

OAKLAND PUBLIC SAFETY PLANNING & OVERSIGHT

COMMISSION BYLAWS

ARTICLE I: Establishment and Governing Law

1. **Name**

Oakland Public Safety Planning & Oversight Commission (“OPSPOC”)

2. **Authority, Statutory Requirements: and Other Laws and Policies**

The voters of the City of Oakland adopted the Oakland Community Violence Reduction and Emergency Response Act of 2024 (hereinafter OCVRER Act), also known as Measure NN, in the November 5, 2025, General Municipal Election. The chief purpose of the OCVRER Act is to raise revenue solely to pay for the development, implementation, and evaluation of a holistic, results-driven approach to the prevention and reduction of violent crime in Oakland. Adoption of the OCVRER Act also called for the establishment of the Oakland Public Safety Planning & Oversight Commission to replace the previously existing Public Safety and Services Violence Prevention Oversight and Accountability Commission. On March 4, 2025, the Oakland City Council Adopted Ordinance No. 13838 establishing the Oakland Public Safety Planning & Oversight Commission, and setting forth the duties, functions, terms, and governance of the Commission.

Formed under the authority of the OCVRER Act and Ordinance No. 13838 CMS, the Oakland Public Safety Planning & Oversight Commission (hereinafter “OPSPOC” or “Commission”) shall also comply with all applicable laws, including, but not limited to, the City of Oakland Charter, the Establishing Ordinance and membership ordinance, the Oakland Sunshine Ordinance (Ordinance No. 11957 C.M.S., adopted January 14, 1997), the Ralph M. Brown Act (Government Code sections 54950 et seq.), the Political Reform Act of 1974 (Government Code sections 81000 et. seq.), the Public Records Act (Government Code sections 6250 et seq.), and the Oakland Conflict of Interest Code (Ordinance No. 11979 C.M.S., as amended). If any conflict exists between any of the foregoing laws and these bylaws, the applicable law shall control over the bylaws.

ARTICLE II: Duties, Functions, and Commissioner Appointments

1. Duties and Functions

The Commission shall fulfill duties and functions as set forth in the Oakland Community Violence Reduction and Emergency Response Act of 2024:

- a. Develop and approve a Four-Year Community Violence Reduction Plan.
- b. Recommend to the City Council the adoption of the Four-Year Community Reduction Plan, which the Council may approve or reject but not modify; if the Council rejects the Plan, it will return it to the Commission with recommended changes, and the Commission will submit a new Plan to the Council which the Council may accept or reject but not modify.
- c. Evaluate the implementation and impact of the Community Violence Reduction Plan, and, at the Commission's discretion, retain an independent consultant to assist such evaluation.
- d. Review the seven hundred (700) floor number for sworn police officers, the eight hundred (800) number governing layoffs for police, and the four hundred eighty (480) number governing layoffs for firefighters set forth in the OCVRER Act in 2029 for the City 2030 budget. Upon such review, based upon the Four Year Community Reduction Plan, any analysis of the performance of the actions authorized by the Act and other crime factors and statistics, the Commission may recommend a different number for each category to the City Council, and the Council may approve or reject the new number; if the Council rejects the recommendation, the number shall remain unchanged.
- e. Monitor the allocation and use of all revenues generated by the OCVRER Act;
- f. Submit any policy recommendations to the Mayor and City Council to ensure the City of Oakland's compliance with the purpose and intent of this Act, including recommendations for corrective actions, if any.
- g. Review and provide comments on all non-confidential reports and recommendations concerning potential suspension and/or reduction of the number of law enforcement personnel and suspension of the tax.

- h. Submit reports to the public that the Commission determines are appropriate to serve its purposes.
- i. At least every three (3) years, the Commission shall receive a priority spending plan from each of the City Departments receiving and/or disbursing funds generated by the OCVRER Act. The priority spending plan shall include proposed expenditures, strategic rationales for those expenditures, intended measurable outcomes and metrics expected from those expenditures, all of which shall be incorporated into the Four-Year Community Violence Reduction Plan.
- j. Twice each year, the Commission shall receive a report from a representative of each City department receiving funds from the OCVRER Act on the status of the priority spending plans and the demonstrated progress towards the desired outcomes.

2. Number, Appointing Authority and Qualifications:

The Commission membership shall be as described in the Oakland Community Violence Reduction and Emergency Response Act of 2024, Part 1. Section 4.A.1, which specifies as follows:

- a. The Commission shall consist of five (5) members.
- b. Commissioners shall be appointed by the Mayor and confirmed by the Council, pursuant to Section 601 of the Charter.
- c. 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.
- d. As established in Ordinance 13838 C.M.S., Commission members shall be appointed to overlapping terms of three 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.

Commented [1]: Laura, some commissioners were appointed for 2 years and some for 3 years. Can you look up the Act's language and modify this?

Commented [2R1]: yes. It is done that way so that the terms will overlap. Only the initial terms is shortened. After that, they will all be three year terms. "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 assure 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."

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e. ~~To assure 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. ~~Appointments~~ shall be limited to no more than ~~two (2)~~ consecutive terms.

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h. A member may be removed pursuant to Section 601 of the City Charter. Among other things, conviction of a felony ~~during service on the Commission~~, misconduct, incompetence, inattention to or inability to perform duties, or absence from three (3) consecutive regular meetings except on account of illness or when absent from the City by permission of the OPSPOC, shall constitute cause for removal.

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3. Compensation

Members of the OPSPOC shall serve without compensation.

4. Oath of Public Office

Acceptance of the Oath of Public Office constitutes a Commission member's sworn responsibility of public trust. Members are required to serve well and to faithfully discharge their duties and responsibilities diligently and consistently with the laws of the City of Oakland and all pertinent state and federal laws.

5. Rules, Regulations and Procedures; Voting Requirements

Except for the two-thirds vote requirement in Article IX hereof, all actions by the OPSPOC shall be by a majority vote of those present at a meeting at which a quorum exists. Rules, regulations, and procedures for the conduct of OPSPOC business shall be established by a vote of the members. The Commission must vote to adopt any motion or resolution.

6. Conflict of Interest

All members shall adhere to the requirements stated in Section 4.A.2 of the OCVRER Act related to conflicts of interest. No member of the Commission shall cast a vote on or participate in a decision-making capacity on the provision of services by that member or any organization that the member directly represents, on any matter which would provide a direct financial benefit to such member or a member of his or her immediate family, or on any other matter which would result in the member violating any conflict of interest law or regulation.

ARTICLE III: Officers

Officers shall be a Chairperson and Vice Chairperson chosen from members of the OPSPOC.

1. Chairperson

The Chairperson shall preside at all OPSPOC meetings and shall submit such agenda, recommendations and information at such meetings as are reasonable and proper for the conduct of the business affairs and policies of the OPSPOC. The Chairperson shall sign all documents necessary to carry out the business of the OPSPOC.

2. Vice Chairperson

The Vice Chairperson shall assist the Chairperson as directed and shall assume all the obligations and authority of the Chairperson in the absence or recusal of the Chairperson.

3. Election of Officers

The Officers shall initially be elected by vote from among the members of the Commission at the Commission's first regular meeting after adoption of these bylaws, or as soon thereafter as possible.

4. Removal of Chairperson

An affirmative vote of the OPSPOC members can remove any Officer from office.

5. Officers' Terms of Office

The Officers shall hold office for one year. Their terms shall expire one year and one meeting after their election. No person shall be elected as an Officer for longer than their OPSPOC term of office.

6. Officer Vacancies

If the office of the Chairperson becomes vacant, the Vice Chairperson shall become Chairperson. If the office of the Vice Chairperson becomes vacant for any reason, the OPSPOC shall vote to elect a successor from among the OPSPOC members at the next regular meeting, and such office shall be held for the unexpired term of said office.

ARTICLE IV: Planning and Oversight Staff

1. City Administrator

The Commission shall receive staff support from the City Administrator's Office, as determined by the City Administrator.

2. Legal Advisor

The Oakland Office of the City Attorney ("OCA") is the Commission's legal advisor. The OCA shall provide the Commission with legal assistance as determined by the OCA. Requests for legal services approved by the chairperson shall be forwarded to OCA by assigned staff.

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Deleted: Any member of the Commission may consult informally with any OCA attorney assigned by the OCA to the Commission on any matter related to OPSPOC business.

Deleted: However, a request from a OPSPOC member for assistance from the OPSPOC's assigned attorney requiring significant legal research, a substantial amount of time and attention, or a written response, may be made only through the Commission Chairperson with the designated OPSPOC staff member or by a vote of the OPSPOC.

3. Commission Staff

Commission members may consult staff of the City Administrator's Office informally, but any request for assistance or a written report must be authorized by a vote of the OPSPOC.

4. Custodian of Records

Pursuant to section 20.020.240 of the Sunshine Ordinance, the Commission shall maintain a public records file that is accessible to the public during normal business hours. The City Clerk shall be the official custodian of these public records, which shall be maintained in a manner consistent with records kept by the City Clerk on behalf of all other standing Commissions. If authorized by the City Administrator, a designated member of City staff shall act as Custodian of Records to the Commission. The Custodian of Records shall keep the records of the Commission, shall record all votes, and shall prepare minutes and keep a record of the meetings in a journal of the proceedings.

ARTICLE V: Ad Hoc Committees

1. Ad Hoc Committees

The Chairperson may establish ad hoc committees to perform specific tasks. An ad hoc committee shall dissolve when the task is completed and the final report is given. Any ad hoc committee may not have more than 4 OPSPOC members.

ARTICLE VI: Meetings

1. Quorum

Ordinance 13303 C.M.S. designates quorum for the OPSPOC as four (4) members. A quorum shall be established prior to any official business being conducted at the meeting. If there is no quorum at that time, no official action may be taken at that meeting. In the event that a quorum is not established within thirty (30) minutes of the noticed start time of the meeting, the Chairperson may allow the meeting to take place without any official action being taken at the meeting without a quorum.

2. Voting

Each member of the Commission shall have one vote. A motion shall be passed or defeated by a simple majority of those members present and voting at a meeting where a quorum has been established.

3. Public Input

- a. Public Input on Items Officially Noticed for the Agenda
 - i. At every regular meeting, members of the public shall have an opportunity to address the OPSPOC on matters within the OPSPOC subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment. Members of the public wishing to speak and who have filled out a speaker's card, shall have two (2) minutes to speak unless the chairperson otherwise limits the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker.
- b. Public Input on Items Not Officially Noticed for the Agenda (Open Forum)
 - i. Matters brought before the Commission at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon or discussed by the OPSPOC at that meeting unless action or discussion on such matters is permissible pursuant to the Brown Act and the Sunshine Ordinance. Those non-agenda items brought before the OPSPOC, which the OPSPOC determines will require consideration and action and where action at that

meeting is not so authorized, shall be placed on the agenda for the next regular meeting.

c. Identification of Speaker

- i. Persons addressing the OPSPOC shall be asked to state their names and the organization they represent, if any. They shall be asked to confine their remarks to the subject under discussion, unless they speak during the Open Forum portion of the agenda.

4. Regular Meetings

The Commission shall meet regularly on the third Monday of each month, at the hour of 6:00 pm, in Oakland, California. In the event that the regular meeting date shall be a legal holiday, then any such regular meeting shall be rescheduled. A notice, agenda, and other necessary documents shall be delivered to the members, at least seventy-two hours prior to the meeting.

5. Notice and Conduct of Regular Meetings

Notices and agendas of all regular OPSPOC meetings requiring notice shall be posted on the City's website, in the City Clerk's Office and on an exterior bulletin board accessible twenty-four hours a day. Notice of regular meetings shall be posted at least seventy-two hours before the meeting. Action may only be taken on items for which notice was provided in compliance with the Sunshine Ordinance and the Brown Act.

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6. Minutes

Minutes shall be taken at every OPSPOC meeting. Minutes shall be prepared in writing by the Custodian of Records. Copies of the minutes of each OPSPOC meeting shall be made available to each member of the OPSPOC and the City. Approved minutes shall be filed in the official OPSPOC file.

7. Remote participation

Members of the Commission and members of the public may participate remotely in OPSPOC meetings in accordance with laws and procedures outlined in the attached memo from the Oakland Office of the City Attorney originally issued on March 30, 2023 and subsequently revised.

ARTICLE VII: Agenda Requirements

1. Agenda Preparation

The agenda is prepared through the joint effort of the Chairperson and

OPSPPOC Staff, with appropriate legal review. At the outset of a OPSPPOC meeting, the Commission may remove items from the posted agenda, but may not add items to the posted agenda or otherwise modify it. Nothing in this Article VII shall change the requirements for agenda noticing and modification to the agenda, as required by the Brown Act, Sunshine Ordinance or other applicable law.

ARTICLE VIII: Parliamentary Authority

1. **Robert's Rules of Order, Ronr, Eleventh Edition**

The business of the OPSPPOC shall be conducted, to the extent possible, in accordance with parliamentary rules as contained in Robert's Rules of Order, Ronr, Eleventh Edition, except as modified by these rules and in accordance with State open meeting laws and local open meeting laws, including, without limitation, the Brown Act, the Oakland Sunshine Ordinance, and the Establishing Ordinance. Failure of compliance with Robert's Rules of Order, Ronr, Eleventh Edition, shall not constitute cause for invalidation of any OPSPPOC action of which a majority of OPSPPOC members clearly expressed approval.

2. **Representation of the Commission**

Any official representations on behalf of the OPSPPOC before the City Council or any other public body shall be made by a member of the OPSPPOC specifically so designated by vote of the OPSPPOC.

ARTICLE IX: Amendment of Bylaws

The Commission may adopt bylaws amendments at any regular meeting of the OPSPPOC by vote of three (3) members; provided such proposed amendments are circulated in writing to all OPSPPOC members at least ten (10) calendar days prior to such meeting, and three (3) calendar days' public notice shall be posted.