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>> Councilmember Constant: Good afternoon and welcome to the Public Safety, Finance and Strategic Support for June 21st, 2012. First thing I'd like to do is ask the committee if we could take a quick motion to move Item 5, which is the IPA item, up immediately after the consent calendar. So bring it right to the top, does anyone have a problem with that? Okay, so do I have a motion on the consent calendar? I have a motion and a second, any discussion? All in favor, none opposed, the consent calendar is passed. So now we'll move right into item number 5, which is the IPA, let me read it for you, a video presentation of a public service announcement regarding the Independent Police Auditor's created and produced by the IPA's team leadership council. Judge, thanks for joining us.

>> Judge Cordell: Thank you.

>> Councilmember Constant: And I know you have a bunch of guests who are going to introduce themselves to us shortly.

>> Judge Cordell: Very briefly. Thank you so much, Councilmember Constant, Vice Mayor Nguyen, Councilmember Chu, I thank you for allowing us to be on your agenda. Today we are thrilled to present to you the world premier of the first-ever PSA from the independent police auditor's office. And what makes this especially unique is that this is a PSA by our team leadership council, some of whom are here today. And the purpose of the PSA is to do outreach or to focus and give information to young people throughout the city of San José. We're delighted that we're able to present the world premier to you, and before we do that, which is a 60 second PSA, produced with CreaTV's help, and I want to note that Diane Doolan Diaz, a senior analyst in our office, worked the script for the PSA. Also from our office today, just to watch and be supportive, is Vivian Do, our senior analyst and Brenna Sobery, our analyst 2. I'd like to ask each of our TLC people, members here, to please introduce themselves to you, and then we're going to roll the PSA.

>> My name is Brett Ferbone and I'm a junior here at Leland High School in Almaden.

>> My name is Mia Romero and I go to Independence Adult Ed.

>> Hi, my name is Kayla Williams, and I'm a freshman at Mission College.

>> Hello. I'd Hasmin Barva, and I'm a junior at Presentation High School.

>> Hello, I'm Camilla Verra and I'll be a freshman at (inaudible) university.

>> Hi, I am Nick and I'm going to be a senior at Downtown College Prep.

>> Hello, my name is Naele Montez and I'm a freshman at U.C. Berkeley. [ music ]

>> Protecting the public from crime is a big job and police in San José do it well.

>> They work hard to make this a great city. But anyone can make a mistake.

>> No one is perfect and some officers don't do what they're supposed to do.

>> If you or someone you know was treated unfairly by police in San José,.

>> Call the office of the independent police daughter at 408-794-6226.

>> We are the TLC and we are here to tell you that no matter how old you are.

>> No matter where you come from and no matter where you live.

>> You should be treated with courtesy and respect.

>> So if you've been mistreated by San José police do the right thing. Call 408-794-6226.

>> The independent police auditor is here to listen.

>> Your voice matters.

>> So call today.

>> I am judge Cordell, the independent police auditor and I approved this message.

>> Councilmember Constant: Thank you, would my colleagues like to make any comments?

>> Vice Mayor Nguyen: Just wanted to thank everyone here, great job and I'm sure this is going to be a very, very well received campaign, not just the youth but everyone in the City of San José. Thank you very much.

>> Councilmember Chu: And I will echo the appreciation and I will link it to my Website.

>> Councilmember Constant: And thank you all for taking the time to come out today. I know it probably took you a lot more time to get here than it did for us to watch the video and we appreciate the time that you took. And judge Cordell, thank you for bringing this to us and giving us the opportunity to see the world premier. You guys have a great day. And we'll move into our next item, item D 1, monthly report on Public Safety communications, and we have Chris Godley with us. Hang on a minute Chris. I forgot, the man, the myth, the legend, David Wall you wanted to speak on that last item. Since we didn't take any action we don't have to undo anything but police.

>> No, I think the public service announcements is a great idea. What I would like to see incorporated in them instead of just the terms are you mistreated or treated unfairly, it would also be more inclusive and helpful if the service announcement would say, please cooperate fully with the San José police officer, obey his or her orders immediately, and there will be no problems. It is the misunderstanding with some people that they can argue with police officers or not obey a direct order from a police officer that more than likely leads to the confrontation to

which these public service announcements are predicated. So I'd like to see a more balanced approach to be more inclusive to obey police orders and follow their directions without hesitation. Thank you.

>> Councilmember Constant: If you want to save time and take your open forum time you can take that now too since you're standing to. If you're prepared or call you back later.

>> No, yesterday I was down on the river, Guadalupe river where I believe you were injured, sir. There were several encampments down there, traditional, vagrant types polluting the area. But also in the flight path for San José international. Guadalupe gardens or someone has started uplifting the trees, in other words, cutting the lower branches down so the encampments can't be so visible. Well they're very creative out there so they mounded the debris back up like igloos. These places are like miniature base camps. One if you take away the shopping carts you take away a lot of ancillary crimes that flow from this type of element. But more so, there are significant encampments around these trees and bunches in the flight path that serve no good whatsoever and I think the police or some form need to get in there and clean these places out and get these people moving along. Thank you very much. Also thank you, I would like to thank you Councilmember Constant, you run the best meeting of the council committees, this is a tribute to your training I believe over the years as a police officer but you do run the best of all the council committee meetings. The rest of you have a good Kay day and if you have any extra money don't give it out to contractors for vacation time and sick time. Pay our underpaid attorneys and show them some economic love.

>> Councilmember Constant: Thanks. If putting you up in the calendar gets some compliments you can talk extra time. Thank you Chris.

>> Good morning, members of the council I'm Chris Godley, director of emergency services with the San José Fire Department Office of Emergency Services. Very briefly, regarding interoperable communications, first at the county level with the Silicon Valley regional interoperable authority, for phase 1 of the Silicon Valley regional communications system, which is the 700 megahertz system, a preferred vendor has been selected. The county of Santa Clara is now finalizing negotiations. An announcement and a finalization of the contract will occur next

month. The SVRIA general manager met with the City Manager's association on June 8th to brief them on the SVRCS project and to begin a discussion of how the system buildout and operation might be funded. Regional with the BayRICS, the Bay Area regional interoperable communications system, the new 700 megahertz first responders network authority or First Net, the federal program for 700 megahertz data, has cast indeed a long shadow on the regional project regarding the B Top grant. The BayRICS governing board met on June 7th to discuss the ramifications of First Net as regards the current B top project. Motorola is proceeding with work to develop the antenna sites and BayRICS staff is continuing to negotiate with stakeholders for fiberoptic back haul access. Additionally the BayRICS board discussed how it might work with the state of California to participate in the first net program. The BayRICS general manager traveled to Washington, D.C. last week to meet with the SEC regarding the frequency waiver application which San José, Oakland and San Francisco had submitted late last year, and he's due to report his findings to the three cities on Monday. In terms of the federal initiatives, the 700 megahertz first net program is rapidly gaining steam. The State of California has indicated that it's gearing up to access and assess that program. The state last begun to reach out to some key stakeholders such as BayRICS. The state may also elect to establish a governing board to ensure that local governments have input in that process. The state has not yet selected a lead agency, however, for this project although it may be well the California emergency management agency. And finally the Department of Commerce is expected to appoint individuals to the First Net board of directors in July. The first meeting should occur in August, and we should expect to see a rapid rollout of both the grant program designed for supporting planning as well as the actual first net installations beginning in 2013. I will also mention that we will be back in August to present a more formal annual report at your August 16th meeting. Pending any of your questions that's the report for this month.

>> Councilmember Constant: Thank you, I just add to the report that the SVRIA, at their last board meeting, started the discussions on how we as a region, the county as a whole, can look at funding the operations and maintenance and installation of all of this expensive equipment over the long term. That's something that we've asked staff to give input on what the options are what the steps along the way would be. And we think that's going to be a critical part in make sure that we build out a system that not only gets built but is reliable and maintainable over the long haul. Additionally Mike Milus and I had an opportunity to do a presentation to one of the local rotary groups to discuss the importance of the interoperability projects, not only here but across the nation. It was very

well received, and we're going to be talking about how we can put together a program that will continue through all the different service clubs and organizations till we really bring awareness, because of the entire group there, which was a fairly large group, there was only one or two people that knew that we did not have interoperable radio. We all just assumed that is something that has been fixed and corrected. So that will be really important as we roll forward. Comments from my committee members or questions? No, thanks Chris. We'll move on to the next item which is the police department's report on operations and maintenance. Chief Moore is coming down.

>> Mr. Chairman, members of the committee, Chris Moore, Chief of Police. Thank you again for the opportunity for this verbal report on operations of the police department. I'd like to begin with a discussion briefly about what we're doing in using analytics, something that the mayor and the rest of the council have been very interested in us doing, and we're piloting it in our traffic enforcement unit. We get a number of complaints daily from people across the city for traffic enforcement related complaints. It's one of the most common complaints that we get. And the idea is how do we deploy the limited resources we have, particularly our motor units, to most effectively target those areas that really need help. With me I have our traffic enforcement unit commander, Lieutenant Mike Kim, to talk a little bit about what we're doing and how successful it's been. It's been a great program, and I'd like to share it with you.

>> Good afternoon. My name is lieutenant Mike Kim from the traffic unit. Beginning about third quarter fiscal year, what we decided to do is take data throughout the city, specifically traffic collisions, and create hot spots on a visual map for the traffic officers to visually see. And what they do is then they take those hot spot, spots within a mapped area divided by divisions and districts and we deploy our traffic officers to those areas where the collisions are occurring and then what they do is that's when they do the enforcement the education and evaluate engineering issues on roadways. So in other words, every month we get data from our crime analysis unit on all the traffic collisions citywide. So the data is about one month old. And when we say traffic collisions it's every collision that's called in. Sometimes people will actually call in a collision will occur that person then leaves and then the collision is not reported. We even include those. Then what happens is the following month we can actually compare that data to see if we are making some type of impact. At this point we are so far and it's actually taken us to areas throughout the city that we normally have not gone in the past and we've gotten huge

compliments on the fact that they have not seen motors out there but now they are going. Lastly when I go to community meetings and what I've expressed to the chief is it is the best systematic approach to traffic enforcement. It is very practical using the latest technology. The second step we are doing is predictive analytics. And if I can, I'm just going to read a very short paragraph. It's easier if I just read it than to actually try and articulate it. Predictive analytics or predictive policing. One of our sergeants in the traffic unit is working with a professor, with a mathematician from the Santa Clara University, on predicting where traffic collisions could or may occur. This would include temporal data too. So using large amounts of collision data provided to Santa Clara university from our department, and with mathematical formulas, the program would then uncover relationships and patterns that could be used to predict behavior or events. In other words, predict where a collision may occur. The mission would be to prevent a collision from occurring. We would do this by deploying traffic officers to those areas to be visible doing enforcement and looking at engineering improvements and educating the public. This is what we're working to strive for. So in other words, in addition to taking the data that we have from the month prior where collisions have already occurred, we are now going to take it to the next step and try and predict where these collisions will consider using the data from the Santa Clara university.

>> And this is the future of our business in public university. It's that predictive piece. It's taking the data that you have realtime and trying to project. It's not there yet. We've had this discussion with IBM and others, but the data is getting good enough that you're able to, during the periods of let's say 4:00 in the afternoon and 6:00 in the afternoon, in certain intersections, you're more likely to have a collision, you're more likely to see speeding, that kind of thing. It makes sense rationally that you'd be there anyway for large intersections with large traffic volume are more likely to have a crash. But if you can pinpoint which of those intersections where you've had experience plus where you're likely to see them in future, you can more, you know, quickly deploy and then see if that works, going backwards, see if the number of accidents goes down. Now, this is just the first phase because we want to see if this same model can be applied like LAPD is trying with these same folks, these same academics, to see if you can do it burglaries, to see if you can do it for other types of crime. It's rather involved, but we want to try it on a scale in our traffic unit where we know we can see immediate impact, or we see what the impact is, and then go from there. Again, this is something that has been raised at council and committee before, to use the best

analytics we can both, you know, existing data plus predicting of the future. So I wanted you to share that, and Mike's doing a great job. If you have any questions on that particular --

>> Councilmember Constant: Yeah, real quick. How does this compare to some of the stuff we hear that has been used in other big departments?

>> This is different. What you're seeing, this same group from Santa Clara university, they're piloting a project very similar in Santa Cruz and in Los Angeles. Now, we have heard a lot from LAPD, but I have contacts down there, and they're waiting to see if there's a difference between the com stat model where we're actually going through and doing hot spot policing, or this predictive analytics model. They're not at a point where they can say one is better than the other. In fact, it's probably just as good, one or the other. But because we have local experience in Santa Cruz, where again, seems to have some results, but it may not apply to San José. That's why we're trying the same concept with one area, traffic collisions, and it seems to be working, I mean, we're not quite there yet, and expanding that to something like burglaries, and we'll talk burglaries in another little minute here. But I think that's what we end up seeing is get comfortable enough with how we use it and use it for other types of crimes.

>> Councilmember Constant: And Santa Cruz has been doing it for what, eight months or a year or so?

>> A little more than that. I think it's been sixteen months to two years.

>> Councilmember Constant: Any questions on that portion? Pierluigi.

>> Councilmember Oliverio: Lieutenant or captain?

>> Lieutenant.

>> Councilmember Oliverio: Lieutenant, some day captain. On your analysis or your best guess, on collisions, is that 50% based on speeding and 50% being a bozo? How does that work out?

>> A very good question. We haven't really broken it down to the exact collision factors, but let me give you an example. One of our areas in a certain part of town we noticed collisions were occurring between 10:00 and 12:00 noon. So we actually broke that area down to figure out what it was, and in fact that was speeding. But it wasn't speeding just because people wanted to speed, it was because there was less traffic out during those hours, and that therefore caused the drivers to increase their speeds on those straightaways. So we haven't narrowed down the exact reasons for these collisions. But we're getting to that point.

>> Councilmember Oliverio: Unsafe turn, people that --

>> Correct.

>> Councilmember Oliverio: Then you could put that in the other factor?

>> Absolutely.

>> Councilmember Oliverio: Then is there a map available to the council of what this is looking like?

>> Sure, we have a monthly map that I can make available. I'll also share it with the Department of Transportation also.

>> Councilmember Oliverio: Okay, because I know in the past we had basically done our best to put the traffic enforcement unit into the busiest intersections where they have the most collisions. But then we never got to the neighborhoods. And so then we went around about trying to aggregate, you know, demand from community members that wanted to see police in certain areas, you know, if you come Wednesday at 3:00 p.m. after school gets out you're going to see the speeders. Are we sort of still have that -- still able to do that?

>> In a sense, a little bit so. Let me explain. So in the past we took the top 18 intersections, throughout the city, based upon data from D.O.T. The problem I saw with that was that it was year-old data, right, fiscal year to fiscal year. So we would get it a few months after fiscal year. What we then explained to the community or our unit has been explaining is that now we're using the month to month data on hot spots. Some of those hot spots actually include those top 18 intersections, so some of them are consistent. But some of them actually have dropped off that map also. So number one, yes, we can make it available for you, and yes, we are sharing it with the citizens to let them know this is our systematic approach, that makes sense to traffic.

>> Councilmember Oliverio: So as a traffic enforcement, we are still responsive to if eight residents on one street fill out the form and say, hey, can you please come and do some enforcement when you can?

>> Okay, I'm sorry, so you're talking about the school and neighborhood enforcement complaints?

>> Councilmember Oliverio: Yeah, more neighborhood or school.

>> Yes, so we do have a system set up online that, for example, eight neighbors complain. We actually changed the model just three or four months ago where we actually go to every single complaint now. So we used to group those complaints. So what we did was, in addition to going to our hot spots, I have come up with a model that within three months, I'm asking each one of the officers, based on the area they are assigned, to actually go to those individual complaints, look at the area, evaluate it, and determine is it one neighbor complaining about maybe one car going down the street, or is there a systematic problem? So we are actually addressing every single one of those complaints now.

>> Councilmember Oliverio: But you don't merely make a distinction on 1 versus 8, you'll review both, and if it's one more person, you'll write that street off the list. Like okay, it's one person, I'm not going to come back anymore, but I have identified this other street that has speeding, and by the way, eight people commented. I'm going to spend time there.

>> That is correct.

>> Councilmember Oliverio: Okay. That's it for now, thank you.

>> Councilmember Constant: Think they'll be able to predict that your car will get dented the day you pick it up from the body shop like happened to you?

>> Councilmember Oliverio: I think, Councilmember Constant, as you know, my parking skills are very good.

>> Councilmember Constant: So anyway, moving right along, Vice Mayor or Kansen, anything to add? Okay.

>> Councilmember Oliverio: And one other question, lieutenant. On number of stops, do you -- do we track any data on actual tickets issued, versus verbal warning?

>> I'm trying to think if we do or not because we have a daily stat sheet. To be honest I don't think we're tracking verbal warnings versus issuance of tickets. I think we're only tracking issuance of tickets.

>> Councilmember Oliverio: In the past we've had discussion of automatic radar, the police officer needs a discretion to not be able to give out the ticket. My view is if you're speeding you're speeding. The beauty of the system we used to have you'd get a ticket regardless. I feel that speeding, the only way really to deter behavior is to put something into their pocketbook, which is a citation. So I'm hopefully optimistic that if people are speeding, that they are getting the tickets.

>> I could actually answer that. I did some research on that.

>> Councilmember Oliverio: Great.

>> So we did research on does issuing tickets actually make a difference? So I checked it nationwide. I spoke to other police departments, even in Southern California. I was down at a school in LAPD. And actually there's studies that show that giving a ticket doesn't necessarily change behavior. Giving a ticket does punitively cause this person to have to pay a fine. But what our unit is doing, just so you know, it's a philosophy, it's through education, engineering and enforcement. So we actually use all three factors. So the answer to your question is, we do not give a ticket to every single person that we stop. Whether it be a red light violation or speeding. We are using discretion. So there are warnings going out. What we found out is, as long as the officers are in that area and they are visible, they have made some impact to that driver. We also did studies, can warnings actually make a difference, versus giving someone a ticket causing them to pay the city or the county. There are studies that in fact it is almost equal to that. And so the answer to your question is that yes, we do give out warnings, but we do not give a person a ticket every single time for those reasons.

>> Councilmember Oliverio: That's interesting to hear, and I won't refute what you're saying. I certainly feel that with penalties comes I think some altering of behavior. I'm sure a warning with a police officer sternly telling the person that your behavior could kill someone also might have an effect on someone, as well. So -- but I appreciate it, thank you.

>> You're welcome.

>> Mr. President, I would like to bring you up to speed on some of our recruitment efforts. I know it was a concern of yours with respect to making sure that our recruitment was widespread and well done, considering our desire to get as many people in the door in the upcoming months. We have an academy planned for September of this year. We are hoping to get anywhere from 50 to 60 people into that academy. 60 is probably the most we'll be able to accommodate at this particular time. We got over 800 applications for this particular academy class. When I spoke to you last about it, we took 200 to backgrounds. We are now down roughly 130 to 134, they drop out in between. We anticipate we'll go to a hiring board the first week in August for the September academy. We're hoping to bring 100 people, between 100 and 110 that we likely will be left in that process. We're hoping to get as many as 60, but I'm anticipating somewhere between 40 and 60. We're not going to lower our standards just

because we need to put bodies in there. But I'm hopeful that we'll get somewhere in that range, hopefully, 50 it would be ideal for us at this point, or 60 if we could get them. For our March academy we're in the middle of a recruitment now. We have hired a professional recruiting firm because -- and part of your concern is to make sure that we do it methodically. Using different types of media, you're doing ad buys both on radio and on television and movie theaters, print, magazines versus newspapers, to make sure you hit the right demographic at the right time. And we don't have that expertise, so we've contracted out that expertise. We have a great recruiting plan. Our numbers are up. They will exceed, I suspect, by the time we close our date, what we got the last recruitment, in part because of that additional outreach. We hope that we've received similar numbers, so that we might find another 50 or 60. And that's going to be critical, and let me tell you why. We're authorized sworn strength today at 1099, just under 1100. With council action last week we have another ten positions. So effective the new fiscal year, we will have authorized strength of 1109. Today, we have 1064, so we're already in the hole as we speak today, with the hope that we get these 50 or 60 recruits in. And given the lead time it takes for them to be street-ready, we're looking at probably May of next year before that group of 50 or 60 gets out on the street. If we have a continual departure of personnel, we're going to be further in the hole. So it is really critical that we get as many people into the pipeline as soon as we can, but they have got to be qualified people. So I wanted to make sure you knew that that's what we are doing in response to your concern, because I think it was a valid one, and I appreciate the feedback.

>> Councilmember Constant: So this professional recruiting firm, when do they come on board?

>> They've already helped us, we've had them on board and they've developed a plan which I which I could say I've seen it yet, apparently it's in the office, but I haven't seen it yet. But it talks about again different types of media, when you place it, to hit the ideal demographic.

>> Councilmember Constant: I was really concerned, because I went to the Cal police chief's Website and went through all the job opening opportunities. And when you click on the San José opportunity, compared to all the other opportunities, it's a strikingly different message. I don't know if you have had the opportunity to see that.

>> I haven't seen it.

>> Councilmember Constant: I can bring them up on the computer, I have them on the computer. Can you bring the computers up top?

>> See if I can pull up on mine too.

>> Councilmember Constant: It's going to come up on the screen so you'll be able to see it. This time I remembered to unlock the screen. While he's bringing it up, there's a page on the Cal police chiefs Website that I think is similar to many other recruiting things it's up on the board now and it lists all the different job openings and it's interesting when you look at some agencies, and most of them are like this, the City of Hayward, you have a nice brochure with all kinds of information about everything they have to offer, and you know the requirements and all that. And when you go to ours, that's what you get. And I know if I were looking for a job, and comparing and I went through every single one of these, you know, this is a Microsoft word cut and paste that looks like we put no effort into doing it. I was surprised --

>> Councilmember can I ask that we click on, because a lot of time and effort went into the Website, can we click on that just so the folks can see the Website the time and effort that goes into that particular -- and there's a video that goes on there. Your point is well taken with respect to a flier put forward but there's been a lot of effort to put in video media.

>> Councilmember Constant: I just don't know how many people are going to take that second click. So I'm glad to see that we have a professional recruiting group on board. And I hope that we can see some consistent recruiting efforts. And the one thing that I'd really like to see, and I asked this because -- I asked it previously because I really think it's important that we address in our budget, is really how much money are we putting into recruiting compared to our peers? You know my asking around there's a lot of money spent on recruiting in other areas and I still don't know how much we are spending here in the City of San José.

>> And you are correct we are significantly less than pretty much everybody but council took action, the administration I should say took action, the administration provided several hundred thousand dollars in the last two months that part of that is going into the professional plan to make sure we get the data out there and the information out there. But I hadn't seen that front page, sir, and I will -- we will make sure that's cleaned up to something a little bit nicer.

>> Councilmember Constant: So how do we compare now to other agencies? Like I know I brought up Oakland last time, San Francisco in recruiting dollars.

>> I don't know the dollar to dollar comparison, I'd have to get that from staff. But I do know that the significant influx of funds was several hundred dollars. And that's incredibly helpful. I just don't know where it places with us with everybody else. And Alex, I don't know if you know.

>> Alex Gurza: No, I do not. But we can certainly look into that and get you that information. But as the chief indicated, there has been additional funds made available, but we can do the comparison with other departments.

>> And I appreciate the support, because I think your raising that particular issue did front load that for us.

>> Councilmember Constant: I just think we really need to look at it. Because quite frankly, \$200,000 is one officer put in recruiting showing up doing stuff. I mean, if we are going to make a serious effort, and sitting on the retirement board and seeing how many retirements are coming through, and just knowing where our staffing level is and where we need to get to, I don't think we're going to do it with \$200,000. And I think we need to look at what's being done in other places, and we need to come up with, you know, an actual plan. If that means coming to council and getting us to change the appropriations, that's what we need to do. But it's going to take an effort to get to this number of people.

>> Appreciate it. That's the recruiting piece of this thing. We clearly are in discussions with the administration to try and work through retention because the more folks we do -- that leave the organization it makes it more difficult to fill those slots because of the delay in getting you the folk aboard. We are look at that issue. We are not reconstituting the restarting, Mexico decades, but since we haven't had an academy in the last several years we had to put it in moth balls. Now we have the opportunity to bring it back out, tune it up because over time has -- there are pieces that other departments have sort of taken our model and taxicab and made a little bit better, certainly with respect to community policing. We are restoring that effective with the budget on July 1, we have two new folks that are actually coming through our reserve program that we're actually hiring so again we're trying to use the reserve program as a feeder. We did get two out of our current crop. That will be going through the FTO program. We will be using districts King and district Mary at this point. We are trying to, with the realignment from four divisions to three divisions, to find out what are the appropriate training districts. And there are things to be said about different districts. We've used downtown before, we've used southern San José, but the idea is where do you put those recruits, where are they going to get the maximum training and exposure to different types of calls in the city? And we haven't worked that through 100% yet. We do expect 50 recruits or so in the March field training program when they come out in the -- when the September academy ends in February, they will be launched right in the field training program and hopefully have them out late April, early May.

>> Councilmember Constant: And I think it would be very beneficial to inform the councilmembers of the recruiting cycles and the opportunities because between the 11 offices, the mayor and the ten council offices we have a huge reach that is never used by the administration to get information out. And if somebody asked me right now what is the cycle for recruitment I wouldn't be able to give them an answer. And I think it would be important that we know so we can push information out to help in part of the efforts.

>> I fear we're going to be in a recruiting mode, not fear, anticipate we're going to be in a recruiting mode for some period of time. But for your information, this March academy that we're having, the deadline that we have is the end of July. We may need to extend that a week or so if we're getting a significant influx of applications. We're over 600 now, and I do anticipate getting better than 800 and hopefully even more by the end of July. But again, for every councilmember, Councilmember Constant is correct, we are our own best

recruiters. If there are young people that you know in your council districts, that I ask that you have them consider law enforcement as a career here, it's a great place to work to learn to be a police officer, it is. The only concern I have is, sometimes -- and I have to caution you -- the standards are high. And sometimes people who are referred won't even make it to PHQ. They're not going to be -- they have something in their background that they won't even make it past the paper screen, and it's unfortunately, because I've had some councilmembers come to me disappointed, and I understand that. But it's just good people, excellent people are out there for us to pick off, and we should try and get as many local folks as we can.

>> Councilmember Constant: Any questions from my colleagues? Pierluigi.

>> Councilmember Oliverio: Chief, when you're marketing the City of San José to a potential police recruit, and seemed like San José would have two stories. You have a story of an urban environment that has a lot of the action, for lack of better words, that some people strive for, and on the other side it has established neighborhoods that, you know, speeding is the issue. So and what I think I've heard from you in the past, some people seek different things. Some want to be in Los Altos and manage leaf blower complaints while others pursue more action. Do you find that San José can offer a wider variety then for the pool of applicants?

>> With no disrespect, councilmember, to my colleagues in Los Altos, there's a wide range of activity here in San José. That makes it very attractive. I mean, as one of the major cities in this country, the 10th largest city we have it all here. And that's what makes it attractive for people coming to this profession for a career. They will have opportunities to do many different types of jobs within the police department. A rotation policy is what brought me here, along with the really high quality of people that we have. I've had I think seven or eight careers within the police department, and each of -- Alex knows I worked in internal affairs, I worked in communications, I work in a lot of things that help round you out, and you always have something new you can learn. But the core function of a police officer is working out on the street. And you have to learn to do that and you have to go back to that every once in a while. So like you would go to a specialized assignment for three years, you always go back to patrol and you bring this breadth of experience to the parole structure that is our strength. We solve crimes here like no other big city does, and it's because we have this constant infusion of quality people. But your point I think

is that you're right. We're going to get a certain kind of candidate. Those that don't want to work in this environment probably won't apply. But there are plenty of folks who are willing to apply to come here, and our standards are high. Again, we have an educational requirement that's higher than many. We have vision requirements higher than others. And we have background requirements that are higher than others. But we get a high quality candidate here in San José. Now, having said all that, you know, we are at a competitive disadvantage presently with respect to some of our total compensation packages. But it's still a great place to be, and we are still getting recruits. My fear, longer term, is that we have people that are coming into the city with high qualifications, getting that training and experience that you're talking about, and then perhaps leaving to go to other jurisdictions. That's a real fear of mine. Again, that's a little bit longer term than we're talking about, but I think that's a reality that we're going to have to face.

>> Councilmember Oliverio: Well chief if that is a fear couldn't you balance how those people are compensated based on how long they say?

>> You're talking about longevity pay?

>> Councilmember Oliverio: Yes.

>> Yes, absolutely. Some jurisdictions have compensation structures that include things like longevity pay. The longer you stay the more you're going to pay them. Some have shift differential. If you work the midnight shift or the swing shift, you'll get money there. What I think the department is looking at and the city is looking at is performance pay. And again, I won't say it's a novel concept, but in public service it is difficult, especially when you have a large --

>> Councilmember Oliverio: Not as common.

>> Not as common. But I think the more we look at this, this is what we're striving to do moving forward to reward those folks who are really outstanding, you know, employees, and have them compensated at a greater

level. That is a challenge in today's civil service environment. Alex can tell you all the nightmares that go along with that. But anything that will help to bring our compensation structure to an area where we can hang on to people that we have. Those that have left, and there have been many. They're gone, I'm not worried about them. I want to hang on to the people that we have and make sure that we are able to hang onto them for a long period of time.

>> Councilmember Oliverio: Appreciate that, and just staying along with that topic, so then we are going to continue to examine the ability to, for lack of better word, bonus out individuals that are top performers.

>> I hope whatever we can do to provide additional compensation to our people. Because it is real. I have people that are walking out the door every day, and the resignation letters --

>> Councilmember Oliverio: Unfortunately, you don't get to choose who does. You might want one person to walk, and they don't, and they stay and they're frankly not a top performer.

>> Well, some aren't, and some are. Some are better than others. But remind you, we have really good quality of candidate to begin with. So even most what I would consider not the highest performer is going to be better than many other jurisdictions have. So wherever they go, they're going to be at the top of where they go. So I mean I'm concerned about hanging onto as many people as I possibly can. It is heartbreaking, because we have a lot of folks who really want to stay here. They just can't afford to stay.

>> Councilmember Oliverio: And then at the national level is a police officer today versus 20, 30 years ago, are they still nationally, police officers are choosing this as a career, or is it turning into something that people do for ten to 15 years and then do something else on a national level?

>> I think what you're finding is what you're finding in the regular workforce, which is, in the old days you'd work for IBM or some corporation for 30 years and you would stay there. And there's loyalty to a company. You're not seeing that in the general workforce, and you're seeing less of it in our business. It's still greater than I think the

regular private sector jobs where people are moving here and there. We do tend, people -- this is more of a calling than it is necessarily just a job for people. So I think you're likely to stay in this profession. The question is, will you be jumping between agencies doing the same type of work and chasing the dollar amount or chasing the benefits. I'm seeing more of that than I am seeing leaving the profession and going to another job.

>> Councilmember Oliverio: And then you mention the education requirements which are more than other jurisdictions. We have a fire department which has a minimum qualification of a GED. Then we have police which is about two years of college credit.

>> Correct.

>> Councilmember Oliverio: What do you see uniquely different that the police position, i.e. requires or more important than the fire side of the fence?

>> Councilmember, it's a great question that sometimes doesn't get the attention that it deserves.

>> Councilmember Oliverio: Here's your chance.

>> Well, thank -- no, I appreciate it, and I don't think I've ever actually been asked this question, although I have an answer that's been shown many, many times over. In the '60s the federal government commissioned a crime commission to talk about law enforcement in America, called America's Burning, the classic text. And it talked about the need for officers to have higher levels of education, include four year degrees. And the reason why is, you want those who are going to be enforcing the civil rights of others, the people on the street making truly life and death decision, impacting people's lives on a daily basis, in really substantial ways, you want those people with the best set of skills that you can, the best psychological dispositions, the best problem solving skills, the best breadth of education you possibly can, the more diversity, the better. You want a workforce that's reflective of your community. All those things are what make a great police officer. We have been blessed here in the city to have many of these people with high levels of educations, many have high degrees coming into these jobs. They

can make more money in the private sector, but they come here because they care about the work and they care about the people. So it's not just the education, councilmember, but that's a big piece of it, and I've always been a strong proponent. As Alex knows, for my deputy chiefs, I've always -- I've wanted it, and I finally have them, now have a requirement that there be a four-year degree. And I encourage advance degrees. But it's beyond that. It is, can you interact with somebody on a one-on-one basis, can you have a positive conversation. And some of our folks quite frankly do it better than others. But that's the basis of my first contact initiative, to make sure that people understand, is you're treating the public, you're contacting the public under their worst scenario. I mean, you don't call a cop when you're feeling fine, right? You want people to come here with compassion and empathy to be able to work with you to work through a problem. Sometimes you're fortunate enough to work with them in their best moments. That's the great part of my job, I get to work with people at their best and their worse. That's my sales pitch. Are you ready to join?

>> Councilmember Oliverio: I thank you for explaining that and facilitating the importance of the position. And that's why I've always said we have to make a distinction for the police officer, and we can't treat them as equal. And frankly I think the police officer needs to be paid more, or you can't have Police and Fire being paid the same. They're just two different positions and their enforcement and their judgment and what that means to the safety of individuals. So I hope we get there and we able to deliver over time a higher cash compensation to the police officer, so that cash compensation is probably i.e. most important to the new police officer. Versus back-ending, which often is not thought about. Because you said most people choose it as a vocation or a calling type of thing. And then one other comment I had -- oh, so are you open to the -- as a chief of police, you know, here comes all these veterans returning from the war, and they're probably very mature. They've gone through a lot. They've seen a lot of things, but they maybe don't have the college. Are we open to the fact about allowing a veteran with partial college credit to complete the college credit and joining the force? I mean, is there -- I see that as an opportunity where there's probably some very good people out there, and if it's something that we could acknowledge or sacrifice for the country, and if you promise to work towards the number of college credits you deem necessary, then you could clearly become a San José police officer?

>> Councilmember, let me answer that in two parts. Number one is, we do have, in the current COPS grant, where it's the rollover from the previous year, but the COPS position we now are going to be filling with this academy now have a requirement that we fill half with veterans. The good news is that we have veterans that are qualified that have the college credit, that we can fill those slots and others. Rather than lower the standards, what we would typically do for some of those folks that are coming out that are shy some units, is we encourage them strongly to go back in and get those college credits at a local junior college, and then reapply. Because we're going to have positions. Fortunately, we've, rather than -- there are enough of them that do have the college credit where we are able to take those for our recruitments than necessarily take those that don't quite meet the standard. But your point is absolutely well taken. These are mature individuals that have been in combat serving our nation. Now, the question is, is it worth it for us to reduce our standards in that one area for those who have served? It's something I'd be open to. Some might accuse us of lowering our standards, but I don't see it necessarily that way.

>> Councilmember Oliverio: Well, I think if anyone said lowering the standards, I'd ask them to look at the merits of the individual applying. And if you are going to tell me a veteran is lowering the standards, then I would disagree with them. Alternatively could they be offered, hey, you're shy credits, it's maybe too much, the delta is too big. We'd like the offer you a non-sworn person.

>> That's another opportunity for us --

>> Councilmember Oliverio: And then when you -- correct.

>> Get them into city employment. And one of the many -- we have many positions that are open and available for them in records and communications, that would be another opportunity.

>> Councilmember Oliverio: Thanks, chief.

>> You bet.

>> Councilmember Constant: Anybody else? Nope. Anything else on your list?

>> No, I appreciate any questions.

>> Councilmember Constant: I think we're set. Thanks, chief. Sharon, you're up. Monthly report of activities of the City Auditor.

>> Sharon Erickson: Thank you, committee. This is the monthly report from May of 2012, during the month of May we issued a review of the fire department's performance measures, I also wanted to point out that we got another award for our service efforts and accomplishments report for last year. And I did want to point out of the assignments in process we're currently the first two items on the list, that environmental services department funding and staffing and the water pollution control rehab, we're currently looking at those, we're projecting to issue a combined report on the two of those for your August meeting. I also wanted to point out that we didn't make the June Rules Committee for our -- they cancelled the meeting before I had a chance to present my audit work plan for next year. So we'll be going to the next Rules Committee which is August 1st and then I'll be presenting that to you as well. I'm happy to answer any questions.

>> Councilmember Constant: Any questions? No, let you off easy. Thanks. Workmen's compensation reform report. Alex.

>> Alex Gurza: Yes Mr. Chair, wanted to start off with an update on the RFP process. First for the claims administration circulation all the other areas of workers comp, managed care et cetera we're in the review process of the RFP and we hope to finalize the review and have a report for you in August. And Danielle Kenealey from the Attorney's Office is going to give you an update on the legal services side of the workers comp RFP.

>> Very short report. We're nearing the completion of the evaluation process and probably will have results in the next couple weeks.

>> Councilmember Constant: Great.

>> Alex Gurza: Then one other element that we did want to present. You'll see a PowerPoint before you, a very short PowerPoint, updating you on the City of Chicago wellness program. This was -- councilmember Oliverio had asked for the Rules Committee to provide information to you on the city of Chicago wellness program and wanted to present to you some brief information. If we can get the next slide. The city of Chicago in fall 2011 announced a comprehensive wellness program. They estimated the savings to be \$20 million for the first year and projected four year savings of \$240 million. Clearly that's a very large number and we've been trying but so far had have not been able to determine how those were calculated, where the savings come from and how they estimated that they're getting those savings. We're going to continue to try --

>> Councilmember Oliverio: Alex I assume they have a larger workforce than ours?

>> Alex Gurza: Absolutely. The City of Chicago has 34,000 employees. Very large. The program what they have done is they put an RFP they have watered a contract to a company called American health ways services to administer their wellness program with a four year contract at a cost of \$24 million. So they are spending the \$24 million in hopes that they are going to be able to achieve this \$240 million in savings. So if we can go to the next slide. The highlights of the program really is, is that employees are going to be required to participate in online sort of health screens. And there are penalties for nonparticipation. So as it indicates here, they'd have to pay additional premiums towards their health insurance, \$50 for example this says here if they don't participate in the health risk assessment and they are not participating in the program and also to avoid the additional premium the City of Chicago employees have to have three telephonic or on site coaching systems which are required plus a completion of well-being activities. And that firm, the American Healthways Services, is administering that program. They have not yet implemented it, it is -- from what we understand, they are due to implement it in August of 2012. And the last slide we wanted to tell you a little bit about our wellness program. Unfortunately we don't have a lot of funds towards wellness we still have a program where employees can voluntarily participate in online health appraisals and health risk assessments. And there is a financial incentive. Versus the penalty

process that the city of Chicago is using there is a financial incentive for people to participate and it is \$50 per year for the employee as well as their spouse or domestic partner for completing the online health appraisal. There is follow up reminders of wellness activities that employees get there's online classes and things like that.

>> Councilmember Oliverio: And Alex, how many people have signed up for that?

>> Alex Gurza: A very good question. We have -- people that are actually participating in it, our current participation rate for employees that participate in Kaiser is 12%, and Blue Shield is 11, and clearly we have a lot of room to go to get those numbers up. But since we've had this program in fact with the rewards we have seen a steady increase so we're going to continue to try to get those numbers up. We will also be looking at other sort of the other side of the incentives or disincentives to see if tracking success rates of other organizations that have done that including any other options in terms of wellness that we'll be looking at but we at least wanted to provide you with that report on the City of Chicago's wellness program.

>> Councilmember Oliverio: Thank you, Alex. And then what other question I might ask? So we'll kind of see what's going to come out from them, take a piece and see what ends up happening. And then give me an example, since you run HR, can an insurance company charge someone more if they smoke?

>> Alex Gurza: That's a good question.

>> Councilmember Oliverio: If you have an unhealthy habit which technically can be changed although there's an addiction factor do we have a right to charge people more for unhealthy habits?

>> Alex Gurza: On that particular item, I'd have to research it more. We have a consultant that we use for our health insurance, so we can clearly look into that. It is a growing trend to start to charge for usage more. But I can certainly report back as to whether something specific like that or provide you more information on those kinds of

programs where somebody might have to pay more depending on their particular lifestyle choice or health issues, or those kinds of things.

>> Councilmember Oliverio: Sure, just because it seems like here we have a pool of employees, a pool of people getting insurance, they get charged a certain amount, we pass that around to all of them, right, through co-pays and all that. But then there's a certain segment of the population which is probably taking -- spending the majority of the medical dollars, insurance dollars and many of those might be through behavioral versus preexisting condition type thing. So I don't know how we get about, you know, making people pay the full cost of their medical versus making others that lead a healthy lifestyle that have to pay for it. But I guess that's the pull right, with respect to how you do insurance.

>> Alex Gurza: Exactly right. It is based on our particular population and the usage, and so for example you are correct if you have certain segment of the population that has the highest cost, it is spread over the entire premiums. But we are continuing to work on what are the options to try to address health care cost and we continue to research options that you've pointed out.

>> Councilmember Oliverio: Appreciate the follow up, thank you.

>> Alex Gurza: You're welcome.

>> Councilmember Constant: Anybody else? Nope, we're adjourned, thanks.