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June 24, 2014

**Honorable City Council  
PUBLIC SAFETY COMMITTEE  
City of Oakland  
Oakland, California**


**RE: Discussion And Possible Action On A Report And Recommendations Regarding A Charter Amendment To Establish The Public Safety Oversight Commission to Be Submitted By The City Council To Voters On The November 4, 2014 Ballot, To Be Heard By The Public Safety Committee And Forwarding To The Full Council With Possible Alternative Recommendations, In Accordance With Rule 4 Of The Council's Rules of Procedure (June 24, 2014 - Item 7)**

**Dear Chairperson Gallo and Members of the Public Safety Committee:**

On Tuesday, June 24, 2014, the Committee will consider the above-referenced item. The purpose of this letter is to memorialize our advice that certain provisions of the proposed Charter amendment trigger meet and confer obligations under the Meyers-Milias Brown Act, Government Code Section 3500 et seq. ("MMBA") For example, Article V of the City Charter provides that the City Administrator has the power and the duty to execute and enforce all laws and ordinances and policies of the City Council. The proposed Charter amendment provides that the Public Safety Oversight Commission will supervise the Police Department to ensure efficient administration, to enhance risk management, and to set policy and will assume the duties of the City Administrator with the respect to the Police Department.

The City must comply with MMBA requirements before the Council takes action to adopt the proposed resolution.

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

cc: Mayor Jean Quan  
Members of the City Council  
Henry L. Gardner, Interim City Administrator

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