

INTRODUCED BY COUNCILMEMBER _____

City Attorney

ORDINANCE NO. _____ C.M.S.

ORDINANCE ESTABLISHING THE TERMS AND PROCEDURES OF THE VIOLENCE PREVENTION AND PUBLIC SAFETY OVERSIGHT COMMITTEE

WHEREAS, the voters of the City of Oakland voted on November 2, 2004 to adopt the Violence Prevention and Public Safety Act of 2004, also known as Measure Y; and

WHEREAS, this measure provided for the collection of a dedicated parcel tax and parking tax surcharge to pay for additional programs and services to increase police staffing, enhance fire safety, and expand violence prevention programs; and

WHEREAS, Measure Y also contained provisions for the appointment of an 11-member oversight committee, with three members being appointed by the Mayor and one member appointed by each City Councilmember; now therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be the function and duty of the Violence Prevention and Public Safety Oversight Committee to:

- a. Review the annual audit, evaluate, inquire and review the administration, coordination and evaluations of the programs funded by Measure Y revenues; and
- b. Make recommendations to the Mayor and the City Council for any new regulations, resolutions or ordinances for the administration of the programs to comply with the requirements and intent of The Violence Prevention and Public Safety Act (Measure Y);

In prescribing the above duties and functions of the Violence Prevention and Public Safety Oversight Committee, it is not the intent of the Council to duplicate or overlap the functions, duties, or responsibilities heretofore or hereafter assigned to any other City board or commission or to a City department. As to such functions or responsibilities of another board or commission or of a department of the City, the Violence Prevention and Public Safety Oversight Committee will render assistance and advice to such board, commission or department as may be requested. The Committee shall work with other boards, commissions and City staff, such as the Oakland Fund for Children and Youth, to encourage coordination of City funds.

Section 2.

- a. The Committee shall consist of eleven (11) members. The Mayor shall appoint three members of the Committee and each council member shall appoint one member. Members need to reside and/or be employed in the City of Oakland.

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b. Seven members shall constitute a quorum.

c. The members shall be appointed to terms of one year, said term to commence upon the date of appointment, except that an appointment to fill a vacancy shall be for the unexpired term only. Members may be reappointed to subsequent terms. If a Member has not been reappointed or replaced by the expiration of his or her one year term, that Member may remain in hold-over status for up to one year, but may be replaced by the appointing authority at any time during the hold-over period.

Section 3.

a. A vacancy on the Violence Prevention and Public Safety Oversight Committee will exist whenever a member dies, resigns, or is removed, or whenever an appointee fails to be confirmed by the Council within ninety (90) days of appointment.

b. A member may be removed pursuant to Section 601 of the charter. Among other things, conviction of a felony, misconduct, incompetence, inattention to or inability to perform duties, or absence from three (3) consecutive regular meetings except on account of illness or when absent from the City by permission of the Commission, shall constitute cause for removal.

Section 4.

The members shall elect a chairperson and a vice chairperson who shall serve for a one year term. The Violence Prevention and Public Safety Oversight Committee shall meet at City Hall, and at an established date and time suitable for its purpose. Such meetings shall be designated regular meetings. Other meetings called by the Mayor or City Administrator and meetings scheduled for a time or place other than for regular meetings shall be designated special meetings. All meetings shall be held in accordance with the Brown Act and Sunshine Ordinance.

Section 5.

The Violence Prevention and Public Safety Oversight Committee shall, in consultation with the Mayor, establish rules and procedures for the conduct of its business by a majority vote of the members present. Voting shall be required for the adoption of any motion or resolution. The Violence Prevention and Public Safety Oversight Committee shall make reports, findings and recommendations either to the Mayor or the City Council, as appropriate. An annual report will be presented in writing to the City Council. Recommendations from the Violence Prevention and Public Safety Oversight Committee shall first be carefully and fully considered by the Mayor. If rejected by the Mayor, the Violence Prevention and Public Safety Oversight Committee may submit recommendations to the Council for consideration, as appropriate.

Section 6.

The City Administrator, or a designee, may provide the Violence Prevention and Public Safety Oversight Committee with staff assistance.

Section 7.

The Violence Prevention and Public Safety Oversight Committee may not create any Standing Committees for the purpose of delegating any of the Committee's decision-making or duties, but may form ad hoc committees as needed.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Interim Clerk of the
Council of the City of Oakland, California

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