



AGENDA REPORT

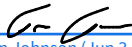
TO: Jestin D. Johnson
City Administrator

FROM: Floyd Mitchell
Chief of Police

SUBJECT: Radio Interoperability Agreement

DATE: June 3, 2024

City Administrator Approval


Jestin Johnson (Jun 3, 2024 16:11 PDT)

Date: Jun 3, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into A Radio Interoperability Agreement With The California Highway Patrol, For The Oakland Police Department To Permit The California Highway Patrol Permission To Operate On The City's Radio Frequencies, Using The East Bay Regional Communications System Authority ("EBRCSA") Radio System.

EXECUTIVE SUMMARY

The Radio Interoperability Agreement ("Agreement") ("**Attachment A**") permits the California Highway Patrol ("CHP") to use radio talk groups and channels of the Oakland Police Department ("OPD") under limited, specific circumstances. This Agreement must be accepted before OPD can provide CHP with the ability to operate on OPD Radio Frequencies. Upon approval, OPD would allow authorized CHP personnel to operate on OPD radio frequencies when CHP is working with OPD employees and officers, during specific disaster and extreme emergency operations, or during specific emergency or urgent operations involving imminent threat to the safety of life or protection of property. Both agencies reserve the right to terminate this Agreement at any time (upon 10-day written notice).

REASON FOR URGENCY

This Agreement must be signed as soon as possible to facilitate safe coordination of operations between OPD and the CHP. Currently, CHP cannot communicate or coordinate with OPD personnel using radio transmission, which is the primary form of communication internally between OPD field units. This represents a significant issue related to officer safety and the coordination of law enforcement activities within the communities of Oakland. This form of communication will enhance the ability of both agencies to provide critical services to the community.

City Council
June 18, 2024

BACKGROUND / LEGISLATIVE HISTORY

The CHP provides critical law enforcement services along the large freeway systems within the City of Oakland and beyond. CHP often partners with local agencies to bolster violence prevention efforts or address particular crime patterns that significantly affect communities across the State of California. These efforts have led to increased field operations that require coordination, or at a minimum, emergency communication, between CHP and OPD.

On May 22, 2019, the City Council approved [Resolution No. 87682 C.M.S.](#) allowing the City to enter into an MOU with EBRCSA members and establish guidelines for coordinated use of EBRCSA radio frequencies. The CHP is not an EBRCSA member.

The goal of this project is to establish radio communications between OPD and CHP and enhance the safety of agency members and the community of Oakland, consistent with the collaborative efforts of other regional agencies that utilize the EBRCSA platform.

ANALYSIS AND POLICY ALTERNATIVES

Article V, section 504(l) of the City Charter requires the City Council to authorize the City Administrator to represent the City in intergovernmental relations and to negotiate contracts for joint government actions.

This Agreement advances the citywide priorities of **holistic community safety** and **responsive, trustworthy government**. Entering into this Agreement will assist OPD with safely coordinating with CHP personnel operating within the City of Oakland, to enhance the safety of the community and agency members. This coordination is critical to both agencies in responding to emergencies within the City of Oakland and preventing fragmented approaches to complex challenges.

The CHP is permitted to use OPD talk groups and channels under three circumstances: (1) during joint operations or when working with OPD employees, (2) during Priority 1 circumstances as defined in the California Law Enforcement Mutual Aid Radio System Plan (“CLEMARS”) system priority guidelines – disaster and extreme emergency operations for mutual aid and interagency communications, and (3) during Priority 2 circumstances as defined in the CLEMARS system priority guidelines - emergency or urgent operations involving imminent safety of life or protection of property.¹ Additionally, OPD has the option to grant advance approval of CHP’s use of OPD talk groups and channels for joint trainings.

This Agreement will not significantly affect normal OPD operations and will create an avenue of communication that is standard across other local agencies. Under the Agreement, CHP personnel communicating on OPD’s radio channels must recognize the ultimate authority of

¹ The California Law Enforcement Mutual Aid Radio System Plan (CLEMARS), managed by the California Emergency Management Agency, defines the priority levels. EBRCSA members are permitted to use OPD talk groups or channels under these same circumstances.

OPD's Chain of Command while operating on OPD channels. OPD dispatchers will retain command and control consistent with normal operations.

Both agencies reserve the right to terminate this Agreement at any time (upon 10-day written notice).

Failure to approve this Agreement will prevent the City of Oakland from receiving the benefit of a collaborative communication system at no fiscal cost to the city for the duration of this Agreement.

Approval of the proposed Agreement will allow the City to benefit from this system at no direct cost to the City.

FISCAL IMPACT

There is no cost to the City to enter into this Agreement. CHP will be responsible for any expenditures related to their participation in this Agreement.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for this report beyond the standard City Council agenda noticing procedures.

COORDINATION

OPD consulted with the City Attorney's office and the CHP in preparation for this agenda report.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Race & Equity: Permitting the CHP to use OPD talk groups and channels under the specified circumstances increases public safety for all by permitting closer collaboration between the CHP and OPD.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into A Radio Interoperability Agreement With The California Highway Patrol, For The Oakland Police Department To Permit The California Highway Patrol Permission To Operate On The City's Radio Frequencies, Using The East Bay Regional Communications System Authority ("EBRCSA") Radio System.

For questions regarding this report, please contact Dr. Carlo Beckman, Project Manager II, at 510-238-2068.

Respectfully submitted,

Floyd Mitchell, Chief
Oakland Police Department

Reviewed by:
Tracey Jones, Police Services Manager I
OPD, Research, and Planning

Prepared by:
Sergeant Gabriel Urquiza
Oakland Police Department

Dr. Carlo Beckman, Project Manager II
Oakland Police Department

Attachment: (1)

(A): Radio Interoperability Agreement between The City of Oakland Police Department and the California Highway Patrol