth clients. We provides media training with a health slant; the 17 youth who we contract with over the year are provided basis media training, technical training, professional soft skill training and education around public health. The training enables the youth to provide social messages around critical health issues in their community to their peers. The youth are compensated through a stipend and an hourly wage upon completion of the program and, to date, there are effective results regarding school retention rates and recidivism.

- Sanjiv Handa, East Bay News Service  
The City Council and the Mayor's Office have yet to resolve the issue of the Maddy Act violation. There is still not a Maddy Act directory that is supposed to be published by December 31, 2009. As a result, at the May 4<sup>th</sup> City Council meeting, more than 18 appointments to various boards, commissions and committees, were deleted from the Council Agenda because there was no legal basis for the Council to take action. To Mr. Dexter's point about the timeline, I would agree there is scant time to review the reports. There is a provision in the Sunshine Ordinance that allows boards and commissions to submit a supplemental report – due to the City Clerk's Office by Thursday, this week, if you want to write a letter of opposition to the report. That's just a little tiny window to be aware of. If you did not see the May 4<sup>th</sup> City Council meeting, I suggest you acquire the DVD.

**Item 3: Approval of Minutes, March 15, 2010 of Oversight Committee Meetings.**

Member Barnett noted there were a number of questions asked by the Board pertaining to statements made by various staff – however, the minutes do not reflect the responses of staff. I suggest we include the responses of staff to Board inquiries within the official minutes of the meetings to provide context to questions asked and responses made by staff.

**\*Member M. Brown arrived at the meeting 7:00 pm. Quorum of six members achieved.**

Member J. Brown agreed with Member Barnett and added that she thought we had made significant progress in the Minutes. The Minutes need to reflect not just the public's comments but also supply a summary of what occurred at the meeting.

There was one speaker on this Item.

- Jim Dexter  
Clearly there are pressures in taking on the preparation of meeting minutes, I have continually praised staff for the minutes provided by staff. That being said, these minutes do not make the grade for me. I urge this Committee reject these minutes and prepare an adequate set of minutes for the next meeting.

**Motion:**

Motion by Member J. Brown to have staff review Minutes from meeting of March 15, 2010 and provide a more thorough summary of presentations and statements.

Member Lee asked whether there are specific sections of the Minutes that require summary?

Member J. Brown responded that a specific example would be the lengthy presentation by Isaac Taggart, Mayor's Re-Entry Specialist. The submitted Minutes reflect only that Mr. Taggart provided the report.

Member Lee added that a summary of the Problem-Solving Officer report be provided in the Minutes.

Member Barnett added that the Minutes should not only identify staff response to questions posed by the Committee but also identify staff and provide when specific responses will be brought back to the Committee.

Second provided by Member Barnett.

**Action:** Motion passed by consensus.

**Item 4: Review and Adoption of Budget Report Regarding Revenue, Expenditures, Fund Balance and Interest Earned as of March 31, 2010.**

Jeff Baker, Staff to the Oversight Committee requested the report be postponed until the June meeting.

Member Barnett requested additional narrative information on the "capital acquisition of \$229,000" for the Police Department; a change in the "contracts" section from the previous month and an additional \$40,000 expended for materials coupled with a change in the budget document format from earlier reports.

Staff person Baker responded that a staffing change resulted in a new format, however staff will make the requested corrections in the subsequent report.

There were two speakers on this item:

- Jim Dexter  
Stated that the Minutes fail to reflect his statements made in the March meeting under this item. There is no data to support what OPD is doing with Measure Y monies. For instance, I mentioned last month that OPD planned to purchase three vehicles with Measure Y monies. Is this the type of expenditure the voters intended Measure Y monies to be expended on? The PSOs need vehicles – there's no doubt about that. But did the voters intend OPD to purchase basic equipment with Measure Y monies? OPP spent \$16M in this fiscal year – but you have no idea what services OPD provided for that money – and this is not my idea of oversight.
- Sandjiv Handa, East Bay News Services  
In addition to the upcoming shortages looming in Measure Y in coming years – as the pace of collections fails to keep pace with the increase in salaries and benefits, you now have that added situation discussed at the May 11<sup>th</sup> City council Finance Committee; that the City has a huge pension obligation that is

unfunded to police, fire and other employees. The amount is going to be staggering – a couple of hundred million dollars, just to start out. At least \$44M will be due in payments two years from now. The suggestion that has comes forward from city staff is that “let’s pretend the problem not’s there and ask for a holiday so we don’t have to make any contribution for 4-5 years. In 5 years we’ll worry about it.” Of course, the deferred liability will be much bigger. While most people know of Measure Y, a few more people know about Measure O (The Second), but only a few insiders know about Measure O, (The First). The first of many boondoggles started by the City of Oakland in 1978, who asked the voters that since the City Councils in the 60’s and 70’s didn’t do justice for our employees – they didn’t fund for their retirement. So won’t you please, please, please pass a property tax override, pay a little bit more in taxes each month, so we can pay our employees their pension. And the voters said, “Sure.” Well, it turns out that tax goes through 2026 and in 2013, 2014, 2015 all of those pension obligations will be fulfilled. There are eleven years left when those taxes can be collected. What the City Council is being asked is to do is take those 11 years of taxes, well over \$100M, and use them for the next pension boondoggle rather than stopping the Measure at the point where it was intended for. The oversight that you are supposed to you, you can’t because you’re not provided the information. I would suggest at for your next meeting, you request the report and look at the implications for Measure Y.

**Motion:** Member Barnett made a motion to “receive” the report. Second by Member J. Brown:

**Action:**

Motion approved by consensus.

**Item 5: Review and Adoption of Staff Report: Measure Y Mid-Term Evaluation, Resource Development Associates**

Dr. Patricia Marrone-Bennett and Kayce Garcia-Rane, Resource Development Associates, provided the report.

Dr. Bennett:

The 2009-2010 Mid-Year Evaluation Report is designed to provide information about program impact so that funding impact may be informed. The report is provided as an addendum to the 2008-2009 Report and is hoped to provide updated and refined analysis. Starting in FY 2009-2010, two of the violence prevention strategies have been changed or become more significant to the Measure Y programming efforts, and were hence not included in the previously submitted report. In addition to providing a brief update on the community policing SARA database (used by problem-solving officers) this report focuses on three violence prevention strategies which include: (1) Re-entry and Employment, (2) Juvenile Justice Center and (3) Street Outreach. For each of the areas, we provide a best practice research analysis, outlining key practices and elements of the



system-wide intervention, a service and cost analysis and an outcome analysis dealing with the impact of services in each of these strategy areas.

I would like to briefly go over a summary of eight key findings in the mid-year report and Kayce Garcia-Rane will provide additional information on recommendations derived from the findings.

The key findings for the 2009-2010 Mid-Year Evaluation:

1. The JJC/OUSD, Re-entry and Employment and Street Outreach programs are aligned to best practices.
2. Of the over 300 individuals served by re-entry services in the first nine months, 113 obtained employment, 94 retained employment for at least 30 days. During the same time period, Street Outreach placed 41 individuals in jobs.
3. Through the efforts of the Measure Y funded Enrollment Specialist, nearly all eligible Oakland youth exiting Juvenile Hall were re-enrolled in the OUSD School or Education program. (334 students) The average re-enrollment time shrunk from over a week to just over one day. Additionally, 104 youth were referred to community-based organizations that provide case management.
4. Measure Y programs in the Re-entry and Employment, Juvenile Justice Center and Street Outreach strategies have served over 1,000 clients during the first three quarters of this fiscal year.
5. Street Outreach efforts appear to have a positive impact on crime – as the crime rate in four “hot spots” areas studied were significantly lower on the days when Street Outreach were deployed in those locations during the 2008-2009 fiscal year. We saw a marked decrease in crime on the same days – not an overarching trend downward.
6. Measure Y is serving parolees at risk for recidivism. Those parolees served by Measure Y had more arrests in their history, on average, than non-Measure Y parolees.
7. Individuals on parolees who received Measure Y services were less likely to recidivate after enrollment in the Measure Y program.
8. The usage of the problem-solving data base has significantly increased since January 2010.

Kayce Garcia-Rane:

We hope this information is useful to the Members of the Committee as well as the City Council.

The first recommendation concerns the collaboration between the JJC/OUSD Wrap-Around Services strategy. When we began the best practices research and analysis, we were interested in ascertaining how closely Oakland's program aligned with the best practices. In the first few months, there were several slips and starts in getting the program started. As time passed, more and more youths were being served and reports from Alameda County and OUSD that the program was beginning to gel. What we

recommend is that this work needs to continue, the model is consistent with best practices, with additional time the program will gel; at this time we cannot provide outcome data since the time for this report elapsed prior to end of the academic school year for receipt of school attendance and participation data.

Regarding the employment related services: There are positive outcomes regarding re-entry programs. However, in the employment-related programs, we are not seeing the progression that could happen between different programs; where one program provides one level of services, i.e., (life skills and employment readiness), moving on to another program (job readiness), moving on to another program (work experience), moving on to actually getting employment. Our recommendation is the City of Oakland should work with employment related programs to move clients between programs to keep clients within Measure Y programming – from beginning to end.

Regarding re-entry programs, we are seeing good outcomes regarding recidivism among parolees. We could not easily discover, however is the level of risk factors of individuals involved in re-entry programs. That is, what are the criminogenic risks for the individuals involved in Measure Y programs? The best practices suggest that “low/moderate” risk parolees should not participate in programming with “high risk” factor parolees – subsequently we recommend an assessment to ascertain the criminogenic risk factors of participants and develop intervention programming according to specific group needs.

We found exciting outcomes with the street outreach strategy. We recommend moving beyond the “spot in time” impact, there needs to be a strengthened dialogue between the Oakland Police Department to further the collaboration. Lastly, “start-up” takes an enormous amount of time and effort – it takes 6/12/18 months to get violence prevention strategies up and going.

There were two speakers on this item:

- Jim Dexter:  
The evaluation report has already been submitted to the Public Safety Committee and any comments from the Oversight Committee will have an impact of it. Secondly, the report has the hallmark of a heavily edited report. It looks as if its been censored – data appears to have been removed that was probably in the report. For example, on page 53, regarding community policing: There is no data to support the findings that community policing has improved. On page 54, there is a statement that the “neighborhood crime prevention councils are the primary vehicle for stakeholders to make their community safer – with no mention that during the same period of time all the funding for the Neighborhood Councils was eliminated by the City Council. There are no recommendations from the evaluators relating to OPD. This is particularly striking since the previous evaluation was highly critical of OPD.

- Sandjiv Handa, East Bay News Service:

There is nothing in the rules that prohibit this Committee from receiving a draft; that is a decision made by the City Administrator's Office. I urge the Committee to approach the City Council to direct the City Administrator to provide a draft of all pertinent documents to the Committee.

**Motion:**

Member Aqeel made Motion not to accept the RDA Evaluation Report. Member J. Brown made a "friendly amendment" that the report not be accepted due to the inability to receive the materials in a timely fashion (report received three days before Committee meeting.) Motion seconded by M. M. Brown.

**Action:**

Motion passed by consensus.

**Motion:**

Motion by Member Barnett that Chairperson Dorado write and deliver a letter to the Public Safety Committee outlining the concerns of the Oversight Committee regarding receipt of materials in a timely fashion in order to make the Oversight Committee recommendations to Public Safety Committee/City Council. Further, a Member of the Oversight Committee will attend the Public Safety Committee to formally present views expressed tonight by the Oversight Committee. Motion seconded by Member J. Brown.

**Action:**

Motion passed by consensus.

**Item 6: Review and Adoption of Staff Report: A Report on the Progress of FY 2009-2010 Measure Y Violence Prevention Grantees and a Resolution Authorizing the City Administrator to Exercise the Option to Renew Grant Agreements Between the City of Oakland and Various Public and Non-Profit Agencies to Provide Violence Prevention Programs for a Total Amount of \$5.3 Million for the Period of July 1, 2010 – June 30, 2011. (Department of Human Services)**

Sara Bedford, Department of Human Services, was available to answer questions on the report.

Member J. Brown noted that she reviewed the report and found inconsistency in the evaluation and subsequent funding recommendations. Two programs in particular, Leadership Excellence and the Mayor's Re-Entry Specialist have negative outcome results however, the DHS funding recommendations requests additional funding in the upcoming program year.

Sara Bedford responded that these two contracts are recommended for renewal only if certain contingencies are met – data from the Re-Entry Specialist must be submitted to CitySpan otherwise additional funding will not be provided past the first quarter of the upcoming funding year. Program dollars are being withheld from Leadership Excellence and will not be released until program deliverable contingencies are met.

There were two speakers on this item:

- Jim Dexter:  
While you have program data from the violence prevention programming you essential have no data at all from the Oakland Police Department. Your Committee has no place within the bureaucratic process. Until you have the City Council turn back any reports on Measure Y prior to Committee review and consideration – you have no place in this process.
- Sandjiv Handa, East Bay News Service:  
For the past fifteen months, if you send an e-mail to an abandoned address, the mail is forwarded to a default box even though no one is there. However, the e-mail is not returned to the sender giving the impression the e-mail has been received.

**Motion:**

Member Barnett made motion that the DHS Funding Recommendation Report for FY 2010-2011, be tabled until some future date. Motion seconded by Member J. Brown.

**Action:**

Motion passed by consensus.

**Motion:**

Member J. Brown made motion that a status report be provided to the Committee on Leadership Excellence and the Mayor's Re-Entry Specialist regarding meeting program and data entry contingencies as outlined by contract and M.O.U. by the next Oversight Committee meeting. Motion seconded by Member Aqeel.

**Action:**

Motion passed by consensus.

**Member M. Brown left meeting. Quorum loss. No official business can occur.**

**Item 7:** A Report Regarding Options for Use of Measure Y Reserve Funds and Safe Challenge Grant and a Resolution Authorizing the City Administrator with Measure Y Funding to Execute Grant Agreements with Alameda County Health Care Services Agency for an Emergency Shelter for Sexually Exploited Minors In the Amount of \$112,500 and Authorizing the Department of Human Services to Provide Support and Employment Services for Young Adults on Probation or Parole Under the Call-In Strategy for \$90,000. Both Agreements Are for the Period of July 1, 2010 to June 30, 2011 With an Option to Renew for One Year in the Same Amount. (Department of Human Services) (A)

**Item 8:** An Informational Report from the Office of the City of Administrator Identifying Neighborhood Crime Prevention Council (NCPC) Priorities and the Oakland Police Department's Progress to Implement Community Policing Recommendations Provided in the Measure Y Program Evaluation Report (2008-2009) (Office of the City Administrator) (A)

**These Items will be held over to the next Measure Y Oversight Committee Meeting.**

**Item 9:**      **Agenda Building for June 21, 2010 Measure Y Oversight Committee Meeting**

Member Barnett proposed discussion of developing a “process” to engage City Council, City Committees and the City Administrator’s Office.

Member Barnett proposed an update on the proposed “public process” to engage residents of Oakland in discussions regarding community policing, neighborhood watch and neighborhood crime prevention councils.

Member J. Brown proposed discussion of conducting Oversight Committee Meetings neighborhoods throughout the City of Oakland. Secondly, the Committee should extend another invitation to the Chief of Police to attend Oversight Committee Meetings.

**Item 10:**      **Adjournment**

Motion to adjourn, seconded. Meeting adjourned.

**VIOLENCE PREVENTION AND PUBLIC SAFETY**  
**OVERSIGHT COMMITTEE**

June 21, 2010  
6:30 P.M. to 9:00 P.M.  
Hearing Room 1, 1<sup>st</sup> Floor  
City Hall, Oakland, California 94612

**DRAFT MINUTES**

**Item 1:** Roll-Call was commenced by staff at 6:35 p.m.

**Oversight Committee Members Present:** Members Q. Aqeel, P. Barnett, R. Carter, M. Forte, N. Lee and Chairperson Dorado. (The requirement of six members for quorum was met.)

**Oversight Members Absent: (Excused Absences):** Members J. Brown and M. Brown.

**Item 2: Open Forum**

There were two speakers on this item.

- Jim Dexter, District Four  
Councilmember Brunner recently announced her budget proposal. It should be noted that the Neighborhood Services Division will have five persons taken out and the Division reorganized under the Oakland Police Department. Is this what you want? Has anyone, the City Council consulted this Committee for its advice? Has this Committee been notified of the impending change? Has this Committee reached out to the City Council regarding this issue, the budget or the Measure Y lawsuit?
- Sanjiv Handa, East Bay News Service  
About 35-40 minutes ago, the City's Budget Advisory Committee just met upstairs and they have the same lament – no one has consulted them on issues pertaining to the proposed budget. The Committee exists for the primary purpose of giving the City Council input on the budget. The budget proposals that Mr. Dexter referred to are the political game that's been going on for the past few months. It is on the city Attorney's advice that four Council members (Brunner, De La Fuente, Kernighan and Quan) have been meeting with each other and with representatives of various unions on the assumption that since it is less than a quorum of the city Council it does not violate the Brown Act. Publicly they have been careful to state that they cannot talk to other four members of the City Council as that would trigger a violation of the Brown Act but there are discussions going on where individual Council Members are talking with each other and more than four are in the loop. That is the difficulty since these deals are being made in private that ought to be in

the public light. As of two minutes ago, the agenda materials for Thursday's budget session are not available. In that package will be several specific points; teach of the Council members' own proposal for balancing the budget; the City Administrator's response as to whether there will be layoffs of police officers. The way it stands now, layoff notices will be issued to police officers. August 6<sup>th</sup> is the date to get something to the Registrar to modify, repeal or do something to Measure Y. The final meeting before summer recess is July 20<sup>th</sup>, which is the date by which to get something done.

**Item 3: Approval of Minutes, April 19, 2010 and May 17, 2010 Meeting of Oversight Committee Meetings.**

There was no discussion on this issue.

**MOTION:** Member Barnett made Motion to approve Minutes of April 19, 2010. Motion Seconded by Member Aqeel.

**ACTION:** Motion approved by consensus.

There was no discussion on this issue.

**MOTION:** Member Barnett made Motion to approve Minutes of May 17, 2010. Motion Seconded by Member Carter.

**ACTION:** Motion approved by consensus. (Abstain: Members Carter, Member Forte)

**Item 4: Review and Adoption of Budget Report Regarding Revenue, Expenditures, Fund Balance and Interest Earned as of March 31, 2010 and April 30, 2010**

**MOTION:** Member Barnett made Motion that the April 30, 2010 Revenue and Expenditure be tabled until subsequent meeting due to lateness of receipt of report. Motion seconded by Member Forte.

**ACTION:** Motion passed by consensus.

Member Barnett stated that he was unsure of the distinctions between "approve," "adopt," and "accept" regarding the monthly revenue reports. The budget process doesn't seem to work that well and appears to be passed from one body to another without actual examination that the numbers are accurate.

Member Carter added that he didn't think the Oversight Committee has the resources to examine the budget statements and the inference that the Committee is conducting insightful oversight is a misnomer.

**MOTION:** Member Barnett made Motion that the Oversight Committee "receive and file" the Revenue and Expenditure Report of March 31, 2010.

Member Forte asked if there is a difference between "received" and "accepted?"

Staff person Baker responded the Revenue and Expenditures Reports have been provided to the Oversight Committee since its inception in 2005. The purpose of the reports is to provide the Oversight Committee with a month-to-month record of all expenditures from the fund. In the event an expenditure appears out-of-place, the Committee is afforded an opportunity to make further inquiry about the expenditure to OPD, DHS, Fire or the City Administrator. If there are no inquiries, the Committee may "receive and file" the report as submitted.

Member Forte Seconded the Motion.

There was one speaker on this Item:

- Sandjiv Handa, East Bay News Service  
This is your only opportunity to actually be the oversight body. Thus, if you "receive and file" the March report is history. You could ask questions like, "There are three police cars ordered that are coming out of the Education portion of the budget, according to Deputy Chief Breshears." You could get a more detailed breakdown of the items coming out of the Education portion of the budget. This is a cursory report. If I were on the Oversight Committee, I would not accept this report at all. I would want more line-item detail that tells me how the money is being spent. The issue that was raised on overtime – the City works on a chart of account; everything is coded as to either "revenue" or "expense." A chart of account identifies every single item; dues, subscriptions, lunch – that you could pull up with line-item detail, including salaries. The only thing that seems relevant at this point seems that you have 71.21 individuals paid out of Measure Y; 63 are police officers. Your main interest seems to be how much is regular salary and how much is overtime. That could be accomplished with a line-item detail budget report. My suggestion is that you ask that someone from Finance come to the next meeting and explain the City's coding system. Lastly, this document looks like a photocopy of a photocopy of a faxed document. The quality of the document is poor. For prosperity, if nothing else, I suggest you ask for a degree of legibility of the budget document and the smallness of the type.

Member Forte asked if it is possible to obtain a line-item detail of OPD budget expenditures be included in the next Revenue and Expenditure report and provided in next month's Revenue and Expenditure Report – and if not, have a representative from OPD appear at the next meeting to provide a time-line for receipt of line-item detail.

Staff person Baker agreed to forward request for "line-item detail" to OPD and Budget Division personnel.

**ACTION:** Motion passed by consensus. (There was one "No" vote – unable to ascertain from video/audio record who cast "no" vote.)



**Item 5: An Information Report from the Office of the City Administrator  
Identifying Neighborhood Crime Prevention Council (NCPC) Priorities and the  
Oakland Police Department's Progress to Implement Community Policing  
Recommendations Provided in the Measure Y Program Evaluation Report (2008-  
2009)**

Claudia Albano, Neighborhood Services Manager, provided the report.

We were asked to take a snapshot in time to see what was happening with Neighborhood Crime Prevention Council (NCPC) priorities toward the end of last year. I asked the 13 Neighborhood Services Coordinators (NSCs) for the 54 NCPCs to develop a chart to reflect the three top priorities for those beats, identify the lead for those priorities, the status of the priorities as well as the average number of persons attending the NCPC meeting. This information and report was originally requested by the Public Safety Committee. Most NCPC priorities are listed as "ongoing." This means that most "priorities" are temporarily resolved – the problems generally return. The most frequently cited "lead" of a NCPC priority is the Problem-Solving Officer. "Quality of Life" issues are generally led by the NSC. Attendance at NCPC meetings range from 1,000 to 1,600 persons per month. The most frequently cited participant in NCPC meetings are residents, but often meetings are attended by members of local schools, faith communities, merchants and City Council office staff. On average, about 43% of NCPC participants also participate in Neighborhood Watch groups. However, in "high stressor" beats there are very few Neighborhood Watch groups. In the high stressor neighborhood, we have a high participation in "National Night Out" activities. There were 419 "National Night Out" parties last year, with about 25,000 people participating. There are 619 Neighborhood Watch groups, citywide; with about 900 Captains and Co-Captains. Lastly, there are about 12,300 persons have completed the Neighborhood Watch training, citywide.

Member Aqeel asked if there are strategies in high stressor beats to increase resident participation.

Staff person Albano responded that oftentimes [in high stressor beats], there is a problem in "getting to the door." Obstacles include locked apartment doors, gates, fences or guard dogs. We canvas stressor neighborhoods, send out mailers and when we find persons interested in the training, we bring residents from different neighbors together to complete the training. An additional obstacle is "language" – and with the recent loss of bi-lingual staffers, we are less likely to overcome this particular obstacle.

**Item 6:**      **Discussions:**

- a. **Development of process to better engage the Oakland City Council, Public Safety Committee and City Administrator;**
- b. **Update on proposed process to engage residents on community policing, neighborhood watch and crime prevention councils;**
- c. **Proposals to hold Measure Y Oversight Committee meetings in neighborhoods throughout city.**

**Discussion Subsection (a):**

Member Barnett proposed the Committee “ask questions” about all data received and forward Committee questions to City Council, Public Safety and the City Administrator. The whole point of receipt of the various reports is to review, boil down the data and pass on recommendations to the Public Safety Committee and City Council. A good start is to make questions on data in the form of Motions and acquire additional information.

Member Forte proposed more direct “interface” with members of the Public Safety Committee and City Council to increase Oversight Committee interaction.

**MOTION:** Member Forte made a Motion that the Measure Y Oversight Committee create two “Ad Hoc” Committees to monitor the agendas of the City Council and Public Safety Committees to report back on Measure-Y related issues. Seconded by Member Barnett.

Member Barnett asked if there is a more formal way to be placed on the Agenda of the Public Safety Committee or City Council?

Staff person Baker responded that the formal process to place an item on the Public Safety or City Council agendas is through the Rules Committee. A written report must be submitted to the Rules Committee for scheduling prior to submittal to the Public Safety Committee or City Council. To verbally address either body, the Chairperson of the Oversight Committee or his designee, may speak on Measure Y-related issues upon notification to the Committee Chairperson.

**FRIENDLY AMENDMENT:** Member Barnett proposed “friendly amendment” that “Ad Hoc” Committees be extended to three to encompass the Rules Committee.

**ACCEPTANCE:** Member Forte accepted “friendly amendment.”

There was one speaker on this Item.

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Sanjiv Handa, East Bay New Service

The problem is that is a muddled mess. The City Attorney’s Office is so back-logged that it has yet to send you a memorandum they promised me

three months ago. The only exception to the Brown Act is a committee of limited duration that is less than a quorum that can meet with notice. If you create the meeting by formal action (by meeting like this) the committee is a "standing committee." There was a law suit about 35 years ago, Joyner vs. City of Sebastopol, which narrowed greatly the scope of how a legislative body may meet outside the public view. In 1994, the Brown Act was amended significantly and defined things like the use of intermediaries (staff) and use of e-mail as a meeting. As you propose, the meetings will require notice to the public under the Brown Act. It would be helpful if the Chairperson contacted Mr. Morodomi (City Attorney) and request he forward the memorandum and explanation to straighten this all out. Regarding the Rules Committee, rules are changed at the last minute or at meetings; scheduling requests are often made on the floor that are not in the agenda packet; and they're using the blanket exemption that exists in the Brown Act and the Sunshine Act to do so. So every Thursday morning for 33-34 weeks a year, when the Rules Committee meets, there are 2-7 or 8 unscheduled items often discussed at length or scheduled - that no one has notice of. If you have someone assigned to the Committee, an arrangement may be made to make a presentation from you directly to the Committee.

**ACTION:** Motion passed with consensus.

Members Barnett, Aqeel and Forte comprise the Ad Hoc Committee for the City Council.

Members Barnett and Carter comprise the Ad Hoc Committee for the Rules Committee.

Members Lee, Forte and Aqeel comprise the Ad Hoc Committee for the Public Safety Committee.

**Discussion Subsection (b):**

Staff person gave the background of this issue: This proposal grew from a recommendation from the Community Policing Advisory board. The CPAB requested the City Administrator's Office contact the Chairpersons of the Measure Y Oversight Committee, the Citizen's Police Review Board, the (Mayor's) Task Force on Community Policing and the Neighborhood Watch Steering Committee to ascertain if there was interest in forming a planning committee to ultimately sponsor a "forum on community policing." The goal was to hold forums throughout neighborhoods on the issue of community policing. Our initial meetings were on Saturdays and after a great start - our efforts fizzled. I am not adverse to rekindling our efforts to bring the forums to fruition.

Member Barnett added that the planning group discussions were focused more on defining "community policing" - rather than planning for the forums. The CPAB has a written definition which appears adequate.

Member Lee cautioned that the current members of NCPCs and Neighborhood Watch groups do not necessarily represent the perspective of the majority of beat residents and we should work to engage as broad group of residents in these processes as possible – including residents and youth who would not ordinarily attend Neighborhood Crime Prevention Council and Neighborhood Watch meetings.

Staff person Baker agreed to pool the respective Chairpersons and try to schedule a meeting.

There was one speaker on this Item:

- Sandjiv Handa, East Bay News Service  
First, I have filed a formal complaint with the Public Ethics Commission regarding the Mayor's so-called Task Forces. They were resolved supposedly dissolved in mid-2007, but a number of them, including the Mayor's Task Force on community Policing and the Mayor's Task Force on Civilianization of the Oakland Police Department, continue to function. The City Attorney's Office did a preliminary investigation and found that several of these task forces were using city facilities, using the Mayor's letterhead, and appearing at City Council and Council Committee meetings – giving advice to the City Council. Under the City's Sunshine Ordinance, once in existence for one year, the task force meetings are required to be noticed to the public.

The NCPC meeting attendees in no way reflect the population of the neighborhoods in which they exist. They have no clue of the major issues pertaining to public safety in the neighborhood. For the most part, the people who are driving the list of priority issues are generally seniors and are in bed by nine-o'clock.

#### **Discussion Subsection (c):**

Staff person Baker provided the background for this subsection: Early on, the Committee expressed an interest in holding Measure Y Oversight Committee Meetings outside of City Hall. One of the difficulties was duplicating the "live" broadcast of Measure Y meetings on KTOP. Though we could not broadcast "live" outside of City Hall, we had to rent lighting and sound equipment to produce a quality DVD for later broadcast purposes. Generally, the costs associated with producing the DVD totaled thousands of dollars. As a result, we had only two public meetings outside City Hall.

Member Barnett explained that his proposal was not to move the meetings outside of City Hall, but to make available members of the Measure Y Oversight Committee to local Neighborhood Associations, Neighborhood Watch Groups and Neighborhood Crime Prevention Council to speak on Measure Y and our violence prevention efforts.

Staff person Baker agreed to contact to Claudia Albano, Neighborhood Services Manager to inform NCPCs of the availability of Measure Y Oversight Committee members.

There was one speaker on this Item:

- Sandjiv Handa, East Bay News Service:  
What's being discussed in community meetings and a few of the Budget Sessions is an emergency measure to allow up to a three-year suspension of the 739 officer requirement for collection of the Measure Y Tax. In two of the three budget meetings held in the community, the sentiment was that police officers should take cuts like everyone else. The people who are advocate community policing, the people who strongly advocate keeping police at all costs, are less than 400 persons, city-wide. What an independent survey found was that after 10 years, fewer persons in Oakland expressed awareness of what community policing is or its effect in Oakland.

**Item 7:        Agenda Building for July 19, 2010 Oversight Committee Meeting**

Member Forte requested the three newly-formed ad hoc committees report back on their findings at the Public Safety, City Council and Rules Committee regarding Measure Y related reports.

Member Barnett requested the Oversight Committee review any budget expenditure or revenue item that may require fuller explanations from the city staff.

Chairperson Dorado requested discussion on how to disperse the reserve Measure Y Funds. Member Barnett added the production of a list of programs supported by Measure Y and a second list of violence prevention programs supported by Measure Y and leveraged by other funding sources.

Member Barnett requested a presentation by the City Administrator or City Attorney regarding the "re-start" of collection of the Measure Y Tax in the event the collection of the tax ends in July. Further, is the City able to collect the Measure Y Tax for half of year – in the event

There was one speaker on this Item:

- Sandjiv Handa, East Bay News Service  
There is never been a government entity documented to have missed the Maddy Act deadline in the history of California – Oakland managed to do it. There were four or five appointments made in recent weeks and the City looked the other way and published a "special notice." That's not what the Maddy Act requires. The Act requires the publication by December 31<sup>st</sup> of all known or anticipated board/commission in the upcoming year. "Special Notice" is allowed for appointments not anticipated. The second suggestion is that you may want to ask the City Attorney to apprise you of the implications of the Maddy Act on your Committee. Thirdly, you may want to invite the City Administrator and the Police Chief appear to provide an update on Measure Y and the Public Safety Strategy, respectively. Also, have the City

Attorney provide you an update on the recent changes to the Brown Act and Sunshine Ordinance. Lastly, you may want an explanation from the City Administrator as to what will occur to this Committee if Measure Y funding ends, what happens to the Measure Y surplus meeting, what happens with your staff, and you may want to schedule a meeting in August.

Member Barnett suggested an invitation to the Police Chief to present on his plans in the event there is a reduction of police officers.

Member Forte suggested a follow-up be scheduled with the City Attorney on the Maddy Act and the changes in the Brown Act and Sunshine Ordinance.

**Item 10:**      **Adjournment**

Motion to adjourn, seconded. Meeting adjourned at 8:30 p.m.

**VIOLENCE PREVENTION AND PUBLIC SAFETY**  
**OVERSIGHT COMMITTEE**

July 19, 2010  
6:30 P.M. to 9:00 P.M.  
Hearing Room 1, 1<sup>st</sup> Floor  
City Hall, Oakland, California 94612

**DRAFT MINUTES**

**Item 1:** Roll-Call was commenced by staff at 6:45 p.m.

**Oversight Committee Members Present:** Members Q. Aqeel, P. Barnett, J. Brown, R. Carter, and Chairperson Dorado. (The requirement of six members for quorum was not met. The meeting was adjourned. No official business may take place.)

**Oversight Members Absent: (Excused Absences):** Members M. Brown. M. Forte and N. Lee.

VIOLENCE PREVENTION AND PUBLIC SAFETY  
OVERSIGHT COMMITTEE  
"SPECIAL MEETING"

August 30, 2010  
6:30 P.M. to 9:00 P.M.  
Hearing Room 1  
City Hall, Oakland, California 94612

**DRAFT MINUTES**

**Item 1:** Roll-Call was commenced by staff at 6:37 p.m.

**Oversight Committee Members Present:** Aqeel, Barnett, M. Brown, J. Brown, Carter, Forte, Lee and Chairperson Dorado.

Eight members were present; quorum for the meeting was achieved.

**Item 2: Open Forum**

There were two speakers on this item.

Sanjiv Handa, East Bay News Service:

Pending Public Records Request include an accounting of city monies spent of "time clocks." The City Council has enjoyed their vacation so much the September 7<sup>th</sup> meeting has been cancelled – nine weeks between City council meetings.

Jim Dexter, District 4:

The Community Policing Advisory Board attempted to meet last weekend at a Retreat and failed to attain quorum. The fundamental question before this Committee is "Why does this Committee meet?" This group has not been addressed in any formal way and its opinion has not been sought by the City Council. The proposed ballot measures present the most fundamental change to community policing in Oakland. This Committee has been completely silent on both Measures. Both proposed Measures are complete failures.

**Item 4. Review and Approval of Minutes from August 12, 2010, Oversight Committee Meeting**

This Item was taken out of turn at the direction of the Chairperson and will be considered at the September 30, 2010 Oversight Committee Meeting.



**Item 5: Discussion: "Measure Y Fix" Ballot Initiative Language, Office of the City Attorney**

This Item was taken out of turn at the direction of the Chairperson.

Mark Morodomi, Office of the City Attorney, provided the overview. Mr. Morodomi pointed out the proposed ballot initiatives are "City Council" initiated initiatives are questions regarding policy and language in the Initiatives should be directed to the City Council.

Member Barnett stated that its not the "language" of the Measures" but "representations" made in the proposed Measure language which have generated questions and concerns, i.e., the term "no cost," is used in the proposed Measure, but there is cost since "borrowing" is authorized in the proposed Initiative but not in the original Measure Y Initiative. Additionally, the term "rigorous oversight" as used in the proposed parcel tax Measure is a misrepresentation the Oversight Committee's history with the City Council and the City's commitment to the notion of "oversight." Lastly, the proposed "Measure Y Fix" eliminates the police staffing levels rather than "reducing" police staffing level. The purpose of the initial Measure Y Initiative was to ensure minimal police staffing levels before the tax could be collected. If the City council cannot address these and other issues, residents will not support these Measures.

In the text of the proposed parcel tax, the term "rigorous oversight" is used to represent the degree of oversight provided by this Committee. When the voter reads the text, it suggests there is a process for oversight, when in fact, this process prevents oversight. To represent that "rigorous oversight" can occur, will occur perpetuates a fraud on the voter. It appears to me that the role of the City Attorney is to point out to the City Council that if you use words such as "rigorous oversight"

Member J. Brown added that she has rarely seen the term "rigorous oversight" in a statute and use of the term suggests liability on the part of the Committee if the duties are not preformed. Given this is a "citizens committee" without the capacity to perform "rigorous oversight" what is the applicable legal standard to perform "oversight?"

Mr. Morodomi responded the obligation is to comply with the "text" of the Measure. Your questions are in regard to the "question" posed by the ballot measure.

Member J. Brown pointed out there is no mention of the term "rigorous oversight" without the text of the Measure. This appears to be a clear misrepresentation to the public of the actual content of the text of the Measure.

Member J. Brown posed the following: Assuming the Measures pass, what type of legal protocol, e.g., resolution or otherwise, are available whereby the City Council could enter into a M.O.U. (Memorandum of Understanding) to enact the recommendations of the

Oversight Committee, e.g., financial resources for independent auditors, analysts, etc., for Committee use to expand oversight capabilities?

Mr. Morodomi responded the protocol is indeed City Council Resolution and the availability of resources is within the purview of the City Council.

There were three speakers on this Item:

Jim Dexter, District 4:

My understanding is that this Committee has had no input into the "Measure Y Fix" or the Public Safety Measure – except for recommendations that were ignored. I think there needs to be some official recognition of the fact to the public through the ballot booklet or some other source. Secondly, those of you that were appointed by City Council or the Mayor should offer direct resignation contingent upon the way in which this board is allowed to operate.

Marlene Sacks:

Ms. Sacks asked the Committee waive the two minute time limit and allow a respond to statements made by Mr. Morodomi.

(The Committee agreed to allow a five-minute presentation.)

On the issue of the title of the statement presented to the voters – most voters only read the title of the measure. Words such as "rigorous oversight" and "no additional cost" are taken at face value by the voter. The language of the title statement was never presented to the City Council. Mr. Morodomi says that it was; it wasn't. I went back and looked at all documentation presented to the City council and that language was never presented. Never considered by the City Council. If you go back and watch the tape where these proposals were considered it is clear there was no discussion of any of this language. All discussions took place in closed session outside of the public view. The language is clearly misleading. It is appallingly misleading. I have written to City officials and the City Attorney to request the language be changed and was told the time period has passed. We are stuck with the language.

With respect to the intent of Measure Y and what this language will do: Measure Y was passed, in large part, because the public was dissatisfied with the size of the police force, unhappy with the level of crime, we wanted an expanded police force. We were told this will give us a police force of 803 officers. As we all know now, we were given the promised staffing for less than 6 months. What this measure will do is gut the policing component of Measure Y. The violence prevention programs will be saved and the police force could drop down to 400 or 300 and the City will still be able to collect the Measure Y tax. This is not what the voters wanted when they approved Measure Y. At least where you have the minimum staffing requirement in the Initiative, there is an incentive for the City

to maintain a police force at a half-way decent size. This "fix" would take the minimum staffing away and is completely contrary to the intent of the voters.

Mr. Morodomi knows full well what courts can consider in interpreting these types of ballot measures. If presented in the voter information pamphlet, and is the title of the proposal, then absolutely, it is considered binding or at least interpretative guidance on what is required by the Oversight Committee. So, if it says "rigorous oversight" you'd better be prepared to offer "rigorous oversight."

There was a question as to what to say if asked about the conflict between what the Measure states and the title of the Measure. I would say, "Vote No" on the Measure. All you're going to get is a decimated police force and that is not what the voters wanted, you'll get more ambiguous language, possibly more litigation. I would also encourage you to talk to the Council Member who appointed you to this Committee and tell you how you feel about your lack of involvement in the process, the fact that this Committee was never consulted about the "\$360 parcel tax" or the "Measure Y Fix", tell you how you feel about the ambiguous language; and that voters are being promised "rigorous oversight" when we all know this Committee does not have the power to exercise "rigorous oversight." In fact, up until very recently, the City Attorney claimed that this Committee was so toothless, so utterly powerless that the Committee was not required to file Form 700, Conflict of Interest Statements.

Regarding the reimbursement language, I disagree with Mr. Morodomi as to what that language is really about. The City is currently paying for the violence prevention program for six months through the General Fund – in hope that the Measure Y fix passes. If it passes, this language will allow the City to take Measure Y money and reimburse the General Fund. One of the reasons, I suspect, the violence prevention programs were continued from July to November, was so that the violence prevention programs operators didn't come to City Hall screaming about their money being cut off. It was a very strategic political move and this language in the measure is a very strategic modification to reimburse the General Fund for monies spent for the past six months. It will basically allow the taxpayer to pay the full \$90 and only receive 6 months of community policing services. So from the taxpayer perspective, this is a complete rip-off.

Sandjiv Handa, East Bay News Service

The heart of the problem in the City of Oakland is the notion that public comment should be limited to two minutes. In adjourning cities, there is a greater desire to hear from the public. It is standard operating procedure in the City of Oakland to lie, cheat and steal. Right now there's a t-shirt making the rounds that says, "Everything I learned about stealing, I learned in Oakland." Most people think it's about Oakland's crime. It's about Ricky Henderson base-stealing accomplishments during his baseball career. The second thing is that the Oakland City Council often does polls, research that is not shared with the public,

regarding what they think will pass on the ballot. Therefore, the language is crafted and submitted.

Member Forte stated he felt the language is a "misrepresentation" to the public and a display of the difficulties encountered by the Committee from the City.

Member Aqeel stated the Committee and the public are being misled by the City.

**MOTION:** Member Aqeel made a motion that the Measure Y Oversight Committee not support the Measure Y Fix.

Member Lee pointed out the language of the Parcel Tax contains the term "rigorous oversight." The term is not used in the "Measure Y Fix."

There was no second to the Motion.

Member Aqeel requested both proposed Measures are brought before the Oversight Committee at its next meeting for a vote of support or non-support.

Member Carter asked whether the City Council could provide the Committee with subpoena power.

Mr. Morodomi responded that Council could grant the Committee subpoena power.

The following Ad Hoc Committee were formed:

Procedures/Resolution

By-Laws

Richard Carter  
Peter Barnett  
Qaid Aqeel  
Nicole Lee  
Joanne Brown

Michael Brown, Jr.  
Jose Dorado  
Mark Forte

**Item 3: Discussion: Maddy Act and Impact on Measure Y Oversight Committee**  
**(Office of the Mayor)**

Bouapha Toommaly, Office of the Mayor, provided the overview:

Member Brown asked whether Ms. Toommaly was aware of the length of time the Committee has vacant positions?

Ms. Toommaly responded the Maddy Act has not adversely impacted the Measure Y Oversight Committee. While admittedly slow, the vacancies on the M-Y Committee have been noted and posted.

Mark Morodomi responded the Maddy Act requires one of two things; (1) an annual posting of upcoming vacancies or (2) notice of the designated vacancy must be posted 20 days prior to the appointment.

There were two speakers on this Item:

Sandjiv Handa, East Bay News Service:

Read for the Committee, the language of the Maddy Act from the State of California website. The "special notice" process is applicable only to unscheduled vacancies occur, i.e., death, resignation or termination, the notice of the vacancy must be made within 20 days after the vacancy occurs.

Jim Dexter, District 4:

There are no "Action" items on this Agenda. Setting the agenda sounds like a mundane, bureaucratic task – but that's what determines what you can do. It should not be done with just input from the staff, rather the Agenda should be developed by this entire board. If not, staff controls the Items discussed by the Committee.

**MOTION:** Member Carter requests letter be forwarded to City Council Member Brooks to appoint to the vacant Measure Y seat. Motion seconded by Member J. Brown.

**ACTION:** Motion passed by consensus. Member Forte opposed the Motion.

**Item 6: Conflict of Interest Rules Pertaining to Boards and Commissions. Office of City Attorney**

Mark Morodomi, Office of the City Attorney provided a training on conflict of Interest Rules pertaining to City of Oakland Boards and Commissions.

There was one speaker on this Item:

Sandjiv Handa, East Bay News Services:

In summary, Mr. Handa cautioned Committee Members that there are allegations of elected officials and city staff with current existing conflicts of interest.

Jim Dexter, District 4:

This Committee has requested information from OPD time after time after time. For over five and one-half years, we have no information as to what these officers accomplished within this time. It is imperative of this Committee to continue the inquiry.

**Item 7: Agenda Building for September 20, 2010, Measure Y Oversight Committee Meeting**

Member J. Brown requested an update on the end-of-year Evaluation Report from Resource Development Associates regarding Measure Y Violence Prevention Programming as well as an update on the installation and use of the OPD date collection system.

Chairperson Dorado requested a review of the Measure Y Oversight Committee By-Laws and a discussion of the process to amend the By-Laws.

Member Barnett requested a copy of the Resource Development Associates contract for evaluation services, including any amendments.

Member Forte requested staff inform the City Administrator and relevant staff to attend the September 20, 2010 Oversight Committee meeting prepared to engage in a robust discussion of the proposed "Measure Y Fix," (Ballot Measure "BB") and the Measure Y "360" Parcel Tax (Ballot Measure "X") as two separate and distinct "action" agenda items.

There was one speaker on this Item:

Sanjiv Handa, East Bay News Service:

Mr. Handa provided an overview of the Maddy Act and its annual filing (December) requirements of anticipated vacancies on Board and Commission seats each calendar year.

**Item 8: Adjournment:**

Motion to adjourn. Motion passed by consensus.

**MEASURE Y: VIOLENCE PREVENTION AND  
PUBLIC SAFETY OVERSIGHT COMMITTEE**

**DRAFT MINUTES: September 20, 2010**

**Oversight Committee Members**

Qa'id Aqeel, City Council At-Large

Peter Barnett, District 5

Joanne Brown, District 1

Michael Brown, Jr., District 3

Richard Carter, District 2

Jose Dorado, **Chairperson**, District 4

Mark Forte, District 7

Vacant, District 6

Nicole Lee, Office of the Mayor

Vacant, Office of the Mayor

Vacant, Office of the Mayor

City Hall

City Council Chambers

1 Frank H. Ogawa Plaza

Oakland, California 94612

**Item 1:**      **Roll Call and Determination of Quorum:**

**Present:**      Aqeel, Barnett, J. Brown, M. Brown (late arrival), Forte (late arrival),  
Lee (late arrival) and Chairperson Dorado. (Quorum of six  
members achieved at 7:15 p.m.)

**Absent:**      Member Carter (excused)

**Item 2.**      **Open Forum:**

**There was one speaker on this Item:**

**Jim Dexter, District 4:**

Expressed disappointment there is no quorum since there are  
several "Action" items on the agenda.

**Sandjiv Handa, East Bay News Service:**

Complained of lack of transparency with Committee and Council  
business, for example the Budget Advisory Committee migrated  
agenda and minutes to Yahoo Group. Members of the "Mayor's  
Task Force continue to meet without formal noticing of meetings –  
after one-year deadline to do so has passed. A formal complaint  
will be filed with the Ethics Committee regarding this practice.

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**Item 3.**      **Approval of Minutes, August 16, 2010 and August 30, 2010**

**Motion:** Member Aqeel made Motion to approve Minutes of August 16, 2010.  
Motion seconded by Member Barnett.

**Action:** Motion approved by consensus.

Member Barnett, pointed out that page 2, paragraph 3 of the Minutes appear to be missing a portion of the sentence.

Chairperson Dorado noted a request by Member Carter to publish in the Minutes of August 30, 2010, the questions posed by him to Mr. Lindheim.

Staff agreed to review video tape of previous meetings and provide transcript to Committee.

Member Lee pointed out that her comments regarding Measure BB and Measure X were to point out the distinctions between the two Measures.

**Motion:** Member Forte made Motion to approve Minutes of August 30, 2010 (with corrections). Motion seconded by Member Lee.

**Action:** Motion approved by consensus.

**Item 5:**      **Review, Discussion and Action on: Measure Y Oversight Committee By-Laws to Amend By-Laws**

**Motion:** Member Barnett made Motion to amend the By-Laws so that "any two members of the Oversight Committee may call for a "Special Meeting" in addition to the existing authority of the Chairperson and Mayor to request a "Special Meeting." Member J. Brown seconded.

Member M. Brown made "friendly amendment" that Motions for "Special Meetings" made during Committee meetings – require a second and a vote of the Committee.

Member Barnett accepted the Amendment.

**Action:** Member Aqeel, Barnett, M. Brown, J. Brown, and Chairperson Dorado voted "Yes" on the Motion. Members Forte and Lee voted "No." Motion passes by a 5/2 vote.



**Item 6:**        **Review, Discussion and Action on: Proposed November 2010  
Ballot Measure BB, "Measure Y Fix," Oakland City Council  
Resolution 82951**

Chief Batts, Assistant Chief Jordan, Deputy Chief Breshears and OPD Budget Director Gilbert Garcia, Oakland Police Department, provided the overview:

Chief Batts noted there is a potential to lose 122-160 police officers if the Measure BB/Measure X Ballot Measures fail. OPD has more service demand than other police departments of comparable size. D.C. Breshears provided an overview of the PROS System (Police Resource Optimization System). Information from the CAD system is uploaded in the PROS system which, in turn, provides workload across the city, identify crime patterns, reduces cross dispatching and improves response time among other analysis.

Chief Batts reiterated he is a supporter of Measure Y; when life-threatening events take place, he will utilize a uniformed officer regardless of whether the officer is a patrol or problem-solving officer. This position should not be construed that the Chief is not a supporter of Measure Y funded-officer.

Member J. Brown asked the Chief, "What is your perception of the role of the Oversight Committee?"

The Chief responded that there needs to be a re-calibration of all the role of all committees throughout the City regarding public safety.

Member Forte noted that removal of the Measure Y staffing levels fails to address the disconnect between the Measure Y funded officers and the dollars being expended on the officers.

The Chief responded that the recent assignment of D.C. Breshears to the Oversight Committee was made to address the issue of reporting to the Oversight Committee of OPD expenditures, PSO deployment, assignments and outcomes.

Chairperson Dorado asked Chief Batts in the event of the worse-case scenario (none of the Measures pass) what are the Department's plans to strengthen community policing in Oakland?

Chief Batts responded the most important issue is response to calls for service. OPD will continue to collapse assignments to respond to calls for service – moving staff to patrol. If possible, the success of past PSO efforts will be transferred to the Patrol Division. The philosophy of community policing will be taught and practiced throughout the Department – including civilian staff.

Member Forte reiterated the importance of timely receipt of data from OPD regarding staffing and activities.

There were four speakers on this issue:

Marlene Sacks: Measure BB and Measure X are silent on police staffing levels. The 739 staffing level in Measure Y is the only incentive to maintain a minimum police officer staffing level. To remove the 739 staffing level removes any incentive to obtain an adequately staffed police department.

David Stein: Though Measure Y promised a baseline of 739 police officers, we learned after its passage that the City Council meant "739 police officers on paper – "appropriated officers." This appears to be a very deliberate tactic. Now the City wants to take away the baseline. The City Council's revision could have very easily been moved the baseline of 739 to 700 or from 739 to 695. They could have picked a number and held themselves to a standard. They deliberately chose not to. There is something fundamentally wrong that needs to be addressed and it must be addressed now.

Ralph Kahns: The problem is that the public was lied to by the City Council. There are more loopholes in the pending Measures than ever before. The package of four Measures (School Tax, Telephone Line Tax, \$360 Parcel Tax and Measure BB) total \$665 annually.

Sanjiv Handa, East Bay News Service: The fundamental problem is that after staff provides a report they leave. As a result, staff is repeatedly blindsided because the issue was raised and is unanswered. There is no staff present to take notes and make inquiries. City Hall is the ultimate ponzi scheme – collecting money but not providing services. There is clearly a greater demand for police service in Oakland – however, when there is a service call you have numerous officers just standing around. This is an example of the inefficiencies built into Oakland.

Chairperson Dorado invited City Administrator Dan Lindheim to provide additional insight regarding proposed ballot Measure BB.

City Administrator Dan Lindheim provided the following comments. First, as to the suspension of the 739 staffing level, the City doesn't have the resources to find 739 officers. One of the speakers asked why didn't the City pick a number – 700? The reasoning is the same: the City does not have the resources to support 700 officers. The reason the ballot measures were placed on the ballot was to provide citizens the Oakland the opportunity to vote to tax themselves if violence prevention programs, the problem-solving officers and the enhanced fire services are desired – with knowledge that the City, at the moment, has funds to staff only 575 officers. It's not dishonest, it's not lying. Undoubtedly, no local taxes are progressive. However, this is the only tool available to cities to raise substantial amounts of revenue. The City does not have the resources to support the violence prevention programs. We are living through the biggest economic depression recession since the Great Depression. The City lost \$100M out of the \$500M General Fund. Seventy-five percent of the Fund goes to Police and Fire services. Ten percent to debt service and another seven percent goes to other parcel taxes supported services. Oakland is confronted with a reality - there is no money in the General Fund.

**Motion:** Motion by Member Forte to extend meeting for fifteen minutes. Motion seconded by Member Lee.

**Action:** Motion passed by consensus.

**Motion:** Motion by Member Aqeel to recommend the City Council not support Measure BB. There was no second on the Motion.

**Action:** Motion failed due to lack of a second.

Member Barnett asked Mr. Lindheim to clarify the outcome if Measure BB passes.

City Administrator Lindheim answered that if Measure BB passes the outcome would result in a police staffing level of 575 (current staffing level) plus an additional 63 police officers (provided through Measure Y).

Member Barnett asked Mr. Lindheim to clarify the outcome if Measure X passed.

City Administrator Lindheim answered that passage of Measure X would result in full authorized staffing level of 803 police officers.

Director Andrea Youngdahl, Department of Human Services added that the current Measure Y violence prevention programming has garnered national recognition, including praise from the U.S. Department of Justice.

Program Manager Sara Bedford added the current violence prevention programming funds from the Measure Y Fund have resulted in securing additional funding matches from external sources – building on work initiated through Measure Y funded programming.

**Motion:** Motion by Member Barnett to draft a recommendation to the City Council to direct the City Administrator to resolve the issue of committee vacancies, enhance access to information from the Oakland Police, Fire and Human Services Agencies, provide administrative support to prepare the Annual Violence Prevention and Public Safety Report to the City Council and create a budget and report timeline to ensure Oversight Committee review prior to consideration and final approval by the City Council. Motion seconded by Member Lee.

**Action:** Motion passed by consensus.

**Item 5: Status Report: Measure Y Violence Prevention Programming**  
**Evaluation: Office of the City Administrator and Resource**  
**Development Associates.**

(This Item was held over to the meeting of October 18, 2010.)

**Item 7: Review: Discussion and Action on: Proposed November 2010  
Ballot Measure X (\$360 Parcel Tax), Oakland City Council  
Resolution 82952**

(This Item was not discussed by the Committee due to scheduled expiration time of the meeting.)

There were two speakers on this Item:

Marlene Sacks:

Ms. Sacks asked to speak briefly on the earlier comments of Mr. Lindheim. She did not agree that the City had no option other than the lay-off of police officers. There was a way to avoid lay-offs – by reaching an agreement with the Oakland Police Officers Association. Had an agreement been reached – had the police union agreed to contribute to their pensions, lay-offs could have been avoided. Mr. Lindheim also claimed the contract with the unions is closed and we are unable to go back the union and ask for concessions. However, this is exactly what Measure BB and Measure X are. A parcel tax is a contract with the voters. We have a ten-year contract with the City in the form of Measure Y. What is being asked through Measure BB is break the Measure Y contract. The City is broke but so are the taxpayers. \$360 for a parcel tax is an overwhelming amount of taxes for residents to pay. It's not fair to ask the residents to pay this tax. In terms of this threat, either you pass this tax or we lay-off 122 police officers – that's called extortion. It's unfair to present a parcel tax to the voters in a heavy-handed way. The City has to find another way.

Sandjiv Handa, East Bay News Service:

As a Committee you can take a position on the Ballot Measures or not. If you leave everything out, this City faces a \$14M deficit presently. You now have two situations: Only 47% of persons eligible to vote actually register to vote. Of the 47% registered to vote, only 40% actually cast ballots. There may be a surge of first-time young voters supporting the marijuana initiative and opposed to the City's tax on the dispensaries. If the public safety measures do not pass the 122 police officer lay-offs are a reality. There are things that may be cut, however, only the City Council may make that choice.

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**Motion:** ~~Motion by Member Barnett to adjourn the meeting. Motion seconded by Member M. Brown.~~

**Action:** Meeting adjourned at 9:20 pm.

**MEASURE Y: VIOLENCE PREVENTION AND  
PUBLIC SAFETY OVERSIGHT COMMITTEE**

**DRAFT MINUTES: October 18, 2010**

**Oversight Committee Members**

Qa'id Aqeel, City Council At-Large

Peter Barnett, District 5

Joanne Brown, District 1

Michael Brown, Jr., District 3

Richard Carter, District 2

Jose Dorado, **Chairperson**, District 4

Mark Forte, District 7

Vacant, District 6

Nicole Lee, Office of the Mayor

Vacant, Office of the Mayor

Vacant, Office of the Mayor

City Hall

City Council Chambers

1 Frank H. Ogawa Plaza

Oakland, California 94612

**Item 1:      Roll Call and Determination of Quorum:**

**Present:**      Member Barnett, J. Brown and Member Forte

**Absent:**      Member Carter, Member M. Brown, Member Lee, Member Aqeel  
and Chairperson Dorado (excused)

**There was no quorum achieved for this meeting.**

**Item 2.      Open Forum:**

**There was one speaker on this Item:**

**Sandjiv Handa, East Bay News Service:**

Commented on the upcoming election and a presentation by a group of pastors before the Public Safety Committee on October 12<sup>th</sup>. Noted there is considerable "misinformation" around facts pertaining to upcoming ballot initiatives and "distortions" of public safety costs and number of blight abatement inspectors by candidates running for public office.

Measure Y Oversight Committee  
Draft Minutes, October 18, 2010  
Page 2

There was no further business of the Measure Y Oversight Committee due to lack of a quorum.

**MEASURE Y: VIOLENCE PREVENTION AND  
PUBLIC SAFETY OVERSIGHT COMMITTEE**

**DRAFT MINUTES: November 15, 2010**

**Oversight Committee Members**

Qa'id Aqeel, City Council At-Large

Peter Barnett, District 5

Joanne Brown, District 1

Michael Brown, Jr., District 3

Richard Carter, District 2

Jose Dorado, **Chairperson**, District 4

Mark Forte, District 7

Vacant, District 6

Nicole Lee, Office of the Mayor

Brandon Sturdivant, Sr., Office of the Mayor (unsworn) Oakland, California 94612

Nyeisha Dewitt, Office of the Mayor (unsworn)

City Hall

Dunakin Hearing Room

1 Frank H. Ogawa Plaza

**Item 1:        Roll Call and Determination of Quorum:**

**Present:**     Members Aqeel, Barnett, Carter, Forte and Chairperson Dorado  
Member Lee (arrived late, quorum acquired)

**Absent:**       Member M. Brown, J. Brown (excused absences)  
Member Sturdivant was present but not sworn into office.

**Quorum was achieved for this meeting.**

**Item 2.        Open Forum:**

**There was one speaker on this Item:**

**Jim Dexter, District 4:**

Provided suggestions for future M-Y Committee business including (1) Committee should request formal audit of PSO activity for past five years, (2) Committee should request OPD plans to track PSO activities funded through Measure BB, (3) Committee should request City Attorney provide costs used to defend Measure Y litigation, and (4) what, if any, costs were billed by OPD to Measure Y for the period of July – December 2010, when there was no PSO program?



**Sandjiv Handa, East Bay News Service:**

Posed the following questions to the Committee: Will the City attempt to recoup VPOC programming costs from July – December 2010 (paid by the General Fund) from the Measure Y Fund? When the parking surcharge sunsets in 2014 will commercial parking rates drop also? With the election over, will Mayor-Elect Quan be able to obtain a better handle on the revenue data and projections from staff?

**Item 3: Review and Approval of Minutes from the September 20, 2010 and October 18, 2010 Meetings**

Chairperson Dorado requested correction to September 20, 2010 Draft Minutes, page 5, paragraph 4, Motion by Member Aqeel was to recommend to "Oversight Committee" not "City Council" to not support Measure BB.

**Motion** by Aqeel to approve Draft Minutes of September 20, 2010 with noted correction. Second provided by Member Carter.

**Action:** Motion passed by consensus.

**Motion** by Member Forte, seconded by Member Barnett to approve Draft Minutes of October 18, 2010.

**Action:** Motion passed by consensus. (Members Lee and Aqeel abstained)

Member Forte asked whether OPD could provide information regarding the further prospective layoff of police officers given that Measure X failed on the November 2010 ballot.

Captain Tracey, OPD, responded that the passage of Measure BB resulted in the a temporarily stoppage of officer layoff – current staffing level is 674 and department is funded for 634. Current officer attrition rate is about 9 per month. With the passage of Measure BB the department is gearing up for assignment to PSO positions. OPD is reviewing list of officers who occupied PSO positions prior and making sure personnel records are reviewed and updated. The police department is adamant in following the strictures of the Measure Y Initiative and the department will follow guidelines. PSOs will be briefed on Measure Y expectations and policy will be spelled out to prospective PSOs.

Member Lee asked whether the 634 staffing level includes the 63 Measure Y funded officers.

Captain Tracey responded the 634 level includes the 63 Measure Y officers and that even if the department officer levels dipped to 500, the PSO program will continue to be implemented.

Member Forte asked for the target date to implement the PSO program.

Captain Tracey responded the prospective "draw" is scheduled for the first week of December 2010; present target date for implementation of the PSO program is scheduled for the 1<sup>st</sup> or 2<sup>nd</sup> week of January.

Member Aqeel asked if the officers considered for the PSO program are the same officers who occupied the PSO positions previously?

Captain Tracey responded that the previous PSOs were reassigned to patrol; with the re-implementation of the PSO program, the old PSOs will be contacted to ascertain if there is interest in resuming the PSO position. If yes, great. If no, a process will be established to select prospective PSOs.

Member Aqeel asked Staff person Baker if the Measure BB funds were to be used to "hire new officers."

Staff person Baker alluded to his earlier comments that it would be more appropriate to submit these inquiries to the City Administrator, Budget Director and the Chief of Police and suggested the Committee invite the trio to its December 2010 meeting.

Member Aqeel asked whether Members of the Oversight Committee could participate in internal OPD strategy meetings to implement the PSO program.

Captain Tracey responded that he was unsure whether such participation was possible – but would make the inquiry to the department.

Chairperson Dorado asked whether the Captain could explain the jump in attrition rates from 4-5 monthly to the present 9 officers per month?

Captain Tracey responded the reasons vary – impending talks of continued layoffs resulted in officers leaving to explore employment opportunities elsewhere; retirements, etc.

Member Carter asked whether the PSO data collection system is being utilized?

Captain Tracey responded that since the PSO was suspended, the system is currently not being used. However, the department is exploring an expansion of the data collection system for PSO use with RDA and Gibson & Associates.

Chairperson Dorado requested a policy whereby PSOs are required to report back to NCPs with progress on PSO projects.

**Item 4: Review of Status Report: Recommendation to City Council Through the Office of the City Administrator Regarding Enhanced MY Committee Review of Expenditures, Revenue and Program Reports Pertaining to Measure Y Funds.**

Staff person Baker provided an update that included the presentation of the MY Committee's request to the Public Safety Committee and the PS Committee's direction to formulate a process whereby the VPPSOC (Violence Prevention and Public Safety Oversight Committee) is included in the review process. The proposed process includes monitoring the Rules, Public Safety and Oakland City Council agenda packages to ensure no Measure Y related report is scheduled without VPPSOC review and a suggestion that the VPPSOC utilize its "special meeting" powers to convene meetings to review pending MY-related items – with a view to provide Committee recommendations to the Public Safety Committee and City Council.

Member Barnett expressed pessimism regarding the proposed process and recommended the Committee adopt a long-term strategy rather than rush to develop an opinion/recommendation regarding a pending report within a short deadline. A better approach would be to periodically submit presentations to the Public Safety Committee/City Council on particular topics of concern regarding Measure Y – this approach would allow the Oversight Committee to work on their schedule rather than the City's schedule.

Member Forte asked who is providing the subject report; who authorized the report and who authored the report?

Staff person Baker responded that over an extensive period of time, the VPPSOC expressed concern that decisions were being made by the Public Safety Committee/City Council regarding M-Y without input from the VPPSOC. Thus, the subject report originated from the VPPSOC, was authorized by the VPPSOC and the initial report to the Public Safety Committee was authored by the VPPSOC to request inclusion in the M-Y related expenditure, revenue and program review process.

In response to an inquiry by Member Lee, Member Forte clarified the proposal: In addition to the VPPSOC responding to MY-related expenditure, revenue and programming proposals (where possible), Member Barnett's suggestion adds a second dimension of access – that is, a strategy of periodic reports to the Public Safety/City Council from the VPPSOC regarding selected M-Y violence prevention topics.

There was one speaker on this Item:

Sanjiv Handa, East Bay News Service:

With the passage of Measure BB several factors come into play. First, there was a clear misrepresentation that BB was not a new tax. (Inaudible microphone problems) As the revenue comes in, it will cost the City additional monies. (Inaudible microphone problems).

**Item 5:**        Review of Proposed Measure Y Oversight Committee By-Law Changes Re Authority to Schedule Special Meetings

Staff person Baker informed the Committee that its decision to amend the MYOC By-laws, (September 20, 2010), regarding the scheduling of "Special Meeting." Pursuant to the proposed amendment, "Special Meetings" may be scheduled by the Chairperson or by any two members of the Oversight Committee." The proposed amendment requires a fifteen day review period by the Committee as well as a vote of 2/3 of the total membership for passage. The fifteen day period for review has passed.

**Motion:** Motion to approve the proposed by-law amendment made by Member Forte. Motion seconded by Member Lee. Current membership of the Oversight Committee total 8 members. Six of the 8 current members voted in favor of the proposed by-law amendment. There were no nay votes.

**Action:** Motion passed.

**Item 6:**        Agenda Building, December 20, 2010

Member Carter inquired whether the legal fees for defense of the "Sacks" lawsuit are expended from the Measure Y Fund.

Member Barnett proposed the agenda for December include discussion of topics to be included in the annual report. The topics include: adult violence prevention programs; problem-solving officer staffing; information access; committee operations; youth violence prevention programs; school based violence prevention programs; non-PSO OPD programs; family violence programs and re-

entry programs. If Members volunteer to research one topic each and submit a report, the collection of reports could possibly culminate in an annual report.

Member Lee suggested discussion of the topics and assignments during the December meeting. One concern is that individual reporting on a particular strategy may represent the individual's viewpoint rather than the Committee's viewpoint.

Member Barnett responded that individual perspective would be helpful to the annual report development process since each Member brings their expertise to the topic area.

Member Aqeel requested the following issues be placed on December's agenda for discussion: (1) a status report on contract compliance by Leadership Excellence and the submittal of re-entry client data into data collection system by Mayor's Re-entry Specialist; (2) a status report from the City Attorney on litigation between the City and Alameda County re collection of the parking surcharge at the Oakland Coliseum; (3) discussion of transparency of meetings between Members of the Oversight Committee and city staff; and (4) the criteria used to place police officers in PSO positions (are officers supposed to be "new hires.")

Member Lee asked whether Measure BB precluded the lay-off of an additional 63 police officers.

Member Forte requested the Committee explore the possibility of discussing issues of violence prevention with other stakeholder groups, e.g., Community Policing Advisory Board, Neighborhood Watch Steering Committee, etc.

There were no speakers on this Item.

**Item 7: Adjournment**

Motion to adjourn. Seconded. Motion passed by consensus.

**MEASURE Y: VIOLENCE PREVENTION AND  
PUBLIC SAFETY OVERSIGHT COMMITTEE**

**DRAFT MINUTES: December 20, 2010**

**Oversight Committee Members**

Qa'id Aqeel, City Council At-Large

Peter Barnett, District 5

Joanne Brown, District 1

Michael Brown, Jr., District 3

Richard Carter, District 2

José Dorado, **Chairperson**, District 4

Mark Forte, District 7

Vacant, District 6

Nicole Lee, Office of the Mayor

Brandon Sturdivant, Sr., Office of the Mayor

Nyeisha Dewitt, Office of the Mayor

City Hall

Dunakin Hearing Room

1 Frank H. Ogawa Plaza

Oakland, California 94612

**Item 1: Roll Call and Determination of Quorum:**

**Present:** Members Aqeel, Barnett, J. Brown, M. Brown, Carter, Forte, Dewitt  
and Chairperson Dorado

**Absent:** Member Lee (excused absence), Member Sturdivant

**Quorum was achieved for this meeting.**

**Item 2. Open Forum:**

There was one speaker on this Item:

**Sandjiv Handa, East Bay News Service:**

Commented on "sticker shock" of new businesses in Oakland, e.g., water, sewer services, taxes, and the inability of the City and the Chamber of Commerce to provide basic support to new businesses, e.g., parking, public safety. Predicted many existing businesses will exit Oakland such as Nextel and soon to depart FEMA.

**Item 3: Review and Approval of Minutes from the November 15, 2010 Oversight Committee Meeting**

**Motion:** Member Forte made motion to approve Minutes of November 15, 2010. Member Carter seconded.

**Action:** Motion approved by consensus. Member M. Brown and J. Brown abstained.

**Item 4: Discussion: The Status of the Violence Prevention and Public Safety Fund, Measure Y 2011 Moving Forward**

**Dan Lindheim, City Administrator**, provided the overview. With the passage of Measure BB, funding for the violence prevention program and problem-solving officer programs will continue. There are a couple of important notes: Non-collection of the parking tax during the period of July 1 – November 2010, will result in the loss of between \$2.8 – 3 million dollars. These dollars can never be collected. Secondly, how is the City going to collect the parcel tax. One option being considered is “hand-billing,” (letters to property owners asking for payment) that will cost upwards of \$600 – 700 thousand dollars to implement. We expect less than a 50% return on this approach which would require a further step of placing and enforcing liens to collect the tax. A second option is placing the parcel tax on the 2011-12 property tax bill in September/October 2011. The problem is a “double” parcel tax bill for two years (2010 and 2011). In the interim, the City will fund Measure Y programming from other revenues. Since the City Council approved funding from the General Fund for M-Y violence prevention programming for the first six-months of 2010-11, we will replace these funds from M-Y revenues once collected.

What differentiates implementation of M-Y today from past years is that M-Y was predicated on having 803 police officers. Now we have 660 officers (and declining) and the 63 PSOs will come from this staffing level. It begs the question, what's the best way to provide general police services. One difficulty in implementing M-Y is how to have both the 63 PSOs as well as sufficient officers to respond to calls for police services. It will require the Oversight Committee's contribution to decide how to best do this.

Member J. Brown asked for the Administrator's view of the Oversight Committee and its role in the decision-making process.

Mr. Lindheim responded that it is difficult for advisory committees to provide broad and continuing opinion making when you meet once every few weeks and the department operates every minute. The department will ensure representatives are present at Committee meetings and the Committee needs to stay aware of occurrences and engage the department and Administrator's Office as to the Committee's views.

Member Carter asked given the budget shortfalls, have decisions been made as to where program cuts will occur?

Mr. Lindheim responded that presently the City is trying to avoid making program cuts. How to make up the shortfall is not yet clear.

Member Aqeel referenced an earlier informal meeting on Measure BB attended by Mr. Lindheim, Chairperson Dorado and Members Lee and Barnett. Specifically, Mr. Aqeel asked whether outreach was conducted to include Member Forte, Member M. Brown, Member Aqeel or Staff person Baker in the informal meeting on Measure BB.

Mr. Lindheim responded he could not recall how the invited attendees were developed however one consideration was not to exceed quorum limitations.

Chairperson Dorado added that in the future attendance to all informal meetings with City officials will be discussed during Oversight Committee meetings.

Mr. Lindheim referenced a recent Appellate Court ruling that use of Measure Y funds in a police officer recruitment effort was consistent with the strictures of the Measure Y Initiative and an acceptable use of Measure Y funds.

Chairperson Dorado asked whether Mr. Lindheim was available for a regular meeting with members of the M-Y Oversight Committee.

Mr. Lindheim responded that he was willing to meet with members of the Oversight Committee as long as he is City Administrator.

**Sara Bedford, Department of Human Services**, provided the overview of violence prevention programming. Ms. Bedford noted that with the passage of Measure BB the violence prevention programming grant agreements were structured so that the agreements would go forward if the Measure passed. The Department was fortunate to receive a Cal-Grip grant, a \$2.3 million re-entry



employment grant from the State of California and an additional \$3.5 million in federal grants. The Department is busily expanding grant contracts and augmenting the violence prevention program work.

Member J. Brown questioned the capacity of re-entry violence prevention programming and the efficient use of grant dollars. Reference was made to the Re-Entry Specialist position and the difficulty of the Committee to determine what he did, how he did it, who he contacted, etc. In addition to the Measure Y money expended on such efforts, what is the rationale in dropping an additional \$2.3 million dollars in federal money on top of the type of effort that hasn't produced much?

Ms. Bedford responded the \$2.3M is over a three-year period and is CALTRANS dollars to run crew-base employment and transitional jobs modeled very closely on the Center of Employment Opportunities in New York City – that the City has been eager to emulate. The funding will be RFP'd out and not earmarked for any specific provider.

Member Aqeel asked for a follow-up to issues raised in earlier Oversight Committee meetings regarding Leadership Excellence and their contract deliverables as well as the date of the submittal of client data from the Mayor's Re-Entry Specialist.

Ms. Bedford responded that Leadership Excellence has not submitted a fourth quarter invoice and have not been paid for that period. Corrective action was requested by staff and is pending. The agency has elected not to continue the contract for the upcoming year. Regarding the Mayor's Re-Entry Specialist, Ms. Bedford will check the CitySpan System, determine whether the re-entry client data has been entered and report back to the Oversight Committee during its January meeting.

**Chief Simon, Fire Services Agency**, provided the overview. OFD has maintained 25 engines and 7 truck companies and expanded from the 24 paramedics to 26 paramedics and continue to provide respond for fire services – upwards of 60,000 per year. Additionally, OFD provides mentoring programs through youth services (in and outside of the Fire Stations), through school events, open houses, homework and tutoring at Fire Stations, OBFA classes to prepare persons for Fire training oral boards, funding for scholarships, the ice hockey program, mentoring programs through the YMCA, volunteer work at the

Boys and Girls Club, summer interns and many other program efforts – that touch somewhere 10-16 thousand youth each year.

Member Forte asked whether there are “measurables” for the mentoring effort, e.g., how many youth, the specific outcomes, etc., as well as the specific number of “interns” engaged by the Department.

Chief Simon responded were five interns with the Fire Agency last year. There are numerous mentoring and programming efforts by the Fire Agency and we haven’t created the opportunity to record the program outcomes. We have firefighters who provide homework and tutorial services on a daily basis to latchkey kids; mentor to burn children, Special Olympic participants, and many, many other youth with great results.

Member Barnett requested the Fire Service Agency report back to the Oversight Committee with a break-down of where the annual \$4M allocation is spent, e.g., fire suppression and other fire and mentoring services.

Chief Simon responded that the annual \$4M MY allocation keeps the 25 engines and 7 truck companies on the streets. The MY funds eliminates “brown-outs” and flexible station shut-downs. No money is provided for the mentoring component through Measure Y and the department absorbs all costs associated with the mentoring effort.

Member Barnett commented that this is an example where the City mandates a department to provide a service yet fails to provide adequate funding for the service, comparable to the mandate on the Police Department.

Chairperson Dorado noted the Measure Y and Measure BB Initiatives specifically included “mentoring” among programs the Fire Services Agency was to construct with funds provided by the Measures.

**Deputy Chief Breshears, Oakland Police Department**, provided the overview for the Oakland Police Department. The department is in the process of selecting problem-solving officers and conducting its “draw” for 2011 patrol positions. The starting point was seeking officers who were previously assigned as problem-solving officers and selecting them to the positions. Many were returned to the same position. However, some PSOs were laid-off and other officers were identified to occupy the problem-solving officer positions. An evaluation process was undertaken to ensure the department obtained a “good fit.” Six crime reduction officers were also selected. Funding from Measure Y

pays for about 45 of the 63 officers required by the Initiative. What is not included in the count is the supervisory and command positions required for the problem-solving officer program. A total of 75 officers are required: 63 are the problem-solving officers; there is a ratio of 1:8 sergeants per officer. There are 9 sergeants, 1 sergeant assigned to the crime reduction team and 3 lieutenants assigned as resource lieutenants. These additional positions are not funded through Measure Y. Additionally, Measure BB did not allow for the re-hiring of police officers – it allowed the department to reduce lay-offs; we lose officers through attrition rather than through lay-offs. Current officer staffing is 660 officers. We need a minimum of 925 officers in the department based on CAD calls for service. Measure Y staffing with 739 officers is different with Measure Y staffing with 660 minus 75 officers. Patrol staffing needs a minimum of 325 officers to handle patrol calls for service. The transition to the problem-solving program will further reduce patrol staffing to 284 officers. All crime reduction teams have been eliminated except for the one Measure-Y funded Crime Reduction Team. We've eliminated a motor/traffic squad. We currently have 14-15 traffic officers and we're dropping this to 1 sergeant and six officers in January. Essentially, in January the specialized units will include the 1 traffic unit of 6; the Measure-Y positions and a few other positions funded outside of the general fund.

Member Barnett asked if the Beat Officer and the Problem-Solving Officer police the same area and if so, why the distinction between the two?

Deputy Chief Breshears answered that there are restrictions as to what a problem-solving officer can do; the beat officer has much more freedom in where they can be deployed. PSOs have designed duties and do not regularly answer 9.1.1 calls. The "beat designation" has become more of a call sign – if I work patrol in Beat 13 my call sign is 5L13 – it doesn't mean I'm on that Beat all the time. A PSO is deployed within the assigned Beat.

Member Forte asked whether the selected PSOs have committed to remain in the assignment for an extended period?

Deputy Chief Breshears answered there is a commitment to the PSO positions and in the event of retirement, the officer will be replaced rather quickly.

Member J. Brown asked whether the attrition rate has risen to "9" officers a month from the average of "4?"

Deputy Chief Breshears answered that the attrition number is in the high "6's" rather than "9."

Member Carter asked whether the use of officers in the PSO program is a good use of officers given the reduction of force.

Deputy Chief Breshears responded that he is supportive of the PSO program and without the Measure Y/Measure BB monies the department would not have the availability of the officers, period. As a Deputy Chief in Field Operations, anything that limits the deployment of officers in Field Operations and their incorporation into a larger crime reduction plan is not as effective if there were free range of use of the officers. One of the things we are looking at is that Measure Y states that a PSO assigned to each community policing beat. What the Chief would like to do is to match the community policing beats with the patrol beats. If you collapsed the 57 community policing beats to the 35 patrol beats you would still have multiple PSOs assigned and the PSOs would have more flexibility to move around the larger beat area.

On a monthly basis, what information would you like from the Police Department to come to the meeting and speak with the Committee?

Member M. Brown responded that he would like to hear more reflections from the PSOs on the activities on the beat.

Member J. Brown responded that an update on the number of officers available on the date of the meeting as well as an update on use of the PSO database and whether that data can be shared with the Committee.

Deputy Chief Breshears responded that there is a database and use has peaked and dropped off with the elimination of the PSO program in July 2010. There are two parts to the system, a front end for the evaluation and a back end for supervision. We are looking to see whether we can build the back end of the system. So we can use the front end (evaluation portion) of the system and are waiting to see if the back end (supervision portion) can be constructed and used. Measure Y pays for about 45 officers and designates \$500,000 for training and equipment. The issue is whether the money is actually there for training and equipment given the number of PSOs and the amount of M-Y funds.

Chairperson Dorado asked whether Members of the Oversight Committee could participate in internal OPD strategy meetings. Secondly, can the department

provide the documentation that shows how the PSO applies the SARA problem-solving model to projects and is reporting out the results to the NCPs and the community at-large? Lastly, the Department should consider tapping into community resources to assist in problem-solving.

Deputy Chief Breshears answered that he is open to meeting with a small, non-quorum group of Oversight Committee members and has communicated with Claudia Albano to set up a process whereby the NSCs can compile beat information for use by the PSOs.

**Mark Morodomi, Office of the City Attorney**, provided the overview of legal issues and referenced documents contained in the agenda package. There were no questions from the Committee.

**Jeff Baker, Assistant to the City Administrator**, provided an overview of the evaluation component. My primary role is to ensure compliance with the strictures of the Initiative itself. It requires an "independent" evaluator be hired to evaluate our violence prevention programming and community policing efforts and that we perform an audit as to the number of persons served and the amount of crime and violence decreased in Oakland due to the program. This is our fifth year of Measure Y, part of my role is to serve as a critic and look at the money the taxpayers have provided and determine whether we have used it effectively. To date, we have spent \$100 million dollars. Of all of our previous speakers, none have mentioned this fact. We have spent \$100 million dollars. I ensure we stay focused on the task at hand – reduce crime and violence in Oakland. You have heard the term "community policing" bantered about a lot tonight, however few have focused on what it is: some will tell you it's a "philosophy," some a "strategy" – I'm relatively sure residents of Oakland were sure of two things when they enacted Measure Y in 2004. One, "community policing" prevents crime; it's a national best practice and a foregone conclusion to reduce crime. "Community policing" creates a force of "crime preventers" not "crime fighters." Police departments throughout the country are more than willing to maintain the "9.1.1, traditional policing model," reactive policing from call to call to call. The 21<sup>st</sup> Century demands we have a "proactive" police department. Each of you would readily agree that none of us want to be robbed, have our homes broken into or our cars burglarized. The reason voters passed Measure Y in 2004 is that they wanted "crime preventers." It's important we stay focused on the fact. The second fact is that community policing saves money. One of the largest costs within the City of Oakland is our public safety costs. I don't believe that the voters willy nilly decided to go with community policing because they didn't understand what was on the ballot. I think voters knew it was imperative to

reduce the cost of public safety in Oakland – and they were willing to tax themselves to do it.

In three weeks we should present the FY 2009-2010 evaluation for your review. We are awaiting comments on the final draft from DHS and the Police Department and should receive the final after the holidays. The second piece I wanted to speak about is the far-reaching impact of Measure Y. Though we speak here often about PSOs and violence prevention programming, we have an entire public safety apparatus in Oakland that is founded on the notion of problem-solving officers. Part of my responsibility is to measure the impact of the PSO in each beat. When I began this process in 2007, we checked with OPD on their problem-solving records and there were none. We managed to place a data collection system in OPD to provide the data we needed to evaluate the effectiveness of the PSO program. If a PSO is not responding to calls for service the data collection system should be overflowing. I can assure you it is not. Part of my role is to push OPD to ensure that we (1) have PSOs (2) who are working on projects and (3) that there is relevance between the project and crime in the beat. My role is to make a connection between it all. In addition, we have 26 Measure Y violence prevention programs in the City of Oakland and my role is to make sure there is a nexus between the 26 different programs and the PSOs. That is, when a PSO shows up and there is a problem: truancy, domestic violence, alcohol, drugs, violence; we have 26 different non-profit service providers funded through Measure Y and the PSO should reach into that Measure Y toolbox and use it to resolve the problem. It has nothing to do with bicycles or walking officers. How do we police Oakland in the 21<sup>st</sup> Century? How do we prevent crime and violence? Measure Y not only provides the officers, it provides the program tools to problem-solve. Part of my role is to bring all these resources together, to form a comprehensive violence prevention program answer. The \$64K question is whether the investment works – does Measure Y programming reduce crime and violence? Hopefully, the evaluation will inform whether our investment has been worthwhile.

Member Carter asked whether we have a good picture of the effectiveness of the PSO program?

Staff person Baker answered that his role is to evaluate the effectiveness of the PSO program. To accomplish this, you need data. Initially there was no PSO data. We put a data collection system in place. Now we can look to see whether during the course of a shift a PSO is meeting with the Neighborhood Council, the Neighborhood Watch group, folks in the school district, the local churches – then is the PSO taking away from the meetings identified problems and using the

SARA model to resolve the problems.

Member Barnett asked whether the role of the Committee is to evaluate the evaluation. To comment whether the evaluation meets certain criteria and comment upon that or is the role to conduct an independent evaluation to determine if the Measure Y programs funded serve the appropriate functions?

Staff person Baker answered that the Initiative mandates the Committee: the charge is to advise the City Administrator and City Council as to the implantation of the Fire, PSO and violence prevention programs. The evaluation can be a tool to focus your perception as to what the programs should be and to focus on how to resolve the issues of crime and violence. The role of the Committee is yours to define.

Chairperson Dorado emphasized that it is not just Measure Y funded programs that assist in problem solving, it includes resources from the County and State.

Member Forte asked whether the Committee should review the draft evaluation prior to publication of the final document.

Staff person Baker responded that often there are errors in data, analysis and presumptions made in the draft document; the process we have allows DHS and OPD to review the draft document internally to ensure there is no misinformation between the departments and the evaluator. To be fair to DHS and OPD we provide the draft and an opportunity to correct any errors prior to final publication. Our plan is to provide you a month to review the final document prior to public discussion.

There was one speaker on this Item:

Sandjiv Handa, East Bay News Service:  
(Mr. Handa spoke for a total of 8 minutes.)

In six years \$124M dollars has been collected. With an additional \$1.6B dollars in federal aid to Oakland, is Oakland better off? I would say no. There are more persons on food stamps, more in poverty, more dropping out of school. During WWII when the freeways came in they took out thousands of homes and when BART came in and took out dozens of businesses on Broadway, they promised it would help downtown Oakland to grow. That was a lie; it stopped the expansion of Chinatown. The end result is that we now have two split districts. When Oakland went to district elections in the 1970s, the premise was that we

would have Council members accountable to a smaller constituency and you would not need to raise so much money with 7 council districts. It's the exact opposite that has happened. Council members figured out early that they didn't have to be accountable as a whole. They could make deals, horse trade votes and do whatever they wanted. So now you have the specter of Council members being in office for sixteen or twenty years or longer. This is something that ever happened prior to the 1970s and the district elections. For the first time we are getting a Mayor direct from the City Council. As I told Ms. Quan, one of the problems she faces is to undo some of the damages done during her time on the Council. Let's start with the police department. We got to a high of 772 officers during the Harris administration. Brown reduced the police department from 777 to 739 officers. On his third try, Brown was able to get money from the voters. Oakland has never looked at long-term creative solutions because of old arbitrator decisions and the old way of doing business. Several of the firehouses respond to 5-20 fire-related calls a year; the rest are paramedic services. San Francisco has paramedics in-house. Almost all Oakland firefighters are certified as paramedics. The end result is that you're running a \$700K - \$1M piece of equipment with four to seven firefighters. What if you converted to a system where you had less fire stations and more paramedics. The reason the fire fighters are not on the table for cuts within the Fire Department is because of Measure Y and the City Council agreed as a settlement that there would be no layoffs of firefighters until June 30, 2013. The police department went from 803 officers to 779 in six months. Ironically, as of November 14<sup>th</sup> it was 674. If you do the math, with 660 on the payroll, 70 are on injury leave, 7 more on limited light duty; that leaves 583 officers currently available. Minus the 75 going into Measure Y, that leaves 508; minus 27 in Internal Affairs and 6 command staff, that leaves you 475 officers available. Less than 50 of the officers laid off will not return. The rule of thumb in NCPCs is that the groups sets the priority for the beat. Therein lies the problem. 98% of the persons within the NCPC do not attend the NCPC meeting. The NCPCs are not in touch with the neighborhoods. On the issue of legal dollars, the city has a self-insured liability fund; at this point it is \$23M dollars in the hole. As it stands now, the fund has paid out \$770K dollars defending lawsuits on labor employment issues. It has paid out \$1M in conflict of interest lawsuits related to police officers. It has paid more than \$600K for "doff and don" for police officers taking on and off their uniforms. The last thing is that you have a \$50-55M deficit coming up. Then you have a City Council that is sitting on more than \$4M dollars, cash in undesignated spending that could bring back 24 police officers for one year. The money is used for political operations. You as a Committee have the ability to notice a meeting, discuss what you would have the City Council take up as a priority regarding spending and make presentation to the Mayor and City Council



during their budget session. It is an option to consider as an Oversight Committee.

**Item 5:**      **Discussion: Public Safety and Violence Prevention  
Programming Strategy Topics and Assignments for Research  
and Advisory Reports to the Oakland Public Safety Committee  
and Oakland City Council**

**Motion:** Member Forte made motion to put Item 5 over to next meeting. There was no second on this Motion.

**Action:** Motion failed.

**Motion:** Member J. Brown made Motion to convene a "Special Meeting" on January 10, 2011, to discuss strategy on going forward in a more productive manner in 2011. Member M. Brown seconded.

There was one speaker on the Item:

Sandjiv Handa, East Bay News Service:  
Mayor-Elect Quan's first act was to hire a public relations firm. Your Committee is seen by the City Council as being an obstacle. When you raise an issue about crime or violence, it is usually negative and picked up by the blogs and the mass media all over the world. When you talk about the negative parts – it's a problem. When you have that type of context, I suggest your motion have a second part: What is your proposal for the specific discussions the City Council and Public Safety Committee should take regarding Measure Y funding and programs?

**Action:** Motion passed by consensus.

**Item 6:**      **Adjournment**

Motion to adjourn. Seconded. Motion passed by consensus.