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>> Councilmember Constant: Good afternoon everybody. We're ready to start the Public Safety, Finance and Strategic Support Committee meeting of September 15th, 2001 (sic). Before we get to a review of the work plan I just wanted to mention that we are going to move CPLE up right after the consent calendar, since you're here and I know you're visiting us, we'll get you out of here as soon as we can. Any other changes to the agenda order? No, with that we will get into a review of the work plan, and we have a couple of items that have a request for deferral and one item requested to be dropped. Alex anything you wanted to add to those?

>> Alex Gurza: No other than it is possible that Leslye Corsiglia could be a little bit late so if we could take that last? No I'm sorry No. 2, sorry that's dropped.

>> Councilmember Constant: We will do that. Any comments from the committee or a motion on review of the work plan?

>> So moved.

>> Councilmember Constant: All in favor, opposed, that carries. One item on the consent calendar.

>> Motion to approve.

>> Second.

>> Councilmember Constant: All in favor, wonderful, CPLE, sorry I took too long.

>> Members of the committee, Chris Moore, Dr. Phil Gough from UCLA who also is the lead and chair and I'm not sure, Consortium for Police Leadership in Equity. I think it's time for his quarterly report to you. And he has some interesting information that I think you're going to find fascinating as did I and then will form the basis of a number of initiatives that we'll undertake here on the police department. With that I'm going to turn it over to Dr. Gough.

>> Thank you, chief Moore thank you councilman for getting right to this agenda item. So this report has been one of in a series that have been a long time coming. Not through a result of lollygagging or any such dragging of feet but as a result of the fact that when law enforcement collects data, they tend not to collect data for the purpose of these kinds of analyses. Which means that when we look at use of force reports, of which we had several hundred, they all need to essentially be reentered and recoded by hand. When we look at stops we've gotten some of the stops data as I assume that you've had a chance to at least peruse some of the report. When we look at stops data those are thousands of thousands of individual incidents, and they need to be re-entered by hand. And that is stage one. Stage two is re-entering by hand those things that were re-entered by hand, so that we can analyze them in a way that us, the professional nerds do. So it's been a little while in coming. Every quarterly report from now until we stop being useful to you, we are hoping to have something along the lines of this. Okay but we wanted to focus in and give you something fairly specific in terms of what we have with regards to complaints and with regards to use of force and racial disparities therein. If you will turn to I think they should be numbered in the copies that you have, page 3 of the report, it says results at the top. There are three major predictors when it comes to racial disparities and use of force. Those are age of officer, prejudiced attitudes and threat-based responses. Age of officer I don't think I need to explain what we mean by that. Prejudiced attitudes that's as self explanatory as you may think it is. I don't like this group of people. Okay? We asked officers how much do you like this true. Of people and they said quite a lot or not very much at all. They didn't write that out but circled the number that basically said that. Threat based responses I'll take a brief moment to explain. What that is, is not just I'm afraid for my the safety. Here the threat based response we're talking about in particular is the threat of appearing racist. The threat of someone calling me racist which in this case since officers are stereotyped as racist not here in San José but all over the world, that's the stereotype we have of officers, that's what we call stereotype threat, that I'm going to be evaluated in terms of this stereotype or something I could do could conform to that stereotype. Stereotype threat is not just a theory, it's also been proven, we call it a theory because it's a model for understanding, lens for understanding parts of the way that the world works. It's been used to explain underperformance for African Americans in academic contexts, there's stereotypes about black people, that black people are not academically talented. Underperformance for women in math and science context, there's stereotypes about women being bad at math. May be Barbie pull the string, math is hard. And these have consequences for blacks and academics in general and women in math and science okay regardless

of whether or not the individual believes the stereotype to be true. In fact, it is the individual who most disagrees agrees with the stereotype that is most susceptible to the threat. If you think about it like this, I've been black for almost my entire life, right, there's a week or two in college I experimented, but mostly I've been black. And it's really important to me, as a black nerd, that people think that I'm smart. So I am most susceptible to it. If I'm concerned that people don't think I'm intelligent there are real consequences for me. Whereas, my black cousin who is not an academic, right, it may matter less to them. So the key point is, this is not self-fulfilling prophecy, right? This is I have extra burdens on me because I am concerned about how you see me. Is okay, does that make sense? Is everybody with me? I'm doing my best as a professor not to lecture. This is seminar style. Fair enough. This is what we meant by threat. This is the bottom line for what we found. I'll just summarize what's in the report and hopefully give plenty of time for questions. Age of officer, the older the officer the more prejudiced the attitudes. That's not surprising given national demographics and what they say in sort of broad national samples on this, demography is destiny. As the older we get the more tolerant we are as the younger we get the more tolerant we get, the next generation becomes more and more tolerant, okay? The older the officer the more prejudiced the attitudes. Interestingly, the older officers are also more secure, less bothered by threat so we see less racial disparities and use of force right? But we see more racial disparity and complaints. That is the older the officer the more prejudice the attitude the more prejudice the attitude the more black and Latino civilians and frankly black and Latino officers complain about them. Does that make sense? That is as much as I'm doing on the age bit. All right fair enough. Prejudiced attitudes, I sort of gave away the spoiler, they predict complaints. Now, the sample size for sustained complaints was relatively small, given the 99 officers we were paneling on okay? But it also predicted sustained complaints. I'm not prepared to say to you that that is something that's going to hold up to a broader scrutiny because the sample size is so small. It is certainly something we're going to pay attention to given the fact that we saw such results. Prejudiced attitudes did not predict racial advertise parities in use of force. Okay? That's something that again this is all preliminary in part because we don't have all the stops data that we want. I'm prepared to go out and say I'm fairly confident that's likely to hold up in partly because of the robustness of the effect in part because this is not the first or the second city where we found this. This seems to be a pattern. Prejudiced attitudes predict things like what you do before an interaction, what you do when you see somebody and you don't have a chance to make a personal connection with them that's what we think about prejudging people. But they don't seem to predict what happens during the

interaction. Okay? Instead, threat seems to predict that. Now the question that I most often get when I presented these kinds of findings elsewhere is why was someone who is concerned about being seen as racist engage in what seems to be racist behavior especially since most dire of consequences be use of force. I've not sworn law enforcement anywhere but there's enough here that you can ask around. Almost everyone is taught during officer safety you must control a situation in order for everyone to go home safe. If I am the officer and you are the suspect and you think you can take me, one of us is probably going home hurt. If you know I am in control, we all go home safe. Now, most officers know they are taught in police academies and continuing education and over and over again by their line supervisors that your first and most fetch line of control form of control is your line of authority. I'm the law, I wear this itchy blue polyester uniform, please pay attention and do what I say. And most of us, whatever we think of law enforcement, do do that. If and only if our moral authority fails in the position of an officer would we resort to a second follow of authority which would be our physical authority. Okay? Now, I ask you this: If you're an officer and you're approaching a careful of Latino young men, black young men, who not because you are prejudice but because you've been an officer for a while, you know this group of folks they're likely to call you a racist. What kind of moral authority do you think you have? I'll wait. All right. Probably you left your moral authority in the car. And if something goes just a little bit dicey during that interaction, you're likely to respond not by ramping up your moral authority but by ramping up your physical authority and again we've seen this in a couple of other cities now, okay? So threat seems to predict racial disparities, in use of force. More towards black civilians than Latino civilians but in general. It predicts in the opposite direction with regards to complaints though. So the more I'm concerned about being seen as prejudice the more nice I am during the low tension interactions which makes sense. Okay? That was the sort of easily digestible version. You have a slightly more nuanced version in the report with stats and I'm happy to talk to you about more of our fun regression models, in addition to what we're doing with the next report and as we're moving forward with this. I give you one basic report. There are two levels of analysis we're planning to do with these data. We call these the attitude behavior matching data because we test people's attitudes and we match it with their behavior. The one step is essentially what you're seeing here. These are multiple regression models where we put a bunch of co-variants in, so we are taking a consideration of where the officer is on patrol, what time of day it was, the officer's height and weight, the officer ethnicity, which you, I think you saw, does not seem to affect anything here. That's one level of analysis. Another kind of analysis we'll be doing, once we got all of the variables we're looking for, is

what's called a hierarchical linear model or multilevel analysis. It's just a fancy term for there are some things that happen in the incident and we want to keep it -- keep control and track of that. And there's some things that happen on the level of just the individual officer and we're going to keep control and track of that as well. It's a differently level of analysis, it's a lot more nuanced and difficult to do and we're going to wait until we get all the data before we put it in. There are reasons you don't want to do it prematurely. But we're going to be giving you this progression level stuff as we're looking at predictor variables for the foreseeable future until we've got all the variables where we can do the hierarchical linear model. I'm done.

>> Councilmember Constant: Thank you. Chief did you have any comments before we start asking questions or commenting?

>> Having just listened to Dr. Gough and having read that and actually having a more detailed conversation with him I will say I got it much better when I spoke with him one on one than perhaps what I got now. So I understand there may be some concerns but as you read the material it's counterintuitive in some regards and in other regards it makes perfect sense. If you look at I know it's covered here the use of force by older officers tend to use more force because they are more comfortable that makes sense to me. And you're also not going to engage somebody who's half your age that you might end up having a problem with. You are going to make sure you have other folks there that makes sense that the younger generation that has grown up in a multicultural system and in society and is much more at ease is going to be not going to have an issue, not going to have a prejudicial view but yet may be viewed as such because of their interaction and their fear of being accused of that, and therefore generating more complaints when in fact they are indeed the ones that have the least amount of prejudice, which is interesting. Anyway, when we get all the data and he has had a chance to work all the way through it, what we have found and what I'm hearing is that we are sort of benchmarked about where the other cities, are I'll leave that to Dr. Gough to talk about that. So it's not surprising what we are seeing, and again, we haven't fully digested all of what it means, but I think I'd really appreciate the work that they've been doing. I think it will help the city, it will help the police department as we move forward.

>> Councilmember Constant: Thank you. As long as they don't start analyzing our attitudes I'll be fine. Vice Mayor.

>> Councilmember Nguyen: Thank you. Thank you Dr. Gough for being here and for your presentation. Just a few clarification questions. You did this research or data collection in three days. Right? From April 9th, to April 12th, of 2010.

>> We did the attitude data collection.

>> Councilmember Nguyen: Okay.

>> In three days. We put the officers through our battery of questions in three days. The data collection on their actual behavior that has taken significantly more time.

>> Councilmember Nguyen: Okay and then when you say -- in the same paragraph it says that we collected data from a significant number of San José police officers, would you be able to tell us what is that number? Or roughly?

>> 99.

>> Councilmember Nguyen: 99 officers, okay. So based on what I've read in the report and based on your presentation, obviously, would you say that this is what the trend that we're seeing with the San José police department?

>> It -- I --

>> Councilmember Nguyen: Because obviously we have ownership a thousand police officers and you're looking at 99 police officers. To me that's less than 10% or more or less. You know, would we characterize that as the attitude of police officers with the San José PD?

>> Given the sample size, I think you're right to be cautious with regards to saying it is a representative sample. Thought race and gender were representative from our sample. What we're seeing is that these officers - - we have larger data sets than just data from these officers. These officers look like the rest of San José, in terms of their arrest records, in terms of their use of force records in terms of their complaint records. There's no reason to suspect we've got a group of outliers. What I wouldn't be prepared to say is that the level of bias that we're seeing in this in terms of prejudicial attitudes is representative, that's a harder call to make. But the relationships that we're seeing, yes, I think that we're on fairly firm territory statistically speaking.

>> Councilmember Nguyen: Okay and then just the last question. So you believe that to be somewhat accurate than at some point will you come back to us with some kind of recommendations eventually in regards to older police officers holding prejudice attitudes and some of the other analysis presented in your report?

>> Absolutely. I wanted to get this to you hot off the presses as soon as we had it. But the other part is if you have got officers responding to threat and that causing racial disparities, the first thing to do is reduce the threat and that's a community policing issue. The officers themselves need to understand that the community trusts them and if they are making accusations it's coming out of a place of sort of shock, I'm surprised I'm being pulled over, or it's coming out of some historical trends, and the communities need to understand what the implications are of making accusations if you don't really feel that way. So that's -- that will be number one we're going to get into more detail as we have a chance to analyze these data more closely. I know stops was the first most important thing to take a look at and again I wanted to be very cautious how we analyzed that because what we have is so-called discretionary or officer-initiated stops, but we don't have the stops from the civilians. What we want to be able to do is compare disparities from officer-initiated to civilian-initiated stops.

>> Councilmember Nguyen: Thank you very much.

>> Councilmember Oliverio: Dr. Gough, outside of the study the observations you made based on age and views people may have is -- would it be fair to say generally of society, not just the police officers?

>> That is correct.

>> Councilmember Oliverio: And then, as much as your report points out that some officers did not want to be called racist because they happened to be stopping someone that was a certain ethnicity, would you interject that that may be same for the caller, that some people will not pick up the phone and call the police because they don't want to be construed as a racist?

>> That's correct. The findings we have for officers with regards to stereotype threat seem to generalize for whites in general.

>> Councilmember Oliverio: Because I've had recently where we had certain incidents in the neighborhoods, and they were done by certain people, but I had speaking to me people said well actually I didn't want to call, because then I thought I would be racist if I called, even though they were the people committing the crimes.

>> Uh-huh, that's correct.

>> Councilmember Oliverio: Thank you.

>> Councilmember Constant: Anyone else? I don't have any questions. So --

>> Councilmember Nguyen: Motion to accept the report.

>> Second.

>> Councilmember Constant: Motion to accept. All in favor? Any opposed? Thank you so we'll see you in a quarter. So with that, we will go back in order. I see Leslye is here. We'll give them a second to change. While she's coming down I'll just note that the neighborhood services and education committee heard this issue last week. And did give some direction in accordance with the memorandum that was put out and I don't know if you're going to touch on that at all. I think that will probably minimize the number of questions that we have here.

>> Leslye Corsiglia: Thank you, Councilmember. We are getting our presentation up. It will look very familiar to you. Since you've seen it once. So just to set the stage. We are looking at the Community Development Block Grant program for the upcoming year. And one, we administer -- the housing department administers a lot of different grant programs. One of them is the community development block grant program. But we also administer a variety of other entitlement programs which are programs where we receive the money, because of the size we are, and we receive a specific amount every year. And don't have to reapply for that. And those programs are -- include the emergency shelter grant program, the home investment partnership program and the housing opportunities for people with AIDS program. We also receive some funds that are more one-time funding or that we have to apply for. And that includes things like the neighborhood stabilization program where we have received two awards including the last one which was a \$25 million award that we're sharing with NHS and with the housing trust. Right now, what's happening with grant funds and funds for housing and community development programs overall as I know we've talked about, we're seeing it dropping at all levels of government. So at the state level, redevelopment funding right now which has helped both housing as well as community and economic development is now at risk. State bond funds for housing and infrastructure are largely spent at this point. And in our federal programs are currently at risk. CDBG since its height in 1995 has decreased from \$14 million annual entitlement to what was about \$9 million last year so a pretty considerable drop in the CDBG program over the course of last 15, 16 years. When we talk with the neighborhood services committee we were projecting and we'll talk about that today, a potential 25% drop based on what we've heard. The president's budget includes about an 8% drop. But we just, since the committee meeting, the house subcommittee came out with its numbers. And actually has an increase in CDBG funds. So we may -- we have to play this out and see what happens. But what they've done is they've increased the CDBG funds and decreased the amount available for administration. So I'll talk that through as we walk through. The mayor, in his budget message, asked for us to

engage in a dialogue on CDBG and its priorities. So this is the beginning of that discussion. And I want to acknowledge, I'm going to walk through this, that it's a little challenging because it's a federal program that has a lot of different requirements. And so there's a lot of things that have to be considered when we determine what -- what CDBG funds can be used for. So just as a general overview, go back one slide. As just as a general overview the CDBG program was created by the housing and community development act of 1974. It was an effort to provide communities with funding for local needs. But specifically, focusing on infrastructure, housing and economic development. So those are the three sort of bread and butter community development block grant programs. The program needs to meet specific national objectives. So demonstrating that the funds benefit low and moderate income persons. That it prevents or eliminates slums and blight and that it meets an urgent need. Other requirements are that up to 15% of the funds may be used for public services. That's the piece of the program that I know you're very familiar with because that's the part where we fund community based organizations. And we provide them with funding for things like job training, health care, substance abuse, various different programs, crime prevention, fair housing counseling. As a matter of policy we've always awarded these funds competitively to the nonprofit sector. 15% can be used for that. It does not need to be used for that and it does not have to go to the nonprofit sector. Up to 20% of the funds may be used for administration. Those funds also can be used and we have typically done so, used a portion of those funds for fair housing. So we have provided funds to the legal services community for fair housing activities. And also, for planning studies. Cannot be used for implementation, but it can be used for studies and we have used those funds occasionally for things like the SNI implementation plans. The remainder of the funds which is the remaining 65% must be used for things what we call community development initiatives. And so I'll talk a little bit more about that. This chart was just intended to show the decrease in funding that we've seen over the years. You can see 1995-96 is the high years. So we talked a little bit about eligible activities, public services and the administration. The other pieces that are eligible, code enforcement is an eligible activity and we've typically funded code enforcement out of our CDBG fund but only can be used in specific deteriorating neighborhoods and where there's a coordinated strategy to improve those situations. And the way that you're able to use the funds is if you link the funds, the CDBG and the code enforcement activity with other programs that seek to improve the neighborhood itself. So you can't use the funds just to go out and cite folks. You actually have to be part of improving the neighborhood. Housing activities, you can use it for home ownership assistance, housing counseling and other predevelopment source of

activities, but we have typically used the funds for housing rehab and for minor home repair for very low income households. Fair housing is an important eligible activity, and one that we need to fund in some manner. The federal government requires that we have a plan called the impediments to fair housing plan. And we prepare that on a regular basis, and it demonstrates how the city is going to implement a program to ensure fair housing in our city. There's a number of other activities and things that we've used the moneys for. We've used them for public facilities improvements. Most recently we used funds for the new street lights and for sidewalk improvements. And we've -- other -- we have not really used them much for other public facilities like homeless shelters or group homes but you can use them for that. Economic development is an eligible activity and again it needs to be for lower-income households. We have used those function for things like employment centers, incubators, and most prominently for the smart-start program which helps with childcare employment. So those are -- those are kind of eligible activities. Ineligible activities, we cannot use the funds for general government expenses, and so that's when I explain code enforcement, you can't use it for general code enforcement, that's considered a general government activity. You cannot use it to make any improvements on government buildings. At one point we were trying to use funds and later realized we couldn't do some green improvements to some of our fire stations and community centers and then realized that we couldn't because of the requirements of the funding. As it states you can't use it for financing or political activities, also for new housing construction. I did want to -- one thing I did not mention is an eligible activity is payment of section 108 program. Section 108 program is a program that is tied to the CDBG program and it allows a city to borrow funds from the federal government that is typically secured by the property that you're improving. The CDBG funds are the back stop so if for some reason the funds don't get repaid, CDBG has to repay it. As we get to the next slide which is what our budget might look like, we are looking at the need to pay the CDBG 108 debt service this year, for the Redevelopment Agency. The Redevelopment Agency has three 108 loans and does not have the funds available to pay that, so that further reduces the amount of CDBG funds we'll have to allocate this coming year. So I mentioned at the beginning that we may not be looking at this decrease. So when we come back to you we unfortunately may not have very good information, we may not have that until the spring but we may be able to provide you with more of a range of where -- where the numbers might look based on the different scenarios that are being discussed in Washington. But you can see that the four things that make up our budget here, one is the actual entitlement award, one is program income, and that comes -- those are because we have a lot of loans that we made with CDBG funds, largely housing

rehab loans. Those do pay income back to the fund and then that goes back to make more awards. We have one small developer payment on one of the loans, one of the Redevelopment Agency loans that's coming in as well as an uncommitted fund balance which is typically made up of funds that grantees give back because they have not spent those funds. And then for the uses side, we have administration and section 108 debt, and in this particular case we have shown it based on what we thought the numbers would be. We do know the section 108 debt will be about 2.3 million. The administration may be lower depending on what happens with the discussions in Washington. Then in the discretionary programs we see public service at 15% which is what the city has always done and it has provided those as I mentioned to CBOs, and it leaves about in this scenario a little under \$4 million for our regular programs that include housing rehab, home repair, code enforcement, economic development, and any public facility programs. The concern, and I think we can disciplinary this in more detail when we come back, is that if we were to fund just the basic programs we funded year after year which is housing rehab and repair, code enforcement and the smart start center we do not have enough money to do those in this scenario. Is so that's -- we will have to make some -- if these numbers come to fruition, we will have to make some cuts to those programs. And unlike past years, we won't have money for other things like public facility work that we have done before. So as far as what we need to do in going forward in deciding priorities the federal government does lay some of that out for us and so we have to have a community process to determine needs. We have a citizen participation plan that HUD approves that shows how we are reaching out to the public to find out what it is they would -- they think their needs are. And therefore, where funds should be awarded. And it has to include information and the participation of the low and moderate-income community. We also have the housing and community development commission which is one of your commissions that is responsible for overseeing the CDBG program. They're the lead citizen advisory body for CDBG. They hold the public hearings and they work on the issue of local needs and they are a recommendation body. They don't make decisions but they do make recommendations. They do hear from the grantees themselves and then make recommendations to the council. We did begin community meetings in August. We're holding four meetings. And as mentioned we also discussed -- had a discussion with the neighborhood services committee. So where we were, and what some of the questions we had laid out was, where the committee believed limited CDBG funding should be allocated, given I think one big impact is the section 108 amount that's going to decrease what's available. But also, the potential for further reductions in the program. Should we continue to use the 15% of the funds for public service

activities for those -- for public service activities and also for CBOs and should we I think this one's a big question: Should we, in order to have more impact, narrow what is a funded activity or where -- what kinds of activities we fund, so that we have more impact. And that -- that narrowing could be narrowing in terms of geographic area, it can be narrowing in terms of activity. But is there anything more strategic we'd like to do with the dollars to have more impact? So those are the questions that we had for the committee. And as I mentioned we're in the middle of a public process. We'd like to come back again to discuss that with you. And what we're hearing from people, as well as to discuss what's happening in Washington. I will note, I will be there next week. So I'll get some intelligence, and hopefully come back with more information.

>> Councilmember Constant: It's hard to imagine you'll find intelligence in Washington. But could you just quickly share with the committee the recommendation from NSE? The areas that where they gave the input from Councilmember Rocha's memo? I don't have it with me otherwise I would.

>> Leslye Corsiglia: Absolutely. So Councilmember Rocha had made a recommendation that the committee approve certain prioritization, and so we had activities here. I think he wanted to revisit this when we came back. But he had supported a minimum 15% allocation for CBOs. And he had recommended a narrowing of the funding categories so that we had more impact. And also, adopting top funding priorities to provide basic services, eliminate blight and strengthen neighborhoods support activities and homelessness and expand economic opportunities for low income households so those were his recommendations.

>> Councilmember Constant: Thanks. And the committee basically asked that she consider those as guidelines, along with whatever she got from other committees and then to bring that back to the NSE and I'm assuming us at some point as well.

>> Leslye Corsiglia: Yes.

>> Councilmember Constant: So I'll get to hear it twice again madam Vice Mayor anything?

>> Councilmember Nguyen: No, just I absolutely agree with Councilmember Rocha's memo. I think those are good, sort of the set of criteria or guidelines that we should follow. Seems like sort of that is the direction that this council has been gearing towards and so I really don't have anything to add. I think that is something we should add as a guideline as we move forward.

>> Councilmember Constant: Be careful. Next time you start with no I'm turning your mic off. Mr. Oliverio.

>> Councilmember Oliverio: Thank you, Councilmember Constant. On the outreach, so you're doing outreach to see what we should spend the CDBG funds on but I sort of think that you know, each councilmember is, this is a representative democracy. The councilmembers are elected from each district and they probably would have a good item of decisions being made at a policy level so I sort of find that you know we do a lot of outreach from the end, if the community that elected us didn't agree with us then we wouldn't be here so I think it is representative of the community, I just wanted to add that comment since I think we sometimes only listen to a small group versus the overall aggregate group in the community. On page 6 item 8 it says that you can spend the money on infrastructure like ADA compliant curb-cut ramps. What percentage of the funding of the CDBG could be allocated to that? The way it's written in the report it sounds like 100% but my guess, it's not so --

>> You could do 100%. There's no limit. The limitations that we discussed in the beginning are the only ones that are imposed on the program. There's a 15% public service limit and a 20% admin cap but infrastructure improvements are not capped.

>> Leslye Corsiglia: And I think the only thing to mention it would have to be in low income communities. It has to meet the federal requirements for income.

>> Councilmember Oliverio: So if there was a neighborhood that had a person in a wheelchair but the aggregate income of that block was you know not -- not necessarily in the poverty range you could not use the CDBG funds for that?

>> Leslye Corsiglia: That's correct. It would need -- these funds are meant to assist the low-income community and so we have to be able to provide that information. Yes.

>> Councilmember Oliverio: And I think we have a massive infrastructure backlog on ADA compliant ramps and I think we're getting sued like many cities for this not being compliant so clearly there's a large need there. But it's good to know that you're telling me 100% of the CDBG funds could be used to offset spending out of the General Fund to make curbs ADA compliant?

>> Leslye Corsiglia: We need to be very careful there because we cannot use federal funds to supplant local funds. We go back to what a General Fund obligation is and a General Fund program is. We cannot do that. It needs to augment and do things but not take over a General Fund obligation.

>> Councilmember Oliverio: But the city could use money on curb cuts ADA compliant ramps but this could augment that need?

>> Leslye Corsiglia: That's correct.

>> Councilmember Oliverio: Since you want feedback I really feel we should be spending the CDBG moneys on city type activities which are in the charter, and I know there are things we get into that are the realm of the county and the state. And that's not what I was elected for, I was elected to fulfill what's in the charter, and that's the general infrastructure. So the feedback from this councilmember is that we should really spend a little bit more of that on the general infrastructure.

>> Leslye Corsiglia: Thank you, councilmember. I would like if I could to have Jackie explain the community process. Because it is not something that we have created. It is a requirement of the federal government so I think it would be helpful for her to explain why we're reaching out to the lower income community.

>> Councilmember Oliverio: I think I understood that. I was just making a statement. I understand there's requirements from CDBG but I just wanted to make the statement.

>> Councilmember Constant: Kansen.

>> Councilmember Chu: Thank you, Mr. Chair. I just wanted to add to Councilmember Rocha's memo to include some youth services and crime prevention. General direction would be we should spend the money which would yield to the best return.

>> Councilmember Constant: Thank you. And I didn't provide a lot of comments at the other meeting because I wanted to think more about it and do it here. So a couple of items that I think where I think we need to concentrate our efforts. On page 4, item number 3, at the top, the meet an urgent emergency need. I think as we go forward in these budget times we're going to be seeing more and more of those emergency-type needs in our city. And I know it has the three distinct areas, that it needs to fit within, the recent origin, the unable to be funded by the city, which we definitely meet that one, and unable to be funded by other sources. I just think that as we keep moving forward, and we know that we're contemplating fiscal emergency, public safety emergency, declarations, things of that nature, that we should be looking at how we might be able to address some of those imminent health, welfare and safety needs. Because I think that is the spirit of these moneys. I also think that we should look for ways where we can expand the economic development portion, which is highlighted under number 4 on page number 5. Because we know that when we spend money in that area, it's like an investment that keeps coming back. And that's an area that I would like to see some investment, some more investment if we can. And then finally, just above that in the code enforcement, we know that the strain on our system, because of our financial situation, has put a significant kink in our ability to provide code enforcement services throughout the city. And in the areas that meet the need requirements, of the CDBG money, are some of the areas where we have the most pressing code enforcement issues. So I think that's important for us to deal with. And just tagging in with Pierluigi, I think the ADA ramps are a really important thing that we need to keep our eye on. And I know the money goes into it every single year. I just hope we can continue that as we go forward. Any other comments? I haven't been

asking for comments from the public because we don't have a lot of public here. Anyone like to comment on this? I have a motion and second. All in favor? Any opposed? Thank you.

>> Leslye Corsiglia: We would like to come back if possible with more information at your next meeting.

>> Councilmember Constant: We would love to have you come back. Sharon. We are now moving on to number 2. The report of activities, the monthly report of activities from the auditor.

>> Sharon Erickson: Very briefly, this is the report on activities for the month of August. We issued two reports that you heard last month, recovery act funding report, that was the third in a series of reports open the recovery act and an audit of traffic citation revenue. We've got nine assignments in process right now. The report lists those assignments, plus the annual external financial audits and recommendation follow-up reports we will be coming back to you next month with airport Public Safety level of service performance measures and the semiannual recommendation follow up report. I'm happy to answer any questions.

>> Councilmember Constant: Do we have any questions? Wow, we're going to let you off easy.

>> Sharon Erickson: Cool.

>> Councilmember Constant: We have a motion and I think that was a second. All in favor, any opposed? Thanks Sharon. We'll now move on to item number 4, which is our monthly report on Bay Area regional interoperable communications system, and I know Michelle McGurk is out of town, but we have Chris here. And before you get started, Chris, I just want to let everybody know that we did discuss this recurring agenda item at the Rules Committee, I believe that was yesterday, although it seems like several days ago, and we will be broadening this topic on the agenda for the future to allow us to talk about any Public Safety interoperability radio-related issues, communications issues. And I think it's particularly important given the fact that we have not only all the moving parts in our system, or lack of a system, whichever perspective we're looking at, which month, that we are able to discuss these as we need to be and also with potential changes in additional funding due to the

jobs bills and other things that are happening in Washington. So just wanted to make sure my colleagues were aware of that and anything you would like to enlighten us with, all yours.

>> Good afternoon, Mr. Chair and members of the committee. I'm Chris Godley, thank you for those opening remarks and certainly interoperable communications is all interrelated. So the approach to take a look at the larger picture is certainly most appropriate for our jurisdiction. Very briefly, for the updates for you locally and the city level first and the major area, there's a bit of news, in that the San José fire department using the UASI grant from fiscal year 2009 has received a lower than expected bid for installation of mobile data computers in the fire engines which we'll go ahead and because of the cost savings, we're also going to purchase Apple iPads for use by personnel outside of the fire engines and battalion chiefs' vehicles. So we're going to put technology directly into the field in the hands of the responders on scene. So that process is continuing along with the other work that the police department's doing implementing its communications projects. A second major area of focus is of course the Silicon Valley regional authority. The new working group reportings are myself and Dave Hobar for the police department as deputy chief for support services, SVRA is now located in their new leased office space in Santa Clara at the chamber of commerce building. And the executive director is continuing in his assignment and position in relationship to the City of San José. And they're expanding the contract staff now to four positions to augment the efforts of the executive director in expanding the SVRA initiatives. For e-com, a few updates. The Serro Zoo, our Los Gatos site, which was a bit thorny because of its location in a residential neighborhood, has been approved. They were able to work with the neighborhood on modified the site design. And we are also now working on San José station, fire station 28 site approval process right now to support e-com. For SVRCS phase 1, we are expecting and will get now the \$770,000 from UASI funds as well as nearly \$600,000 from the state Homeland Security grant program. So that is expected to move forward very quickly over the next couple of months. Very briefly, a small -- a few other smaller items. The CAD to add RFP has been issued by the authority, and that's going forward. Should be done within the next three weeks. We've completed narrow-banding across the county. Essentially San José PD will complete it this month. And there is actually a problem with Kohl's department stores. You couldn't use your radio inside the department store because of the lighting that they were using. And so now the department store is going to be replacing the lighting, so you can use your radio there. So the technical guys are hopping all over the place. I'd also mention that the working group did suggest appointing

the SVRA executive director to the Capitol Bay Area Planning Interoperable Communication steering committee.

This is the group that's guiding efforts to develop interoperable communications across the jurisdictions spanning the Bay Area up through Sacramento. And then we did accept the proposal to extend in a warranty agreement to Aviat for the e-com system. Aviat now has a network operations center online and provides a much more robust and sustainable effort to support e-com, and we were able to through council go through a sole source procurement process on that option. The relationship of SVRA with BayRICS very briefly does allow me to brief you that the BayRICS JPA has been signed by all parties except Solano Santa Cruz and Napa counties and they are still under negotiations. Boon negotiations, as the chair alluded to, are continuing very intensely this week and represented by San José through Michelle McGurk of the mayor's office. There are several significant issues in that boon negotiations and they are very intense negotiations occurring almost the entire day of every day this week. I won't go into too much detail there, except to also mention that spectrum is a consideration, as we've been aware of in past with the use of the 700 megahertz spectrum, especially as relationship to the Motorola B top project. San José is seen as leading the effort to develop a petition for waiver to the FCC to waive those requirements and expand the footprint for use of 700 megahertz throughout the Bay Area not just the three core cities as well as taking a hard look at modifying the lease, if you would, so it doesn't require reissuing of the lease. Which at this point all leases and all waivers are frozen at the federal government. So we were hoping to avoid that and the success of San José's agent through the firm of Patton Boggs has been fairly successful to date in achieving those results and we're very optimistic that in fact we'll achieve our desired results within the next month or two. And then of course you're aware of the 700 megahertz which also applies indirectly to SVRA is undertaking significant changes in the last few weeks and certainly we hope to have some idea where this might be going within the next month or two but I won't bet my paycheck on that one. So if there are any questions you might have of me we certainly hope to expand the scope and depth of the monthly report that comes to the city and certainly if you have any areas of interest or specific details you'd like us to are track and report out on I'd be interested in hearing that as well.

>> Councilmember Constant: Thank you very much. I just wanted to make an editorial comment. I just don't understand why the FCC is such a roadblock on something that is supposed to be a national priority. It makes absolutely no sense to me whatsoever. I know that our congressional representatives have been helping out, and

I see Chris coming down. You might give us some more input. They've been helping out. But it seems that something that is so critical to the nation's interest, that we would be able to move things at least in a direction. So I know that I asked my colleagues that we each lean on our federal representatives every time we see them. Because this is something, frankly, I think Congress should just tell the FCC what to do. But I know that's not as easy as it sounds. Chris.

>> Mr. Chair, I appreciate those comments because the fact that people are actually coming up to speed in understanding this issue because it's fairly complicated but it really is that important. Having been involved in this for the last several years. I had that same viewpoint where the FCC had been the stumbling block. And quite frankly they were. That I won't say blame, but that concern has shifted, it truly is now the FCC waiting for Congress to take action. Part of their reluctance, and the reason they put a freeze on the waivers, is they want Congress to make a decision. And right now, with the different bills in Congress, trying to get that pushed out, and we're hoping within the next eight weeks, either through the jobs bill or through independent bill S-9/11 or some other measure perhaps the defense reauthorization I mean there's lots of ways to do it but that Congress acts because the FCC doesn't want to go down a path and have Congress tell it to go a different way. I know the staff and I know the mayor is going to meet with Admiral Barnett, Jamie Barnett, who's the -- in charge of the public safety and Homeland Security division of the FCC. He's going to meet with him next week. I've had several conversations with FCC staff recently as well as members of Representative Esher's office, representative Esher herself, certainly representative Waxman from Los Angeles. The two of those have a draft bill that would do exactly what we are looking to do nationwide. So my point is that as much as the FCC in the past probably deserved a lot of criticism, I think that -- they have come on board. Now they just say we're good. We just want Congress to decide because we don't want to go down a path and get reversed. So it really is up to Congress, and I hope that we continue the pressure, not so much on our own representatives who have been great advocates, it's quite frankly the house energy and commerce republicans, house Republicans that have been the most -- well, just been obstructionist, I'll use the term because I think it's true. And we're hoping that perhaps we can get a breakthrough.

>> Councilmember Constant: Thank you. Questions or comments from my colleagues? No, still no public, so --

>> Councilmember Nguyen: Motion to accept the report.

>> Councilmember Constant: Motion to accept and --

>> Councilmember Oliverio: Second.

>> Councilmember Constant: Thank you. All in favor? Any opposed, thanks Chris and Chris. And now we'll move on to item number 5, which is the City Manager's plan for maximizing officers on patrol. And I think we -- Chris is going to stick with us, Chris Moore, chief Moore will stick with us on that. It's all yours.

>> Thanks, I think we just named this the Chris seat. Put a Chris, we're going to be covered. Mr. Chairman, members of the committee, again, thank you very much for the opportunity to talk a little bit about staffing in the police department. Clearly we have been through one of the most difficult budget years, and having laid off officers for the first time. I'm stating the obvious here, but for the record for those at home might have missed it earlier, how they would, I don't know. But we have shed 183 sworn positions this current year. We served 122 layoff notices we were able to retrieve through a number of efforts of council to minimize the damage. But we did lose 63 officers to layoff, and then we lost another roughly the same number to other outside agencies. They left to go get other jobs. We have lost over 300 positions in the last three years. We at some point are going to need to redistrict, because we right now are staffed at about 1103 officers, and that fluctuates day-to-day. We anticipate that number dropping below 1100 shortly with some other departures that are planned, retirements and some resignations for people to go to other agencies. We're faced with a scenario that we have fewer officers to patrol the same size city. And the idea is, one way to do that is to shrink your team sizes, but another way to do that is to redistrict. And I think we need to redistrict. What we can do is move potentially, and this is one scenario, where we move from four patrol divisions to three patrol divisions. What that allows to you do is shrink your span of control, but at the same time you are having the same number of officers. I don't want to put this out there that we're adding officers. It is just a different way to do business. You're shrinking the size. Bigger sized teams covering the same amount or bigger areas. Or small -- same sized teams covering bigger areas. So the reality

for us is that it's not going to get better any time soon. It is a matter of how we manage our resources as we have them. Moving more people from specialized assignments and you know with our tier 1 cuts that we went through, we eliminate a lot of positions in the bureau of investigations and what I had to do was move those bodies that were the actual bodies, move those back to patrol. So we have fewer investigative resources than we ever have, and roughly, while we have fewer officers on the street, as well, but we have a disproportionate cut in bureau of investigations than we do in the field. One issue that has come up is the use of reserves. I'd like to address that, Mr. Chairman, if I may. We have or had roughly 140-odd reserve officers, the majority of which, 70 plus percent, were retired officers. And we've undergone some revisions in our reserve program, requirements of having each of the reserves spend ten hours in a patrol car, in part to keep them acclimated. These are perishable skills when you are going out working on the street, and some of those folks hadn't been out in the street for a while. So we wanted to make sure they are contributing ten hours in patrol. As some of these officers were older and it was not their desire some have left the program and we are starting to bring in younger officers that are seeking to get into this field but because the jobs aren't available perhaps right now that they want to learn and they know I'm not sure Mr. Chairman if you were in reserve as well that that opportunity exists now and we're bringing in some younger folks to do that. It's a longer term process than I'd like but trying to do it gracefully. As gracefully as we can given the times we're in. I think it's going to be helpful so we do have officers the reserve officers going out in two-officer cars again serving their ten hours once a month. In the same areas typically in the same part of town so they're comfortable with the teams they're riding with, they're comfortable and on both sides, the officers they are riding with are more comfortable and the reserve officers are more comfortable, because they don't do it full time, making sure they know the booking processes all the things we have to do on a daily basis. Again, slow process, but we're moving through it. I'd be happy to answer any questions.

>> Councilmember Constant: Questions from the committee?

>> Councilmember Nguyen: Thank you. Just a couple of questions. Chief Moore in regards to the redistrict, I know that you're working on this and working on it slowly. When do you anticipate we see this change?

>> Vice Mayor thank you for the question. The concern that we have about doing redistricting it is not an insignificant effort to do this. You have to go through and break down all the beat building blocks what the levels of call for service are. And the idea is to level out calls for service across the city and then redesign natural boundaries so the call load's even but we increase the size of our districts, if we were to go to a three-division model. My fear is this: Is if we go through, we have a period of uncertainty still in our budget, and if we are to contract even further, and we engage in a real expensive effort and time consuming effort to redistrict, only to have our resources slashed again, it may not make sense. So our thought was to get us through this couple of years, manage without having to redraw the boundaries, just manage as if let's say two districts were one district and not have them called the same thing, but treat them as such. And we do that when we have short-staffing nights, what we'll do is we'll just treat it as one district say do that and wait until we get to a point of stability in our staffing, if -- I'm looking at Alex -- if we ever get there, that we then engage upon that effort. We are doing the preplanning steps as if we were to do it, but we don't want to pull the trigger on it. Because all of a sudden if we have another issue like we had last year where we're slashing again, it basically makes it sort of irrelevant. And we don't want to go down that path. So we're planning for an eventual redistricting. I wouldn't say it this year. I'd like to see us get next year to see what the staffing looks like, and then at some point we're going to have to jump in. So I would anticipate probably at the end of next calendar year, so a year from now is when we would start that process of redistricting. But again we plan moving forward with that in mind.

>> Councilmember Nguyen: Thank you. I'm really glad to hear that because obviously this is a huge change and a huge shift and I think it's going to you know bring a lot of concerns among community members. Obviously you know some of the things that we're probably going to see negative impact would be a slow response time, less police officers on the street, you know all kinds of things that we really don't want to see so I'm glad that we're still having the conversation now because since it's so significant I think it's good that we start now and just look forward to you know maybe a few years from now we can actually implement if we need to I'm hoping that we don't have to but I'm glad that you guys are having the initial conversation now so thank you.

>> Certainly Vice Mayor just to be clear we need to do this every ten years or so anyway because with annexations we've had the distribution of calls have shifted. It needs to happen about every ten years or so. And

we're beyond that ten year now, but we've had a couple strange years where we're going to have to adjust, and is this a two or three year issue, and it doesn't seem like it is. So the idea is, let's get to a point of stability and move forward. And the truth is, again, it's the same number of officers for the same size of the city. It's not -- it helps us organize a little bit better and even workload, but at the end of the day it is really not that much of a change.

>> Councilmember Nguyen: Thank you.

>> Councilmember Constant: Pierluigi.

>> Councilmember Oliverio: Thank you. Chief on the redistricting you at least don't have to do with all the other issues that come up with political redistricting you can just kind of do the things by the numbers and not have to worry about separating a parish or neighborhood association. So today when you have the ability to know where every police car is at this moment?

>> It's wonderful, yes.

>> Councilmember Oliverio: And it's at headquarters.

>> Yes.

>> Councilmember Oliverio: And that's access for you and a very limited number of people?

>> Actually, no, it's actually every officer -- let me restate this. Every patrol car that's logged on, the GPS is activated to that unit, it shows up in the communications center, and is available to every other officer or anybody that has an MBC. So I could log into my office and actually I can see where they are.

>> Councilmember Oliverio: And logging off is when you are taking a lunch or something like that?

>> No logging on is when you actually log on at the beginning of your shift. You can change your status, it will still show where your car is, not necessarily you, but we're going to get to a point where they'll have GPS units on the radio in the not-too-distant future. So yes, as long as you're logged onto that computer, for that period, which is typically a ten-hour shift, wherever you go or that car goes, it not only will tell you where you are right now, but it will also track you through your entire shift.

>> Councilmember Oliverio: And I was wondering, would it be possible to get a tour of that, to see that in action at some point?

>> I'd be happy to do that. It's a great, great system that we have.

>> Councilmember Oliverio: Thank you.

>> You bet.

>> Councilmember Constant: Kansen? Thanks. I just had a couple of questions. One in the area of redistricting. Personally I know you know I think it's a good idea, since did I a couple of budget documents on it over the years. I would just offer another perspective is the budget may get worse. But even if it were a redistricted city, you could still do the same thing and operate two districts with one sergeant. It wouldn't be optimal, but we could do it. And I'm hoping that we will not go below current staffing level. I know I'm going to do everything that I can, even in light of the fact I wasn't able to last year, to continue to push and push for that. And I was on the last redistricting committee when it happened, that's how long ago it was. And one of the things that really concerned me then, and I don't know -- I don't remember if you were involved in it or not --

>> Peripherally.

>> Councilmember Constant: This last time. They actually went it twice. The exercise went through a complete committee, and got completely finalized, and then started completely over by another group and went through it

and came up with almost exact same results and was finalized and went into effect. So I hope we don't go through those needless exercises this time around, given the fact of different leadership and different plan. I'm sure that won't happen. My question is, I understand how that is going to affect span of control in patrol which I don't have any problem with although if there's any part of the department I'm concerned most about the span of control, it is in patrol. But when can we look forward to seeing span of control discussions in the other bureaus, whether it be by attrition -- because I know you don't want to demote 70 people at once -- so that we can have more flexibility?

>> Appreciate that. If I just briefly touch on the redistricting piece that you had then I'll answer that question. With respect to that, it has been a long time on the redistricting, and I won't allow it to happen twice. The good news is that there's a lot better computer software out there, that wasn't available back when you were doing it last. So it should be a much quicker process and you won't have to go through a lot of those meetings that we used to which is looking at natural boundaries, radio district lines, those kinds of things, coverage. So hopefully it won't be nearly as time consuming but still important. On to your question, sir, about the span of control. In the Mayor's Budget Message we are tasked with coming back to report back in January the span of control issue. And we have, we're in conversations with the police executive research forum that does a lot of this work around the country, and had discussions particularly about patrol, because that's where the vast majority of our personnel are, and what the appropriate level of staffing, sergeant to officer ratio in particular is, and why. But they also do work in other parts of police departments. So we've engaged them in a discussion and we hope to have them have a report certainly in time for probably the holidays. So you get a really good sense of what's happening elsewhere around the country and sort of what the staff's recommendation would be through the City Manager of what the appropriate level is. It may not be the national average. It will certainly be -- right now I think we're at 5.1 in patrol, sergeants to -- officers to sergeant, whereas the national average hovers around 8. Again, we're different in our own ways, but so the reality is, we would probably reduce that below certainly or reduce it above five. The question is do we get to 8, and if not, why and have a discussion about that. And that's a policy choice for sure, and there are good reasons why we in San José have a low crime rate. Our payout loss ratio at the city attorney's office will tell you, both Rick and Nora, that our payouts, compared to other big cities, are a vast difference. We are much smaller and particularly in the use of force. Although it only takes one where you can

have a large payout, but over time, we have relatively low payouts particularly for car accidents, things like that. And that's because of supervision. And then the question is how much is that extra sergeant worth. And that again becomes a policy choice. So again, all the discussions we'll have out in January for you, and in advance of January. But I think the discussion that you're talking about will happen at the January meeting.

>> Councilmember Constant: Okay, I just want to make sure it's not focused solely on patrol, because I really don't think that's where there's as much to be gained by span of control. There may be in redistricting, understanding that you'll have less lieutenants and less captains and a few less sergeants. But I know we've talked at length about the other bureaus. I just want to make sure that remains part of the conversation.

>> It is.

>> Councilmember Constant: Okay. And then back to the reserves. I know last month we had our discussion here with deputy Chief Cavalero about the log on, and that's been changed, and I appreciate that. But I also understand in talking to deputy chief Cavalero, still not being dispatched as if it's a two person car, they're being dispatched as if they are a one person car. And I know the comments he gave to me were concerns about the abilities and the training and some of the same things that you expressed today. But I'll just be blunt in my question. These are the same people that we have patrol the city when we have department reliefs. We just had one for camp Hoosgow what, six weeks ago, four weeks ago, and quite frankly my comment is if we're not confident in them, then we shouldn't be doing department reliefs either. I think there are people that are people that I specifically know that are issues, and I'm sure you know specifics on particular individuals. But I think we have to be careful not to just brand the entire pack of reserves as being that way. And I think we need to really decide where we're going to have them. And because that concerns me, on one level to be saying we can't do this because we're worried about their training and their ability. And then on the other hand, we'll have a day where or a week in the case of the police Olympics where they're a significant portion of the police force during certain times of the day.

>> This goes to a broader issue about the reserves and the philosophy, and I know that some people have accused me of being anti-reserve. I am not at all. I think they are a great resource. I am concerned about the maintenance of skill sets. Because you're right. It's important to have officers that are wearing a San José uniform that are out there that are qualified doing the job and are comfortable doing job. And those who do it full time that's less of an issue, that's your full-time job. For those who are doing it on the weekends, not that they're not willing or not capable overall they just don't do it as up. And sometimes you run across scenarios where you are going to need the help. As far as -- so with that in mind the idea is to raise the level of expertise and experience within the reserve ranks, which is what I'm trying do in bringing those officers back for ten hours on patrol to get it back to its original purpose of having a reserve force that's capable, as opposed to somebody who is just working secondary employment. You had this discussion to raise the expertise the comfort level the familiarity with the reserves by having them ride all the time at the same time infusing into the program new young officers that have chosen this as a profession to give them this experience they tend to want to spend a lot of hours in the car, anyway. I'll speak for myself and probably for you, as well, I would imagine that's where you wanted to be. So that's the kind of workforce that we're looking for. It's a different way of doing business and I know that some people have construed it as me being anti-reserve, it's not. It's raising the level of expertise within the reserve program and also a risk management tool. As the chief I want to make sure that the officers I have out in the street are equipped to do the job.

>> Councilmember Constant: Thanks and I understand you're making up for years of -- of nobody making sure that the reserves functions as they were intended and I know it's not the same as it was 25 years ago when I was a reserve. So I appreciate that. But I do know that we have plenty of departments that have very highly qualified reserves doing a lot of good work. And then at what point can we expect to have any sort of discussion about things like community service officers or other method of providing services beyond just what we've been doing?

>> I think in conversations with the City Manager, and Alex, as we move forward into the upcoming budget year which is even more difficult, all of those discussions will be on the table about how do we move forward with a workforce that's going to shrink and how do we still deliver services? I wouldn't put a time line on it but I would just say as we move into the budget cycle it will be part of the discussion.

>> Councilmember Constant: Just for the record I'm very concerned that we can find a plan where we can build a non-sworn portion of the department. I don't have to tell you how bad it's gotten and I remember chief Davis here begging us back here at least four years ago, maybe a little bit longer when we first took a look at that time five year staffing plan, I think it was even in draft form when he was illustrating how bad the non-sworn portion of the department had degraded and I know it's gone much further because of our actions over the last several budget years. I know that's an issue that we have to keep an eye on as well it will Alex do you have something to jump in on?

>> Alex Gurza: Yes, chair, I just wanted to add that through the mayor's June budget message the council has directed the manager to come back with the full report in January that includes various strategies, specific ones including the potential use of community service officers. That will be part of the report that comes back to the committee in January.

>> Councilmember Constant: Great. Any more questions?

>> Councilmember Nguyen: Motion to seven the report.

>> Councilmember Constant: Any final thoughts chief before we go on?

>> I just appreciate yes thanks for the opportunity. I realize how difficult it is for you as councilmembers. I had a meeting earlier with. I don't envy any of you but as we move into the very, very difficult time be mindful of the fact that I'm concerned about our department, making sure we have sufficient staff. I already know you know that, I wouldn't want to be in your shoes but we appreciate all the support you gave to our department.

>> Councilmember Constant: We look forward to hearing from you along the way thanks. Public comment, no public, no comments, we're adjourned.