

CITY OF OAKLAND

AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Joe DeVries
Deputy City Administrator

SUBJECT: Oakland Public Safety Planning and
Oversight Commission Enabling
Ordinance

DATE: February 11, 2025

City Administrator Approval


Jestin Johnson (Feb 13, 2025 18:20 PST)

Date: Feb 13, 2025

RECOMMENDATION

Staff Recommends That The City Council Adopt An Ordinance Establishing The Oakland Public Safety Planning And Oversight Commission, Providing For The Appointment Of Members Thereof, And Defining The Duties And Functions Of Said Commission

EXECUTIVE SUMMARY

On November 5, 2024, voters approved [Measure NN](#), the Oakland Community and Emergency Response Act, which is a parcel tax that will remain in effect for nine years. Measure NN maintains and increases the [Measure Z](#) taxes that were adopted by voters in 2014. Tax revenue from the measure can only be used to pay costs related to the following desired goals: 1) reduce homicides, robberies, carjackings and break-ins, domestic violence, and other gun-related violence; (2) improving emergency 911 response times and quality of response; 3) reducing the incidence of human trafficking including the sexual exploitation of minors; and 4) pays for certain administrative expenses related to the funded programs.

The voters of the City of Oakland adopted NN with 70.8 percent of the vote, which surpassed the threshold of majority yes votes to pass.

Measure NN requires the establishment of the Oakland Public Safety Planning and Oversight Commission (OPSPOC) that will replace the Public Safety and Services Oversight Commission (SSOC) established by Measure Z in 2014. Measure NN defines many aspects of the new commission, including planning, oversight and accountability, conflicts of interest, duties of the commission, and the development of a community violence reduction plan. Additionally, Measure NN defines the use of proceeds for the maintenance of sworn police and fire personnel, includes a savings clause, and defines the parking and parcel tax requirements.

Public Safety Committee
February 25, 2025

BACKGROUND / LEGISLATIVE HISTORY

The 2014 Oakland Public Safety and Services Violence Prevention Act (Measure Z) and the parcel tax it authorized provided over \$30 million each year but expired at the end of 2024. Measure Z generated revenues to support services that are critical to maintaining public safety in Oakland. The 2014 Act also established the Public Safety and Services Violence Prevention Oversight and Accountability Commission (SSOC), which sunset at the end of 2024. The SSOC established bylaws, reviewed audits and evaluation reports, and made recommendations to the City Council regarding spending plans provided by city departments.

Oakland voters approved Measure Z with 77.05 percent of the vote, which surpassed the 66.7 percent approval requirement. Measure Z replaced the Public Safety and Services Act of 2004 (Measure Y) and maintained the special parcel ranging between \$51 and \$100 and the 8.5 percent parking tax surcharge for a period of 10 years through December 12, 2024, to improve police services, fire emergency response services, in addition to violence intervention and prevention services for at-risk youth and young adults.

ANALYSIS AND POLICY ALTERNATIVES

The voter approved Measure NN, requires establishing the Oakland Public Safety Planning and Oversight Commission, which replaces the existing SSOC. Measure NN states that the Commission shall be appointed by the Mayor and confirmed by the Council pursuant to Section 601 of the Charter.

Measure NN aligns with the citywide priority of holistic community safety and responsive trustworthy government. The OPSPPOC will oversee the development of a Four-Year Community Violence Reduction Plan with the ultimate goal of reducing crime in Oakland. The public passed Measure NN trusting that city government will develop services, programs as services to achieve violence reduction outcomes.

Below are details from the measure on the composition of the OPSPPOC:

Membership and Quorum

- a. The Commission shall be composed of five (5) members who shall be appointed by the Mayor and confirmed by the Council pursuant to Section 601 of the Charter. The composition of the Commission should be reflective of the diversity of Oakland and shall include members who have expertise in criminal justice, public safety, public health, social services, emergency services, and community violence intervention and prevention programs and/or research, finance and evaluations in those areas. At least one member shall have lived experience with service-eligible populations, and one member shall have professional law enforcement experience, preferably at a command officer level, and/or academic expertise in law enforcement.
- b. Four (4) members shall constitute a quorum.
- c. Each commission member shall serve as a volunteer without pay.

- d. Conflicts of Interest: Each Commission member shall certify that the member and the member's immediate family members, business associates and employers have no financial interest in any program, project, organization, agency, or other entity that is seeking or will seek funding approval under the Oakland Community Violence and Emergency Response Act of 2024. Financial interest includes, without limitation, salaries, consultant fees, program fees, commissions, gifts, gratuities, favors, sales income, rental payments, investment income, or other business income. A Commission member shall immediately notify the City Administrator and the Chair of the Commission of any real or possible conflict of interest between membership on the Commission and work or other involvement with entities funded by the taxes provided for in this Ordinance. Any dispute about whether a conflict of interest exists shall be resolved by the Public Ethics Commission.
- e. The members shall be appointed to overlapping terms of three (3) years beginning on March 1st of each year and ending on February 28th, three years later, or until a successor is appointed and confirmed pursuant to Section 601 of the City Charter. An appointment to fill a vacancy shall be for the unexpired term only. To ensure that terms overlap, appointments shall be as follows: two (2) initial members will serve a three-year initial term, two (2) initial members will serve a two-year initial term, and one (1) initial member will serve a one-year initial term.
- f. In the event an appointment to fill a vacancy has not occurred by the expiration of a member's term, that member may remain in a holdover capacity for up to one year only following the expiration of their term or until a replacement is appointed, whichever is earlier.
- g. No member of the Oakland Public Safety Planning and Oversight Commission shall serve more than two (2) consecutive terms.

In addition to membership and quorum, the enabling ordinance defines membership and quorum, vacancy and removal, commission governance, severability, codification, and the effective date of the ordinance.

Oversight Role

The OPSPOC shall monitor the allocation and use of all revenues generated by the Oakland Community Violence Reduction and Emergency Response Act of 2024. All revenues generated by the Act, after payment of administrative costs, shall be spent on direct services, programs, and strategies designed to achieve the violence reduction and public safety goals and metrics established in the Four-Year Community Violence Reduction Plans developed by the Commission. Such direct services, programs, and strategies include but are not limited to: (1) 911 dispatch and emergency responders; (2) community ambassadors; (3) community policing; (4) community reentry services; (5) crime lab operations; (6) crime reduction teams; (7) violence reduction intervention and response; (8) education training and employment services; (9) group violence intervention; (10) hospital-based violence intervention; (11) intensive case management, (12) intelligence-based policing; (13) mental health services; (14) mentoring for vulnerable and justice-involved youth; (15) non-sworn mobile crisis responders; (16) police

recruitment, retention and training; (17) public safety technology enhancements; (18) victim services; (19) violence interruption; and (20) violent crime and human-trafficking investigations.

FISCAL IMPACT

The Measure authorizes continuing and extending Measure Z (the 2014 Oakland Public Safety and Services Violence Prevention Act) taxes for nine years. Tax revenue could only be used to pay costs related to the desired goals. The measure increases annual tax rates for all parcels from \$98.00 to \$198.00. The rate for multi-unit residential properties will increase from \$68.15 per unit to \$132.00 per unit. The rate for non-residential parcels will continue to be based on a formula that determines the single-family residential equivalent but will be multiplied by \$198.00 instead of \$51.07, which was established in Measure Z.

Under Measure NN, an increase of the parking tax surcharge from 8.5 percent to 10 percent is authorized through December 31, 2033.

Measure Z provided over \$30 million each year and expired at the end of 2024. Measure Z audit reports can be found [here](#). Measure NN is expected to raise \$47,400,000 annually.

The staff that supported Measure Z work, including the SSOC, evaluation contracts, etc., will be supported by the proceeds from Measure NN. This is an allowable expense, and therefore, providing support to the Oakland Public Safety Planning and Oversight Commission should not have a direct fiscal impact.

PUBLIC OUTREACH / INTEREST

Public outreach will be conducted to recruit members to serve on the inaugural OPSPOC. CAO staff met with a stakeholder group representing many of the organizations that supported Measure NN to discuss the composition of the OPSPOC and what their duties should entail.

COORDINATION

Collaboration on this report and proposed ordinance includes the Mayor's Office, the City Attorney, and the City Administrator's Office.

SUSTAINABLE OPPORTUNITIES

Economic:

Measure NN will generate public safety revenue as defined in the report. The revenue raised by this will support Oakland-based non-profits that provide case management that will lead to jobs and support the local economy.

Environmental:

There is no environmental impact associated with this report.

Race & Equity: Maintaining Measure NN funding is a benefit to residents and visitors to the City of Oakland by providing programs and services to reduce violent crime. All City Departments are required to use an equity lens when developing and administering programs. Applying an equity framework will help ensure the City's ability to address violence prevention in a strategic manner.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt An Ordinance Establishing The Oakland Public Safety Planning And Oversight Commission, Providing For The Appointment Of Members Thereof, And Defining The Duties And Functions Of Said Commission

For questions regarding this report, please contact Felicia Verdin, Assistant to the City Administrator, at 510-238-3128.

Respectfully submitted,



Joe DeVries
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Office of the City Administrator

Prepared by:
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Attachments (1):
Full text of Measure NN