

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER [IF APPLICABLE]

RESOLUTION MODIFYING THE CITY'S HIRING PLAN FOR HIRING AND RETAINING POLICE OFFICERS FOR THE PURPOSE OF ENSURING COMPLIANCE WITH MEASURE Z, A PARCEL TAX TO FUND PUBLIC SAFETY SERVICES WHICH INCLUDES CERTAIN STAFFING REQUIREMENTS FOR THE OAKLAND POLICE DEPARTMENT.

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 fund 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, on December 7, 2021, the Oakland City Council adopted Resolution No. 88941 C.M.S., authorizing a modification of the City’s “hiring plan” within the meaning of Measure Z for the Purpose of Ensuring Compliance with the measure (as modified, the “Hiring Plan”); and

WHEREAS, the City has failed to consistently maintain a minimum of 678 sworn police personnel in 2022 despite the authorization of the Hiring Plan, with 658 officers employed by OPD as of June 30, 2022: and

WHEREAS, 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; and

WHEREAS, OPD has now begun to implement its strategic plans for improved recruitment efforts which will improve the ability to hire sufficient staff for new police officer training academies; and

WHEREAS, OPD has now begun to implement its strategic plans for improved support to new trainees and new officers throughout the training process, which should result in greater numbers of trainees graduating from police academies.

WHEREAS, the City staff report dated July 5, 2022 that accompanies this Resolution describes 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 (“Revised Hiring Plan”); now, therefore, be it

RESOLVED: That the City does hereby declare an exception to the minimum staffing requirement in Part1, Section3 of Measure Z due to the number of sworn personnel unexpectedly falling below said requirement despite the City’s adoption and implementation of the Hiring Plan; and be it

FURTHER RESOLVED: That OPDs Revised Hiring Plan, as outlined in the report accompanying this resolution, shows that sworn police staffing is projected to return to Measure Z-required levels first in October 2022, and then ongoing by May 2023; and be it

FURTHER RESOLVED: That the City Council accepts the Revised Hiring Plan, 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:

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