


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT PRO TEMPORE SHENG THAO

ADOPT A RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO RETURN TO THE CITY COUNCIL, IF NECESSARY, WITH A REPORT REGARDING OPD STAFFING LEVELS AND MEASURE Z COMPLIANCE, PROPOSING ANY RECOMMENDED AMENDMENTS TO THE HIRING PLAN TO ENSURE MEASURE Z COMPLIANCE

WHEREAS, during the biennial budget process to authorize a two-year budget for fiscal years 2021-23, the City Administrator presented to the City Council a proposal for police academies to retain a number of sworn police officers above 678; and

WHEREAS, on June 24, 2021 the Oakland City Council adopted Resolution No. 88717 authorizing the Biennial balanced budget for fiscal years 2021-23 and appropriating certain funds to provide for the expenditures proposed by said budget; and

WHEREAS, prior to adopting Resolution No. 88717, the Council discussed, at length, how many police academies would be needed in order to maintain adequate sworn staffing at the Police Department; and

WHEREAS, Resolution No. 88717 authorized and appropriated funds for four police academies for the two-year budget, two for fiscal year 2021-22, and two for fiscal year 2022-23; and

WHEREAS, maintaining two police academies per fiscal year is consistent with the number of academies that were held in previous years, as noted in the Council President's Budget Memorandum dated June 14, 2021; and

WHEREAS, in 2014 voters approved Measure Z, "The 2014 Oakland Public Safety and Services Violence Prevention Act", which imposes a parcel tax to funding public safety services; and

WHEREAS, Measure Z section 3(C)(2)(d) "Maintenance of Sworn Police Personnel" states that "The City shall be prohibited from collecting the taxes provided for in this

Ordinance...At any time after July 1, 2016, that the City has failed to hire and maintain a minimum of 678 sworn police personnel”; and

WHEREAS, Measure Z revenue provides funding to the Oakland Fire Department, whose efforts to keep Oakland safe from wildfire are invaluable to the City and its residents; and

WHEREAS, should the Oakland Police Department level of sworn officers be below 678, it would jeopardize the City’s ability to collect revenue which funds the important work of the Oakland Fire Department; and

WHEREAS, Measure Z section 3(C)(2)(d)(iii) provides an exemption from the “Maintenance of Sworn Police Personnel” Section when the City Administrator reports to the City Council concerning reasons for the shortfall in officers, steps taken to restore the personnel level, and a time frame for doing so; and

WHEREAS, even though Measure Z gives the City 90 days to declare an exception to the measure’s staffing requirements, such as for the unexpected failure of the City’s hiring plan, it is prudent to take proactive steps to identify and address potential staffing-shortfalls before they occur , now therefore be it:

RESOLVED: that the City Council directs the City Administrator to return to the City Council with a report on Police Department sworn-staffing levels and Measure Z compliance if sworn staffing levels fall below 678 or within a reasonable amount of time if the City Administrator reasonably believes that such a shortfall is imminent; and be it

FURTHER RESOLVED: that, with respect to the aforementioned report, the City Council directs the City Administrator to propose modifications to Police Department’s hiring plan that may be necessary to ensure the City remains in (or regains) compliance with Measure Z staffing requirements.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

