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OFFICE OF THE CITY CLERK
OAKLAND

Revised by the Council at its December 7, 2021 meeting

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Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88941 C.M.S.

RESOLUTION MODIFYING THE CITY'S HIRING PLAN FOR THE PURPOSE OF ENSURING COMPLIANCE WITH MEASURE Z

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 C.M.S. 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, Resolution No. 88717 C.M.S. 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, 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's level of sworn officers be below 678, it could 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; and

WHEREAS, on September 21, 2021, the City Council approved Resolution No. 88821 C.M.S. requiring the City Administrator to return to City Council with modifications to the hiring plan to offset the loss of sworn personnel; and

WHEREAS, the City Administrator's report that accompanied this Resolution described the reasons for staffing losses at OPD, the specific steps that should be taken to address the losses, and the time frame for doing so ("Proposed Modifications to the Hiring Plan") which report is dated December 2, 2021 and Attachments A – D thereto are attached and hereby incorporated by reference as Exhibit 1 to this Resolution; and

WHEREAS, as of October 31, 2021, OPD had 682 sworn personnel. When the 186th Academy concludes on December 24, 2021, OPD anticipates graduating and swearing in 26 Police Officers and anticipates they will complete Field Training on May 14, 2022; and

WHEREAS, OPD has taken and planned steps to increase the success rate of POTs in the Academy and Officers in Field Training, as well as the retention rate of Officers in the Department; and

WHEREAS, OPD has resumed in person outreach and during the July – September 2021 quarter, hosted and/or attended 34 recruitment events; now, therefore, be it

RESOLVED: That the City does hereby declare an exception to the minimum staffing requirement in Part 1, Section 3 of Measure Z due to the number of sworn personnel unexpectedly falling below said requirement despite the City's adoption and implementation of a hiring plan; and be it

FURTHER RESOLVED: That the City Council accepts the Proposed Modifications to the Hiring Plan, including the requirement that the City Administrator undertake all possible efforts to fill and graduate an academy of lateral recruits, and hereby modifies the City's hiring plan accordingly, to ensure the City remains in compliance with Measure Z staffing requirements.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

DEC 07 2021

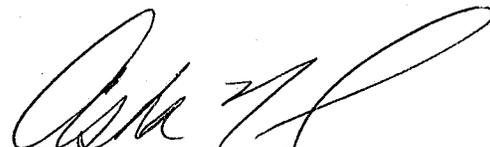
AYES - ~~XXXXXXXXXX~~ KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT
FORTUNATO BAS - 6

NOES - 1 Gallo

ABSENT - 0

ABSTENTION - 1 Fife

ATTEST:



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