



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Michelle N. Phillips
Inspector General

SUBJECT: OPD Staffing Study

DATE: February 20, 2024

City Administrator Approval


Jestin Johnson (Feb 29, 2024 14:02 PST)

Date: Feb 29, 2024

RECOMMENDATION

STAFF RECOMMENDS THAT CITY COUNCIL ADOPT A RESOLUTION AMENDING A PROFESSIONAL SERVICES CONTRACT WITH PFM FINANCIAL ADVISORS LLC (“PFM FINANCIAL”) TO 1) INCLUDE IN THE SCOPE OF SERVICES CONDUCTING AN ANALYSIS OF CALLS OF SERVICE TO DETERMINE ALTERNATIVE CALL RESPONSES AND THE PRIORTIZATION AND CATAGORIZATION OF CALLS FOR SERVICE, 2) TO ADD AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) UTILIZING CARRY FORWARD FUNDING FROM FY 2021-2023 , AND 3) TO WAIVE THE COMPETITIVE REQUES TFOR PROPOSAL/QUALIFICATIONS (RFP/Q) PROCESS PURSUANT TO OAKLAND MUNICIPAL CODE SECTION 2.04.051.B AND THE LOCAL/SMALL LOCAL BUSINESSEENTERPRISE (L/SLBE) PROGRAM REQUIREMENTS

EXECUTIVE SUMMARY

In 2020, [Measure S1 was passed to amend Measure LL](#) and enhance Oakland’s police reform efforts. Measure S1 created an independent Office of Inspector General (OIG) to strengthen the City’s ability to identify patterns of misconduct by monitoring the Oakland Police Department’s (OPD’s) compliance with policies, procedures, laws and the fifty-two (52) tasks of the Negotiated Settlement Agreement. The OIG’s authority and jurisdiction also includes examining the Community Police Review Agency’s complaint intake process, investigative procedures, and actions. Upon completion of an audit, evaluation, or review, the OIG provides its recommendations via reports to Oakland’s Police Commission, City Administration, Mayor’s Office, City Council, and other stakeholders.

On June 24, 2021, the City Council directed “the Police Commission Inspector General to complete an independent, comprehensive audit of the Police Department, by December 2022, and to provide a report to Council outlining the scope of the audit prior to its initiation.” After a preliminary assessment, the OIG was unable to identify recent (within the last five years) baseline resource data for OPD that could be used as a benchmark for success in this area.

On November 11, 2023, the City Council adopted [a resolution](#) awarding a professional services contract to PFM Financial, to complete a staffing study of OPD. While the original contract was not to exceed two hundred eighty-five thousand dollars (\$285,000), during that same meeting,

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the City Council also expressed their desire to broaden PFM Financials' scope of service to include a high-level overview of OPD's call for service data. This important data would help identify incoming call trends, quantify resources dispersed per call, optimize staffing levels for dispatch communications centers, and develop strategies to delegate non-emergency calls to other agencies. Therefore, the OIG is requesting that the City Council allow additional funding for PFM Financials' current agreement, not to exceed twenty-five thousand dollars (\$25,000.00). The OIG recommends utilizing the funds designated in the 2023–2025 budget cycle to complete Council's request for a more extensive review of calls for service, a robust resource analysis, and corresponding recommendations.

BACKGROUND / LEGISLATIVE HISTORY

In 2013, the City of Oakland received three reports from Strategic Policy Partnership (SPP) outlining strategies to improve public safety in Oakland. The first two reports included OPD-focused recommendations, many of which have already been adopted by the department. The final report, "*Addressing Crime in Oakland, Zeroing Out Crime, A Strategy for Total Community Action*", built on a larger strategy and implementation approach for citywide impact. The goal of these reports was to build and strengthen Oakland's collaborative policing and crime-reduction efforts.

Additionally, in 2022, the National Criminal Justice Reform (NCJR) released a report in response to the 2021-2023 Biannual Budget Policy Directive #11b, which mandates the removal of low-level and non-violent calls for service from OPD. The directive reads, "Provide detailed analysis and recommendations for operationalizing the removal of low-level, non-violent calls for service from the Police Department's responsibilities and options for an alternative response. Low-level, non-violent calls for service include what the Police Department classifies as 'Administrative, Animal-related, Homeless, Mental Health, Noise-related, Ambulance Requested, and Other'". However, NCJR's report outlined several limitations and the need for additional analysis, which reaffirmed the need for baseline data to inform the appropriate public safety response and resource allocation.

ANALYSIS AND POLICY ALTERNATIVES

The Mayor's Office, City Administration, and City Council have and continue to prioritize holistic community safety. By establishing civilian oversight entities and investing in police reform efforts, the City of Oakland has made great strides in setting up accountability mechanisms and enhancing community trust. However, there continues to be strong wariness amongst the City most marginalized and underserved groups, particularly communities of color.

Given the OPD's sizable budget, the City Council, Mayor, and Oakland's community members have questioned the effectiveness and efficiency of police staffing resources. Staffing resources directly impact police response times to call for service, which is the main function and community expectation of any department. OPD's response to call for service is also important to developing stronger community partnerships, which could aid in their crime prevention efforts. Conducting a staffing study and resource analysis could help inform proper OPD staffing levels, identify areas for alternative responses, and possibly lead to the civilization of some OPD functions. This effort will undoubtedly help advance and sustain effective police reforms in the

City of Oakland. Once selected, this information could also be helpful to the Chief of Police to ensure current resources are managed and allocated appropriately.

Following its review of OPD's available data, as well as the reports from Strategic Policy Partners (SPP) and National Institute for Criminal Justice Reform (NICJR), the OIG determined that the City of Oakland needed to establish a baseline of resource data. To conduct an audit of OPD's calls for service, the OIG must first understand the number of officers and resources needed to properly respond to calls within each geographic area in Oakland. On November 11, 2023, the City Council adopted a resolution awarding a professional services contract to PFM Financial, to complete a staffing study of OPD. While the original contract was not to exceed two hundred eighty-five thousand dollars (\$285,000), during that same meeting, the City Council also expressed their desire to broaden PFM Financial's scope of service to include a high-level overview of OPD's call for service data. This important data would help identify incoming call trends, quantify resources dispersed per call, optimize staffing levels for dispatch communications centers, and develop strategies to delegate non-emergency calls to other agencies. Therefore, the OIG is requesting that the City Council allow additional funding for PFM's current agreement, not to exceed twenty-five thousand dollars (\$25,000.00). The OIG recommends utilizing carryforward funds from 2021–2023 budget cycle to complete Council's request for a more extensive review of calls for service, a robust resource analysis, and corresponding recommendations.

PFM Financial has confirmed that they can perform this work under the current contract with the appropriate amendment, resulting in the request to expand the scope and add funding to cover the additional task. With the City of Oakland desiring this study be completed as soon as possible, PFM Financial is expected provide its first report no later than July 2024. This timeline is conservative and includes a generous amount of time to access data that may have been impacted by last year's cyber incident. Absent of any limitations, the final report should be available by December 2024.

Reasons for Waiving Request for Proposals and L/SLBE Program Requirements

Per the OIG's request, an availability analysis of local certified firms, within the City of Oakland's database was conducted. Under current Council policy, the awarding authority may request an availability analysis, if there is reason to believe that the availability of certified firms will not be sufficient to satisfy the minimum participation requirement. The scope of services was provided to determine the availability of the City's certified firms. The Department of Workplace & Employment Standards researched the certification database utilizing the following North American Industry Classification Systems (NAICS) Code(s):

921190- Other General Government Support

- Auditor's offices, gov

541611- Administrative management consulting services

- Business management consulting services
- General management consulting services

541614- Efficiency management (i.e., efficiency expert) consulting services

- Operations research consulting services

There were fifteen (15) certified firms with the NAICS code 541611, three (3) with the NAICS Code 541614, and zero (0) with the NAICS Code 921190. To ensure that the firms were able to perform these services, an email was sent to the eighteen (18) firms confirming their ability and capacity. There were no positive responses to this inquiry.

Per the City's Local and Small Local Business Enterprise (L/SLBE) Program: "Based on the 'Rule of Three' there must be at least three certified businesses listed in the industry, trade or profession that constitutes a major category of work. If at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set at a percentage from 50 % to 0%, but not less than 20% if at least one L/SLBE is certified and available." Given this directive, it has been determined that the Local and Small Local Business Enterprise Program's 50% requirement has been set to 0% for this project.

FISCAL IMPACT

In the City of Oakland's 2023-2025 Budget Policy Directives, the City Council allocated \$200,000 for this study. An additional \$85,000 has already been allocated from carry forwards funds, with the pending \$25,000 request. In total, this project has an expected cost of \$310,000 (Fund 1010, Org 66311, Account 54011, Project 1007123, Program PG_IP06).

PUBLIC OUTREACH / INTEREST

The OIG presented its recommendations to the Police Commission during its regular meeting, as well as provided a memorandum that was included in the agenda packet. The [memorandum](#) is published on the OIG website and was distributed to community members via its quarterly newsletter.

COORDINATION

This project will require coordination with OPD to provide PFM Financial with timely and appropriate data and information to evaluate its staffing resources. The OIG also discussed this project with the Department of Race & Equity to ensure there were equity objectives and outcomes outlined. Since the start of this project the OIG has also had to coordinate with the Information Technology Department, and we foresee working with the Human Resources Department as well. This staff report and proposed resolution have been reviewed by the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: *There are no environmental opportunities associated with this report.*

Race & Equity: *OPD staffing and subsequent response times directly impact the ability to support public safety and the quality of life of all Oakland residents and visitors.*

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Amending A Professional Services Contract with PFM Financial Advisors LLC (“PFM FINANCIAL”) To 1) Include in the scope of services conducting an analysis of calls of services to determine alternative call responses and the prioritization and categorization of calls for services, 2) To Add an Amount Not to Exceed Twenty-Five Thousand Dollars (\$25,000) utilizing carry forward funding from FY 2021-2023, and 3) To Waive The Competitive Request For Proposal/Qualifications (RFP/Q) Process Pursuant To Oakland Municipal Code Section 2.04.051.B And The Local/Small Local Business Enterprise (L/SLBE) Program Requirements.

For questions regarding this report, please contact Inspector General Michelle N. Phillips at mphillips@oaklandca.gov or 510-238-2916.

Respectfully submitted,



Michelle N. Phillips
Inspector General, OIG

Attachments (3):

- A. *Professional Service Agreement*
- B. *Availability Analysis*
- C. *Memorandum Presented to City Council & Police Commission*