



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 APR 14 PM 6:14

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Sean Whent  
Chief of Police

**SUBJECT:** OPD Peralta College Agreement  
Amendment

**DATE:** March 31, 2016

City Administrator Approval

Date:

4/14/16

## RECOMMENDATION

**Resolution Amending Resolution No. 84864 C.M.S. (Which Authorized The City Administrator To Enter Into An Agreement With The Peralta Community College District (PCCD) Regarding Public Safety Training Courses With Oakland Police Department (OPD) And Accept Funds Worth An Estimated Amount Of Two Hundred Thousand Three Hundred Forty-Nine Dollars (\$200,349) For Additional Training Of OPD Personnel And The Development Of A Training Facility), And To Accept Future Funds That Are Provided By The State Through Reimbursement To PCCD If Additional Academies Are Approved So That The Agreement Extends Beyond The 170<sup>th</sup> OPD Police Academy Towards Present And Future OPD Police Academies.**

## EXECUTIVE SUMMARY

The City of Oakland (the City) entered into an agreement with PCCD to academically affiliate public safety training courses presented by OPD. Resolution No. 84864 C.M.S. accompanied a report titled, "Affiliation Agreement with Peralta Community College," dated February 4, 2014, and explained that the City would accept payment from PCCD for providing instructional services related to OPD Police Academies. The report also explained that the funds, first issued to PCCD from the State of California, would be used by OPD for ongoing training of OPD personnel and to finance a state-of-the-art training facility to be used by OPD to present the training courses. The resolution only allows the City to receive reimbursements for OPD's 170<sup>th</sup> police academy. The resolution accompanying this report amends Resolution No. 84864 C.M.S. so that the City can receive reimbursements for the 171<sup>st</sup> OPD Police academy and all present and future OPD police academies.

## BACKGROUND / LEGISLATIVE HISTORY

OPD and PCCD entered into an affiliation agreement in 2014 for several reasons. OPD has needed additional training space since 2012 when the City increased the amount of new police academies administered each year. Public safety training facilities are limited due to capacity issues within the Police Administration Building (PAB), as well as the associated costs. OPD

Item: \_\_\_\_\_  
Public Safety Committee  
April 26, 2016

currently has approximately 5,750 square feet of available space to conduct lecture format training. Almost all of the field-format police training classes require relocating to an appropriate facility outside of OPD. OPD entered in an affiliation agreement with PCCD, authorized by Resolution No. 84864 C.M.S in 2014, in part to be able to eventually hold parts of the police academies at PCCD's Merritt College Campus. Merritt College has a track facility and is developing an exercise facility that would be appropriate for Police Officer Trainees (POTs) enrolled in OPD police academies.

The affiliation agreement between OPD and PCCD also allows for OPD to receive reimbursements from the State. California Education Code Sections 79140-79149.6 specifies that the State of California will reimburse community colleges for "worksite-based learning" at a rate specified in each year's state budget (see Analysis and Policy Alternatives as well as the Fiscal Impact Section below for details). OPD and PCCD are able to share State reimbursements through the affiliation agreement, as components of OPD's officer basic training academies meet state requirements for community college coursework. Public safety courses presented by the City become courses of PCCD and are therefore eligible for State reimbursement, or apportionment, per Title 5 of the California Code of Regulations (see the "Affiliation Agreement with Peralta Community College" Report). Resolution No. 84864 C.M.S. authorized this affiliation agreement – specifically for OPD's 170<sup>th</sup> basic police academy. The affiliation allows PCCD to give students who complete the academy 40 units of college credits in PCCD's Merritt College Administration of Justice program.

## **ANALYSIS AND POLICY ALTERNATIVES**

The State of California reimburses PCCD for each Full Time Equivalent Student (FTES) who take public safety training courses at PCCD related to becoming a police officer, based on California Education Code Sections 79140-79149.6. The reimbursement rate, set annually in the California Budget, is currently set at \$3,271 per FTES. Under the affiliation agreement, OPD receives 50 percent of the gross revenue generated through presenting the public safety courses. However, Resolution No. 84864 C.M.S only authorized the revenue sharing agreement between OPD and PCCD for OPD's 170<sup>th</sup> police academy. The City's approved Fiscal Year (FY) 2015-17 Policy Budget authorized funding for five additional police academies (171<sup>st</sup> through 175<sup>th</sup>) for the purpose of increasing OPD's sworn staffing levels. Therefore, staff recommends that Resolution No. 84864 C.M.S be amended by a new Resolution so that the City can continue the affiliation agreement with PCCD for present and future OPD police academies.

The City receives multiple benefits from the PCCD affiliation agreement. Firstly, the funds received from the agreement will help fund a new state-of-the-art facility designed specifically for public safety training programs, to be housed within the Police Administration Building (PAB). OPD needs additional training facilities to support its Police Officer training needs. Of the three classrooms in the PAB, only one is large enough to house up to 60 people (the size of many recent basic academies). However, there is capacity in the part of the PAB formerly leased by Alameda County for courtroom and jail functions. OPD is currently building new training facilities in some of this vacant space. The construction costs exceed the funding available from this affiliation agreement. However, funds from the OPD-PCCD affiliation agreement can be used to offset the build-out costs.

The agreement also helps OPD's training division fund a variety of training equipment needed for new POTs, including computers and classroom materials. Furthermore, the affiliation agreement allows POTs to gain access to community college facilities and services. The February 4, 2014 report outlines additional benefits to both OPD and PCCD.

### **FISCAL IMPACT**

The City is not obligated to incur additional expenditures under the terms of the agreement authorized under Resolution No. 84864 C.M.S. The reimbursement program, outlined in the original affiliation agreement, will remain unchanged. The agreement will continue beyond the 170<sup>th</sup> OPD police academy into present and future academies in which both parties choose to continue the affiliation agreement.

OPD and PCCD will receive approximately \$400,698 combined, based on the current State reimbursement rate of \$3,271 per FTES ( $122.5 \times \$3,271 = \$400,698$ ) through the affiliation agreement. Half of \$400,698 is \$200,349. Table 1 below illustrates these computations.

*Table 1: Computations to Determine OPD Reimbursement Rate for the OPD-PCCD Affiliation Agreement*

<b>Computation</b>	<b>Explanation</b>
$1,169 / 525 = 2.227$	Police academies have 1,169 hours of instruction. The State reimburses PCCD for the academies based on 525 hours per class.
$55 * 2.227 = 122.5$	There are on average 55 POTs in each academy, multiplied by 2.227, the result of the above computation.
$122.5 * 3,271 = 400,698$	122.5 is multiplied by \$3,271 (the current State reimbursement rate for each FTES)
$400,698 / 2 = \$200,349$	400,698 is divided by two because OPD and PCCD agree to share State reimbursements in a 50%-50% formula.

OPD received approximately \$200,349 for the 170<sup>th</sup> OPD police academy. Table 2 below is amended from the February 4, 2014 report to recognize that the City approved funding for five police academies in the FY 2015-16 and FY 2016-17 fiscal years, per the FY 2015-17 Adopted Policy Budget. The table is based on an average of 55 POTs enrolled in each police academy at the point at which 20 percent of the academy is complete.

Table 2: Estimated Annual City Revenue from the OPD-PCCD Agreement<sup>1</sup>

Fiscal Year	Completed and Projected Academies	Estimated Revenue to City per Academy Class	Revenue to City per Fiscal Year
2015-16	171 <sup>st</sup>	\$200,349	\$801,396
	172 <sup>nd</sup>		
	173 <sup>rd</sup>		
	174 <sup>th</sup>		
2016-17	175 <sup>th</sup>	\$200,349	\$601,047
	176 <sup>th</sup>		
	177 <sup>th</sup>		
<b>Total</b>			<b>\$1,402,443</b>

Table 2 above lists OPD's 171<sup>st</sup> basic police academy, which actually ended in FY 2014-15 (March 2015) because OPD will receive reimbursement from PCCD under the affiliation agreement in FY 2015-16 if Resolution No. 84864 C.M.S is amended to allow for academies subsequent to the 170<sup>th</sup> police academy.

Revenues collected under this agreement will be deposited in the account below.

Fund Source	Organization	Account	Project	Program	Amount
2999	103430	46229	P489110	PS09	\$1,402,443

Approval of this resolution will authorize the City Administrator to appropriate revenues received under this agreement, for the 171<sup>st</sup> Police academy as well as present and future police academies, in an estimated amount of \$200,349 per academy, in the Miscellaneous Grants Fund (2999), Training Org (103430), Peralta Community College Project (P489110); and Police Training Program (PS09) that will be established for this purpose. The monies deposited in the fund account shall accumulate for the purposes of providing ongoing training and for constructing and equipping a state-of-the-art public safety training facility.

**PUBLIC OUTREACH / INTEREST**

Discussion with Peralta Community College has been held to confirm that the community college is prepared to continue the OPD-PCCD mutually beneficial agreement.

**COORDINATION**

The Controller's Bureau, the Budget Office and the Office of the City Attorney were consulted in preparation of this report.

<sup>1</sup> Assumes FTES of \$3,271

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** OPD is making efforts to recruit Oaklanders for the position of police officer trainee, as well as to recruit all highly qualified candidates. Efforts to hire Oaklanders will support local economic development efforts.

**Environmental:** Developing a new public safety training facility presents many environmental opportunities. The facilities will be designed, whenever possible, to include energy efficient, environmentally preferable products that are durable, reusable, and recyclable. Sustainability, water efficiency, indoor air quality, toxicity, maintenance design, and sound levels are all factors that will be considered during the design and construction phases.

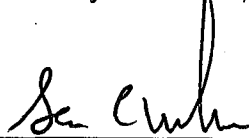
**Social Equity:** All new construction shall be designed to comply with American Disabilities Act (ADA) accessibility guidelines and other applicable local, state and federal disability laws/regulations.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Resolution Amending Resolution No. 84864 C.M.S. (Which Authorized The City Administrator To Enter Into An Agreement With The Peralta Community College District (PCCD) Regarding Public Safety Training Courses With Oakland Police Department (OPD) And Accept Funds Worth An Estimated Amount Of Two Hundred Thousand Three Hundred Forty-Nine Dollars (\$200,349) For Additional Training Of OPD Personnel And The Development Of A Training Facility), And To Accept Future Funds That Are Provided By The State Through Reimbursement To PCCD If Additional Academies Are Approved So That The Agreement Extends Beyond The 170<sup>th</sup> OPD Police Academy Towards Present And Future OPD Police Academies.

For questions regarding this report, please contact Lieutenant Sekou Millington, OPD, Training Section at (510) 238-3552.

Respectfully submitted,



---

Sean Whent  
Chief of Police  
Oakland Police Department

Prepared by:  
Bruce Stoffmacher, Legislative Manager  
OPD, OCOP, Research and Planning

Item: \_\_\_\_\_  
Public Safety Committee  
April 26, 2016

  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2016 APR 14 PM 6:18

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

---

**RESOLUTION AMENDING RESOLUTION NO. 84864 C.M.S. (WHICH AUTHORIZED THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE PERALTA COMMUNITY COLLEGE DISTRICT (PCCD) REGARDING PUBLIC SAFETY TRAINING COURSES WITH OPD AND ACCEPT FUNDS WORTH AN ESTIMATED AMOUNT OF TWO HUNDRED THOUSAND THREE HUNDRED FORTY-NINE DOLLARS (\$200,349) FOR ADDITIONAL TRAINING OF OPD PERSONNEL AND THE DEVELOPMENT OF A TRAINING FACILITY), AND TO ACCEPT FUTURE FUNDS THAT ARE PROVIDED BY THE STATE THROUGH REIMBURSEMENT TO PCCD IF ADDITIONAL ACADEMIES ARE APPROVED SO THAT THE AGREEMENT EXTENDS BEYOND THE 170<sup>TH</sup> OPD POLICE ACADEMY TOWARDS PRESENT AND FUTURE OPD POLICE ACADEMIES.**

**WHEREAS**, OPD operates its own public safety training courses to ensure that new police officer trainees (POT) are prepared for demanding police work; and

**WHEREAS**, the City of Oakland (City) desires to maintain the high standards required of its public safety personnel by affiliating with a local institution of higher learning; and

**WHEREAS**, the affiliation between OPD and PCCD, authorized by the City in Resolution No. 84864 C.M.S. on March 4, 2014, has resulted in advanced education opportunities for OPD (POTs) and an increased visibility of OPD within the local college community, thereby potentially attracting more candidates for public safety positions in Oakland; and

**WHEREAS**, the State of California provides reimbursement to PCCD for each Full Time Equivalent Student (FTES) who attended these public safety courses; and

**WHEREAS**, the current reimbursement rate to Peralta Community College equals three thousand two hundred seventy-one dollars (\$3,271) per FTES; and

**WHEREAS** with an estimated 55 POTs per academy, there is a corresponding total of 122.5 FTES per academy; and

**WHEREAS**, the State of California will multiply the number of FTES by the present State reimbursement rate, which is currently \$3,271, to arrive at a reimbursement rate to PCCD which will be \$400,698; and

**WHEREAS**, under the affiliation agreement authorized by Resolution No. 84864 C.M.S., OPD receives 50% of the gross revenues generated through presenting the public safety courses, resulting in approximately \$200,349 per academy, based on an average of 55 POTs in each class; and

**WHEREAS**, the City's approved Fiscal Year (FY) 2015-17 Policy Budget authorized funding for additional police academies for the purpose of increasing OPD's sworn staffing levels; and

**WHEREAS**, Resolution No. 84864 C.M.S. only authorized the revenue sharing agreement between OPD and PCCD for OPD's 170th Police Academy; now, therefore, be it

**RESOLVED:** That Resolution No. 84864 C.M.S. is hereby amended so that revenues issued to the City from PCCD to provide reimbursement for each FTES attending the public safety courses shall be extended to include reimbursements for OPD's 171<sup>st</sup> Police Academy and all academies held thereafter by OPD in which the PCCD-OPD collaboration is in effect; and be it

**FURTHER RESOLVED:** that the City Administrator or designee is authorized to accept and appropriate the estimated revenues that the City will receive each year under this ongoing OPD-PCCD agreement; and be it

**FURTHER RESOLVED:** That the funds received as the City's share of reimbursement from the State of California for providing instruction for approved public safety courses be deposited into an OPD fund for the purpose of funding additional OPD training and the planning, designing, constructing, maintaining and equipping of a state-of-the-art public safety training facility; and be it

**FURTHER RESOLVED:** That the monies deposited in the Miscellaneous Grants Fund (2999); Training Division Org (103430); Peralta Community College Project (P489110); and Police Training Program (PS09) shall continue to accumulate for the purposes of providing ongoing training and training facilities; and be it

**FURTHER RESOLVED:** That OPD shall spend the monies in accordance with all applicable state and local regulations, statutes and codes.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND  
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California