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OFFICE OF THE CITY CLERK
OAKLAND

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**
AGENDA REPORT

2009 APR -8 PM 5:22

To: Office of the City/Agency Administrator
Attn: Dan Lindheim
From: Community and Economic Development Agency
Date: April 21, 2009

Re: An Agency Resolution Rescinding Resolution 2009-0047, Amending Resolution 2008-0034, And Contributing Central City East And Coliseum Redevelopment Funds In An Amount Not To Exceed \$180,000 To The City Of Oakland Under The Cooperation Agreement To Implement The Central City East Commercial Security Pilot Program And The Coliseum Commercial Security Pilot Program Using City Of Oakland Police Officers

A City Resolution Accepting And Appropriating Redevelopment Funds In An Amount Not To Exceed \$180,000 Under The Cooperation Agreement To Implement The Central City East Commercial Security Pilot Program And The Coliseum Commercial Security Pilot Program Using City Of Oakland Police Officers

SUMMARY

Staff requests approval to implement the Central City East (CCE) Commercial Security and Coliseum Commercial Security walking patrols using City of Oakland police officers on an overtime basis. Staff has prepared two resolutions. The first resolution authorizes the Redevelopment Agency to contribute redevelopment funds in an amount not to exceed \$180,000 to the City under the Cooperation Agreement for the Oakland Police Department patrols, rescinds Resolution 2009-0047 which authorized a contract for private security services, and amends Resolution 2008-0034 to authorize patrols by OPD instead of a private security firm. The second resolution authorizes the City to accept and appropriate Agency funding not to exceed \$180,000 for the patrols.

Funds for the Central City East and Coliseum Commercial Security Pilot Programs were initially allocated by the Agency through Resolution 2008-0034 passed on April 15, 2008 for the provision of private armed security services. Staff conducted a request for proposals (RFP) and received five proposals. A review panel of City Council staff and Oakland Police Department (OPD) personnel ranked the submittals and interviewed the top four firms. At the March 31, 2009 Council Meeting, the Agency approved Resolution 2009-0047 authorizing staff to negotiate and enter into an agreement with the highest or the second highest ranked firm from the RFP. At the same meeting some Councilmembers also expressed a preference for OPD overtime patrols

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instead of private security patrols. Council directed staff to structure a program using the Commercial Security Pilot program funds to provide patrols by OPD officers on an overtime basis in lieu of private security patrols. Staff has prepared a plan for OPD overtime patrols of the commercial corridors modeled after the existing 8L18 patrols in the Coliseum Area in consultation with the OPD, and requests approval to implement the Central City East Commercial Security and Coliseum Commercial Security patrols using OPD officers.

FISCAL IMPACT

Agency Resolution 2008-0034 C.M.S., signed April 15, 2008, authorized funding for the commercial security patrols. This resolution is to be amended by the current resolution to allocate these funds for OPD overtime patrols. \$60,000 is available in the Commercial Security Guards Coliseum Project (S354010) in the Coliseum Operating Fund (9450) Coliseum Redevelopment Organization (88659), and \$120,000 is available in the Commercial Security Guards CCE Project (S353910) in the Central City East: Operations Fund (9540) Central City East Organization (88699).

The duration of services provided by the project budget of \$180,000 with OPD patrols is less than was initially envisioned with a private security firm because the hourly wage of OPD officers is significantly higher. Staff estimates that the program budget will support OPD overtime patrols at the proposed levels for approximately three months, so more appropriations will be necessary to fund the program in the next fiscal year if it is going to continue.

BACKGROUND

Crime rates within the City of Oakland have created a need for the City and Agency to increase financial and staff resources to pay for public safety services in redevelopment project areas. The reduction of crime in commercial corridors of project areas due to increased public safety services would encourage business attraction and retention efforts. To address this need, Agency Resolution 2008-0034 C.M.S., passed on April 15, 2008, created the Central City East and Coliseum Commercial Security Pilot Programs and authorized Agency funding for private commercial security patrols under these programs.

Enforcing security in a redevelopment project area to promote business activity and investment is considered a valid use of redevelopment funds. In 1996, the City Attorney's Office issued a legal opinion concluding that the use of redevelopment tax increment funds to fund crime prevention and supplemental police services in the Coliseum redevelopment project area, though not specifically authorized by redevelopment law, was legally defensible given the nexus between crime reduction and community revitalization. The blight study that was performed for the Coliseum area when the redevelopment plan was adopted documents a strong link between high crime and physical and economic blight in the project area, and draws a connection between crime prevention, the elimination of blight and the successful redevelopment of the project area.

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The connection between high crime and blight conditions in Oakland's redevelopment project areas is strong. Crimes such as graffiti and vandalism contribute directly to physical blight. High crime rates reduce property values and contribute to economic blight as well. Enhanced public safety will encourage business retention and attraction, financial investment and developer interest in the project area. Enhanced public safety is therefore necessary for a successful redevelopment program.

The relationship between crime and blight in the Coliseum Redevelopment Project Area is described as follows in the blight study performed in 1995:

High crime rates significantly affect the image of an area and is a serious disincentive to any residential or business investment in the area. The fear for personal safety is a major criterion in the decision of any household or business to locate in an area. Within commercial areas, in particular, crimes against persons and property discourage patronage and add to the cost of doing business in the form of vandalism, burglary, theft, etc. When these crimes are disproportionately high, patrons, tenants and businesses relocate elsewhere. In residential areas, crimes have the effect of devaluating property, and discouraging sales and reinvestment....Local business sources agree that fear for personal safety is one of the most serious impediments to investment in the Study Area. ["Coliseum Area Redevelopment Plan Report to Council," July 1995, pp. II-109 to II-110]

In addition, research by staff and by merchant groups has identified crime as a significant obstacle to business development in Oakland. In 2008 and 2009, the Oakland Merchants Leadership Forum (OMLF) conducted online surveys focusing on crime and security issues with approximately 100 Oakland business owners. Most respondents were proprietors of businesses in other business districts which have lower crime rates than the areas for the proposed patrols. Nonetheless, in both the 2009 and 2008 OMLF surveys business owners indicated "Safety and Crime" to be the most important issue affecting their business. The OMLF surveys also show that business owners perceive walking patrols as a significant deterrent to crime. On average, 96% of respondents who did not have a foot patrol officer in their district indicated that they would like to have one. In December of 2008, the Business Development Division of CEDA conducted an online survey of Oakland commercial real estate brokers, developers, and business and property owners. This survey identified public safety as the most important factor influencing business location decisions, more important than taxes, fees, real estate costs, access to transportation and economic incentives.

Criminal Activity in the CCE and Coliseum Areas

One location for criminal activity in the Coliseum Area is International Boulevard, a major commercial corridor that adjoins the Central City East Area. The segment of International Boulevard within the Coliseum Area has been referred to by OPD as one of the most problematic, challenging areas in Oakland (See Table 1).

**Table 1
FY 2007-08 Coliseum Enhanced Patrol Target Areas
High Crime Areas on International Boulevard**

Key Segments on Intl. Blvd.	Common Crimes
35th Ave. - 38th Ave.	Drug Trafficking, Loitering
45th Ave. - 48th Ave.	Prostitution
82nd Ave. - 84th Ave.	Loitering, Teen Nuisance
89th Ave. - 90th Ave.	Drug Dealing
94th Ave. - 96th Ave.	Loitering, Robberies

The Central City East Area is associated with a high crime rate as noted in its blight study that was conducted in 2003.

Existing Redevelopment Agency Funding for Public Safety in the CCE and Coliseum Areas

In the Coliseum Redevelopment Project Area the 4L18 Security Enhancement Program (now known as 8L18), adopted in the mid-1990s, funds overtime costs on a volunteer basis for extra police patrols around the Hegenberger commercial corridor on nights and weekends. For FY 2008-09, Coliseum contributed \$150,000 to the 8L18 Program. The Agency has also adopted a Public Safety and Police Services Program (Agency Resolution No. 2007-0075 C.M.S.) for five project areas, including Coliseum and Central City East, which funds the Neighborhood Enforcement Team (NET) enhanced OPD police patrols in those areas. The OPD NET program has targeted MacArthur, Bancroft and International Blvd. from 73rd to the City of San Leandro border. Table 2 shows data from the Oakland Police Department on the work of the NET program in the CCE and Coliseum Areas from September 2007 to July 2008. Although the data tracks arrests and actions, it may not accurately reflect the actual occurrences of crime within the areas. Additional resources would increase the number of police actions and ultimately lower the number of occurrences.

Table 2: OPD NET Program Data for CCE and Coliseum Areas : September 2007 to July 2008

Name	Serial No.	Date of Report	Dates of Review	Watch	Squad
Sgt. Todd Mork	8173	31-Jul-2008	September 2007 to July 2008	3	NET
			Category	Monthly Average	Total from September 2007 to July 2008 – 11 months
			Service Calls		
			1. Felony Narcotic Arrests	23	256
			2. Felony Warrant Arrests	8	92
			3. Felony Other Arrests	13	148
			4. Vehicle Stops	102	1117
			5. Walking Stops	129	1420
			6. Misd. Arrests	14	149
			7. Misd. Warrant Arrests	4	41
			8. Field Contacts	63	693
			9. Firearms Recovered	2	26
			10. Tows	6	63
			11. Stop Data forms	231	2537
			12. Citations	55	610

The proposed overtime walking patrols will supplement existing resources available through the Oakland Police Department and will complement the efforts of the Sergeant and the eight officers assigned to patrol the commercial corridors in the Central City East and the Coliseum Redevelopment Project Areas through the NET program.

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KEY ISSUES AND IMPACTS

The CCE and Coliseum Commercial Security program will focus on crime prevention and enforcement along the commercial corridors of both Central City East and the Coliseum Redevelopment Areas. The patrols will primarily target MacArthur Boulevard from 73rd Avenue to the San Leandro border and International Boulevard from 23rd Avenue to the San Leandro border. The officers may rotate to other CCE and Coliseum commercial corridors as required. Other areas that also may be targeted include:

- Foothill Boulevard between 23rd and 73rd Avenues
- Bancroft Avenue between 66th and 73rd Avenue
- The East 18th Street/Park Boulevard area;
- The Eastlake commercial corridor between 5th and 10th Avenues along East 12th Street and International Boulevard;
- San Leandro Street between Fruitvale Avenue and 98th Avenue;
- The 23rd Avenue corridor from East 12th Street to East 27th Street.

At its January 7th and February 4th 2008 monthly meetings, the Central City East Project Area Committee (PAC) voted in favor of the proposed CCE Commercial Security Pilot Program, and the PAC approved the change in implementation from private guards to OPD officers at its April 6, 2009, monthly meeting.

PROGRAM DESCRIPTION

Agency funds will pay up to four OPD officers to patrol from noon until 7:00 PM, Monday through Saturday on a voluntary overtime basis. Except in inclement weather, the officers will patrol primarily on foot or by bicycle or using dual purpose motorcycles, with the highest priority going to walking patrols. The goal of the patrols will be to focus on the CCE and Coliseum commercial corridors that have experienced increased armed robberies and other serious crimes. The patrols will coordinate with the OPD Sergeant in charge of the eight officers now working under the CCE and Coliseum Public Safety and Police Services Neighborhood Enforcement Team Program. To ensure that officers are familiar with the patrol areas, only officers who regularly work in the target areas shall be eligible for the overtime assignments. When arrests are made, rather than transporting the suspect to the North County or Santa Rita jails, the patrol officer shall detain the suspect at the Eastmont Substation or in the paddy wagon that usually arrives at the substation around 1:00 PM daily.

Based on cost analysis from September 15, 2008 to March 31, 2009 of the Coliseum area 8L18 overtime patrol program, the average hourly cost of the proposed OPD overtime patrols will be approximately \$88.00. Staff estimates that the program budget of \$180,000 will support OPD overtime patrols at the proposed levels for approximately three months.

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SUSTAINABLE OPPORTUNITIES

Economic:

Businesses and commercial properties located within the Central City East and Coliseum Redevelopment Areas are negatively impacted by increasing crime activity in the area. More specifically, overall revenues and sales tax generation have declined, and the City's efforts at business attraction and retention are hindered by increasing crime. The proposed OPD patrols are designed to deter crime and therefore improve the overall business environment in the CCE and Coliseum Redevelopment Areas.

Environmental:

Crime has been determined as a subcomponent of blight in the Central City East and Coliseum Redevelopment Areas. The proposed OPD patrols are anticipated to reduce crime which will make the commercial corridors within the CCE and Coliseum areas a safer, more peaceful, and vibrant environment for residents and businesses.

Social Equity:

The goal of the OPD patrols is to improve the physical conditions of the area for all residents and property owners. Therefore, these services will provide for improvements that have social benefits for the area as a whole.

DISABILITY AND SENIOR CITIZEN ACCESS

The proposed OPD patrols are anticipated to reduce crime in the targeted area. This reduction in crime will be beneficial to the overall safety of senior citizens who reside within the CCE and Coliseum Redevelopment Areas.

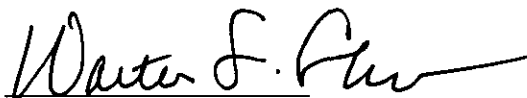
RECOMMENDATION AND RATIONALE

Staff recommends that the Agency implement the Central City East Commercial Security Pilot Program and the Coliseum Commercial Security Pilot Program using City of Oakland police officers on a voluntary overtime basis. While the cost of using OPD officers is significantly higher than the cost for the private security firm that was selected through the Request for Proposals, the level of training and experience of OPD officers is much higher than that of private security officers, and the OPD patrol officers will be familiar with the community and the relevant history of the patrol areas. OPD patrol officers will be more effective than private patrol officers because they have the capability to arrest suspects, and will liaise more seamlessly with OPD and other public safety personnel.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that Council adopt the Agency and City resolutions appropriating Agency funding in an amount not to exceed \$180,000 for the OPD patrols, rescinding Resolution 2009-0047, which authorized a contract for private security services, and amending Resolution 2008-0034 to authorize walking patrols by OPD rather than a private security firm.

Respectfully submitted,



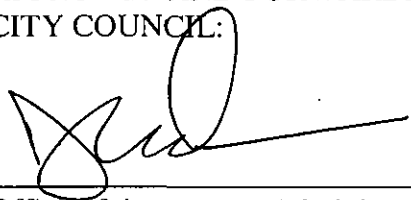
Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed By: Gregory Hunter, Deputy Director
Economic Development and Redevelopment

Larry Gallegos, Redevelopment Area Manager

Prepared by: Daniel Seamans, UEA I
CEDA Redevelopment Division

APPROVED AND FORWARDED TO THE
CITY COUNCIL:



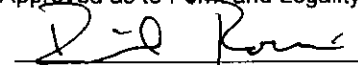
Office of the Agency Administrator

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OAKLAND

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Approved as to Form and Legality


Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. _____ C.M.S.

RESOLUTION RESCINDING RESOLUTION 2009-0047, AMENDING RESOLUTION 2008-0034, AND CONTRIBUTING CENTRAL CITY EAST AND COLISEUM REDEVELOPMENT FUNDS IN AN AMOUNT NOT TO EXCEED \$180,000 TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT TO IMPLEMENT THE CENTRAL CITY EAST COMMERCIAL SECURITY PILOT PROGRAM AND THE COLISEUM COMMERCIAL SECURITY PILOT PROGRAM USING CITY OF OAKLAND POLICE OFFICERS

WHEREAS, the Redevelopment Agency strives to prevent and reduce blight and encourage redevelopment activities and investment within the redevelopment project areas of Oakland; and

WHEREAS, Section 33031(b)(5) of the California Community Redevelopment Law (CRL) identifies a high crime rate that constitutes a serious threat to the public safety and health as an economic condition that causes blight; and

WHEREAS, there is a significant correlation between crime, blight conditions, and the lack of redevelopment within the Central City East and Coliseum Redevelopment Project Areas, and so a reduction in crime within those Project Areas would be directly related to the prevention and elimination of blight conditions in and the successful redevelopment of those Project Areas; and

WHEREAS, crime within the Project Areas has steadily been rising; and

WHEREAS, crimes such as graffiti and vandalism contribute directly to physical blight in the Project Areas; and

WHEREAS, burglary, theft, and other property crimes act as strong deterrents for business owners to locate in the Project Areas and for developers to invest in the Areas; and

WHEREAS, fear of crime dissuades customers from patronizing retail businesses in the Project Areas; and

WHEREAS, enhanced public safety is vital to a successful redevelopment program; and

WHEREAS, funding public safety enhancements and crime reduction programs will encourage business retention and attraction, financial investment, and developer interest in the Project Areas; and

WHEREAS, surveys conducted by the Oakland Merchants' Leadership Forum in 2008 and 2009 of merchants in Oakland's commercial areas identified crime and safety as the top issue facing their businesses, with 84% to 93% of the surveyed businesses responding that crime and safety affect their businesses; and

WHEREAS, a survey conducted by City of Oakland staff of Oakland real estate brokers, property owners, and developers in 2008 identified public safety as the most important factor influencing business location decisions; and

WHEREAS, Agency Resolution No. 2008-0034 C.M.S., passed on April 15, 2008, created the Coliseum Commercial Security Pilot Program and the Central City East Commercial Security Pilot Program, and authorized funding for private armed commercial security patrols in commercial corridors of the Coliseum and Central City East Redevelopment Project Areas; and

WHEREAS, Resolution 2009-0047 C.M.S. authorized a professional services agreement in an amount not to exceed \$180,000 for the provision of private security services under the Central City East and Coliseum Commercial Security Pilot Programs; and

WHEREAS, the Agency wishes to provide security services under the Programs through City of Oakland Police Department patrols; and

WHEREAS, the funds for City of Oakland Police Department patrols of commercial corridors in the Central City East and Coliseum Redevelopment Project Areas under the Programs are proposed to come from funds allocated for private armed commercial security patrols under Agency Resolution No. 2008-0034 C.M.S.; and

WHEREAS, the Agency and the City of Oakland entered into a Cooperation Agreement on July 1, 2004, which governs the provision of assistance and the payment of funds between the two agencies, including City staff services to the Agency; now therefore be it

RESOLVED: That the Agency hereby rescinds Resolution 2009-0047; and be it

FURTHER RESOLVED: That Resolution No. 2008-0034 is hereby amended to provide that security services under the Central City East Commercial Security Pilot Program and the Coliseum Commercial Security Pilot Program will be provided by Oakland Police Department officers, instead of private commercial security officers; and be it

FURTHER RESOLVED: That the Agency Administrator or his designee is authorized to contribute an amount not to exceed \$180,000 under the Cooperation Agreement to the City of Oakland for Oakland Police Department patrols of commercial corridors in the Central City East and Coliseum Redevelopment Project Areas under the Coliseum

Commercial Security Pilot Program and the Central City East Commercial Security Pilot Program; and be it

FURTHER RESOLVED: That the \$180,000 in Agency funding will consist of \$60,000 from the Commercial Security Guards Coliseum Project (S354010) in the Coliseum Operating Fund (9450) Coliseum Redevelopment Organization (88659), and \$120,000 from the Commercial Security Guards CCE Project (S353910) in the Central City East: Operations Fund (9540) Central City East Organization (88699); and be it

FURTHER RESOLVED: That the Agency authorizes the Agency Administrator or his designee to take any action with respect to Central City East Commercial Security Pilot Program and the Coliseum Commercial Security Pilot Program consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - KERNIGHAN, NADEL, QUAN, DE LA FUENTE, BROOKS, REID, KAPLAN, AND
CHAIRPERSON BRUNNER

NOES ~

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland, California

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Approved as to Form and Legality


Deputy City Attorney

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

**RESOLUTION ACCEPTING AND APPROPRIATING
REDEVELOPMENT FUNDS IN AN AMOUNT NOT TO EXCEED
\$180,000 UNDER THE COOPERATION AGREEMENT TO
IMPLEMENT THE CENTRAL CITY EAST COMMERCIAL
SECURITY PILOT PROGRAM AND THE COLISEUM
COMMERCIAL SECURITY PILOT PROGRAM USING CITY OF
OAKLAND POLICE OFFICERS**

WHEREAS, the City of Oakland and the Redevelopment Agency of the City of Oakland strive to prevent and reduce blight and encourage redevelopment activities and investment within the redevelopment project areas of Oakland through enhanced public safety and security; and

WHEREAS, the City and Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which governs the provision of assistance and the payment of funds between the two agencies, including City staff services to the Agency; and

WHEREAS, the Agency has authorized a contribution of redevelopment funds in an amount not to exceed \$180,000 to the City to provide security services under the Central City East Commercial Security Pilot Program and the Coliseum Commercial Security Pilot Program through patrols by Oakland Police Department officers in commercial corridors of the Central City East Redevelopment Project Area and the Coliseum Redevelopment Project Area; now, therefore, be it

RESOLVED: That the City Council hereby accepts Agency funds in an amount not to exceed \$180,000 under the Cooperation Agreement to provide security services under the Central City East Commercial Security Pilot Program and the Coliseum Commercial Security Pilot Program through patrols by Oakland Police Department officers in commercial corridors of the Central City East Redevelopment Project Area and the Coliseum Redevelopment Project Area; and be it

FURTHER RESOLVED: That Council hereby appropriates \$120,000 of Central City East Redevelopment Area funds to Oakland Redevelopment Agency Fund (7780), Police Area 3 Org (107710), Project to be determined, and \$60,000 of Coliseum Redevelopment Area funds to Oakland Redevelopment Agency Fund (7780), Police Area 3 Org (107710), Project to be determined ; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to take any action with respect to implementation of the Central City East Commercial Security Pilot Program and the Coliseum Commercial Security Pilot Program consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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