

CITIZENS PUBLIC SAFETY OVERSIGHT COMMITTEE MINUTES
January 23, 2014

The Citizens Public Safety Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 3:30 p.m. in the Building C Conference Room located at 201 W. Gray Street on the 23rd day of January, 2014, and notice and agenda of the meeting were posted at City Hall located at 201 W. Gray Street 24 hours prior to the beginning of the meeting.

PRESENT: Members Don Allen, Keith Allen, W.E. Duff,
Malaka Elyzagi, James Wheatley David
Wilson, Chair Eddie Sims

ABSENT: Member George Henderson

COMMITTEE LIAISONS: Dana Cramer, IAFF (present)
Robert Wasoski, FOP (present)
Koby Harrington, OU (absent)

STAFF PRESENT: Anthony Francisco, Finance Department
Suzanne Krohmer, Finance Department
Chief Humphrey, Police Department
Jamie Shattuck, Police Department
James Fullingim, Fire Chief
Jim Bailey, Fire Department
Jeff Bryant, Legal Department

OTHERS PRESENT: Mayor Rosenthal
Councilmember Castleberry
Councilmember Greg Heiple
Councilmember Lynne Miller
Roger Gallagher, Citizen
Mary Francis, Citizen
Joy Hampton, Norman Transcript

The meeting was called to order by Chair Sims.

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Item 2, being:

APPROVAL OF THE AGENDA OF THE JANUARY 23, 2014, MEETING.

Elyzagi moved that the agenda of the January 23, 2014, meeting be approved, which motion was duly seconded by Wilson;

Items submitted for the record

1. Citizens Public Safety Oversight Committee January 23, 2014, meeting agenda

Item 2, continued:

and the question being upon approving the agenda of the January 23, 2014, meeting, a vote was taken with the following result:

YEAS: Members Don Allen, Keith Allen, W.E. Duff,
Malaka Elyzagi, Jim Wheatley, David Wilson,
Chair Eddie Sims

NAYES: None

Chair Sims declared the motion carried and the agenda of the January 23, 2014, meeting was approved.

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Item 3, being:

APPROVAL OF THE CITIZENS PUBLIC SAFETY OVERSIGHT COMMITTEE MINUTES OF
DECEMBER 12, 2013.

Member Wheatley moved that the Citizens Public Safety Oversight Committee minutes of
December 12, 2013, be approved, which motion was duly seconded by Elyzagi;

Items submitted for the record

1. Amended Citizens Public Safety Oversight Committee December 12, 2013, minutes

Member Keith Allen asked that the December 12, 2013, minutes be corrected to reflect the statement
added to Item 3, November 14, 2013, minutes, stating due to manpower shortage the City cannot add
more NPD resource officers for new TEAM program.

Chair Sims asked that Item 5 of the December 12, 2013, minutes include discussion of the need for more
emergency communication officers.

and the question being upon approving the Citizens Public Safety Oversight Committee minutes of
December 12, 2013, as corrected and stated above, a vote was taken with the following result:

YEAS: Members Don Allen, Keith Allen, W.E. Duff,
Malaka Elyzagi, Jim Wheatley, David Wilson,
and Chair Eddie Sims

NAYES: None

Chair Sims declared the motion carried and the Citizens Public Safety Oversight Committee minutes of
November 14, 2013, and December 12, 2013, were approved as corrected and stated above.

Item 3, continued:

The following statements were made during the discussion to approve the minutes. Member Duff asked why some of PSST Funds are being transferred to the Rainy Day Fund since it could only be used for public safety. Anthony Francisco and Jeff Bryant said that was not true. They also discussed the intent of transfer from PSST to Rainy Day was to make it whole using PSST pro rata share. Rainy Day Fund can only be used for a declared emergency. Member Duff asked if over \$1 million has been pulled out. He was assured not that much had been pulled out. Committee briefly discussed what obligations of the PSST had been met and that two more police officers in 2015 will be hired then all requirements have been met.

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Item 4, being:
MONTHLY UPDATES.

Finance Report

Anthony Francisco, Finance Department, discussed the December financial reports. No questions were asked.

Fire Department Report

The department is in the hiring process and is interviewing 87 applicants. Plan to hire 8 to 10 positions during the spring. Capital Project - \$6.8 million for firefighting equipment to accelerate program, not to replace, not trying to divert funds.

Police Department Report

Lt. Jamie Shattuck has replaced Lt. Keese as staff person for reports. December statistics show 381.75 COP hours for holiday shopping patrol, problem solving and education.

Department will be recruiting women in February from 9 am to 2 pm at the Women's Police Expo at Norman North High School.

Chief Humphrey invited the committee to the Annual Public Safety and Crime Stoppers Awards Banquet this evening. Lt. Shattuck is receiving the Supervisor of the Year award.

Hiring process for new police officers will begin next month. Officer Robert Wasoski will be full-time Training Officer at the academy. CLEET has minimum age of 21 for recruits and maximum age of 45.

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Item 5, being:

CONTINUED DISCUSSION OF PSST SALES TAX AND PSST SALES TAX VOTE/ELECTION.

Mayor Rosenthal gave an update on the latest discussions regarding the Public Safety Sales Tax (PSST) election.

Item 5, continued:

Council has modified the proposal to include four Communication Officers, which would be phased in, and two emergency vehicle Mechanics. The City has had two public meetings and two Council work sessions to discuss the election. The emergency communication system has been discussed in depth as well as whether the tax should continue to be temporary or permanent. She told them there is a Council Study Session meeting on Monday, January 27th to further discuss the public safety sales tax and expressed her appreciation to the Police and Fire Chiefs, J.D. Younger, Anthony Francisco and Jeff Bryant for the staff presentations given.

She also told the Committee that the Little Axe school district now wants to be included in the School Resource Officers (SRO) program.

There will be another Council meeting on Tuesday, January 28th to get more public input regarding the election.

There was then discussion and questions from the Committee members. They discussed the Committee's purpose and why the Committee was not more of an advisory Committee. Jeff Bryant said that oversight is the main purpose of the Committee and "after the fact" review. Jeff also said that the draft of the new sales tax ordinance was similar to the first ordinance that was approved. Council has to follow the priorities of the ordinance, or the explicit list of goals for the tax, before any remaining funds can be used for items not explicitly listed in the ordinance.

Some members were concerned that the PSST funds were being used for the City's general purpose use instead of strictly public safety items. The two main concerns discussed were the transfers of PSST funds to the City's Rainy Day Fund and the transfer to the General Fund to help fund the emergency communications function. Member Don Allen asked why we are asking to extend the tax when we have not accomplished everything yet from the first tax (specifically the hire of the remaining two officers in FYE 15 was mentioned). Mayor Rosenthal explained to the members that the main purpose was to sustain the salary and benefits of the seventy-one new personnel added from the PSST.

Don Allen and W. E. Duff said that the next election language must specify what we want to accomplish with the new (extended) tax and include language that specifically states the tax is used for public safety needs only. The Mayor said the second ordinance draft is very specific and has a list of priorities in which to accomplish with the tax. She discussed that revenue projections drive the ten-year tax instead of a continued seven-year tax and that the second ordinance contains language regarding the Public Safety Oversight Committee.

Item 5, continued:

Members discussed the need for a permanent tax due to the seventy-one employees and asked why we were discussing another temporary tax when ongoing needs will always be needed. The advantages of a temporary tax were given by the Committee chair, other members and Council Member Greg Heiple. Advantages discussed were that a permanent tax is usually not favored by citizens and that there would be a chance that a permanent tax vote would not pass. Member Wilson said a temporary tax has more flexibility for adjusting in later years and is good for accountability purposes in order to re-identify public safety needs. Member Don Allen said it is already difficult to hire/recruit officers and the temporary tax makes it worse, people will not apply.

Committee Chair, Eddie Sims, said he would like to break down the issues into six or seven questions or categories so that the Committee can tell Council at the next Tuesday meeting what the Committee recommends. Committee member W.E. Duff asked for a roll-call vote on each issue for public record.

Citizen Mary Francis asked Chair Sims if a citizen could make a statement. She said the word "permanent" is overused for Police, Fire, and Safety. She recommends keeping the current proposals and priorities, modify language, make the tax permanent for 71 employees, set the vote for April 1st, and don't put off the vote. Delay will make citizens more confused and will possibly "split the pie" even more.

Chair Sims - The first issue discussed was the timing of the vote and whether the Committee supported an April 1st election. The Mayor explained why an early vote was necessary. First, "an early vote was promised" and second, an early vote gives orderly transition from the first tax to the second tax and gives the City time to come back to the voters if the first vote fails. The current tax ends on September 30th, 2015. The other option is an August election.

The support of continuing a ½% sales tax was discussed next. Member Don Allen wanted to wait until they received more information and W.E. Duff would support new tax only if the new PSST language removes the City's ability to "raid" revenues to be used in the general fund stream. The language needs to specify that the tax can only be used for Police and Fire. Jeff Bryant explained why the language of the ordinance did not specify what would be used with any excess funds. If the City meets all of its obligations specified and we have excess, we cannot refund sales tax payers. The City needs the flexibility of that broader language.

Anthony Francisco was asked to remind the Committee of when the Rainy Day funds could be appropriated. He said if there is a federally declared disaster, any extraordinary event that necessitates the use or if the General Fund balance falls below the 1% requirement, then it will be appropriated.

Chair Eddie Sims asked that the Committee vote on several main issues so that he could present to Council next week.

Item 5, continued:

Member Elyzagi said the common ground is the committee supports the additional tax.

Councilmember Miller said Council needs the committee's input.

Member Wilson moved that the PSST election be held in April, which motion was duly seconded by Elyzagi; and the question being upon holding a PSST election in April, a vote was taken with the following result:

YEAS:	Members Malaka Elyzagi, Jim Wheatley, David Wilson, Chair Eddie Sims
NAYES:	Members Don Allen and Keith Allen
ABSTAIN:	Member W.E. Duff

Chair Sims declared the motion carried and support to hold a PSST election in April was approved.

Member Wheatley moved to support PSST funding at the same level (1/2%), which motion was duly seconded by Wilson; and the question being upon supporting PSST funding at the same level (1/2%), a vote was taken with the following result:

YEAS:	Members Don Allen, Keith Allen, W.E. Duff, Malaka Elyzagi, Jim Wheatley, David Wilson, Chair Eddie Sims
NAYES:	None

Chair Sims declared the motion carried and support for PSST funding at the same level (1/2%) was approved.

Member Wheatley moved to support PSST as a temporary tax, which motion was duly seconded by Elyzagi; and the question being upon supporting PSST as a temporary tax, a vote was taken with the following result:

YEAS:	Members Malaka Elyzagi, Jim Wheatley, David Wilson, Chair Eddie Sims
NAYES:	Members Don Allen and Keith Allen *
ABSTAIN:	Member W.E. Duff

Chair Sims declared the motion carried and support for PSST as temporary tax was approved.

* Members Don Allen and Keith Allen supported a permanent tax.

Item 5, continued:

There was additional discussion on what rates would be needed to continue to cover existing staff and adding other positions by Anthony Francisco. The Committee discussed the following topics and voted accordingly:

Since the prior motion for a temporary tax was approved, does the Committee support the temporary tax as a seven (7) year tax or a ten (10) year tax? Member Wheatley moved to support PSST as a ten (10) year tax, which motion was duly seconded by Elyzagi; and the question being upon supporting PSST as a temporary tax, a vote was taken with the following result:

YEAS: Members W.E. Duff, Malaka Elyzagi, Jim Wheatley, David Wilson, Chair Eddie Sims

NAYES: Members Don Allen and Keith Allen

Chair Sims declared the motion carried and support for PSST as a ten (10) year tax was approved.

Does the Committee support the capital projects outlined in the ordinance (radio replacement, EOC facility, relocation of Fire Station #5 and additional fire apparatus)? Member Don Allen moved to support the capital projects outlined in the ordinance, which motion was duly seconded by Elyzagi; and the question being upon supporting the capital projects outlined in the ordinance, a vote was taken with the following result:

YEAS: Members Don Allen, Keith Allen, W.E. Duff, Malaka Elyzagi, Jim Wheatley, David Wilson, Chair Eddie Sims

NAYES: None

Chair Sims declared the motion carried and support for the capital projects as outlined in the ordinance was approved.

Does the Committee support the SRO program? Member Don Allen moved to support the SRO Program, which motion was duly seconded by Wheatley; and the question being upon supporting the SRO Program, a vote was taken with the following result:

YEAS: Members Don Allen, Keith Allen, W.E. Duff, Malaka Elyzagi, Jim Wheatley, David Wilson, Chair Eddie Sims

NAYES: None

Chair Sims declared the motion carried and support for the SRO Program was approved.

Item 5, continued:

Does the Committee support the addition of communications officers and mechanics? Member Keith Allen moved to support a minimum of four (4) additional positions, which motion was duly seconded by Don Allen; and the question being upon supporting a minimum of four (4) additional positions, a vote was taken with the following result:

YEAS: Members Don Allen, Keith Allen, W.E. Duff,
Malaka Elyzagi, Jim Wheatley, David Wilson,
Chair Eddie Sims

NAYES: None

Chair Sims declared the motion carried and support for a minimum of four (4) additional positions was approved.

Does the Committee believe the City has fulfilled its obligations as outlined in the first ordinance up to this point? Member Wheatley moved to support the statement that the City has fulfilled its obligations as outlined in the first ordinance up to this point, which motion was duly seconded by Member Don Allen; and the question being upon supporting the statement as stated above, a vote was taken with the following result:

YEAS: Members Don Allen, Keith Allen, W.E. Duff,
Malaka Elyzagi, Jim Wheatley, David Wilson,
Chair Eddie Sims

NAYES: None

Chair Sims declared the motion carried and support for the statement as stated above was approved.

Does the Committee want to make a recommendation to Council to change its role in the ordinance and to specify the Committee will review expenditures and provide advice on other public safety issues that may arise? Member Keith Allen moved to support the recommendation on the Committee's role as stated above to act in an advisory and oversight capacity rather than simply an oversight capacity, which motion was duly seconded by Member Wilson; and the question being upon supporting the recommendation on the Committee's role as stated above, a vote was taken with the following result:

YEAS: Members Don Allen, Keith Allen, W.E. Duff,
Malaka Elyzagi, Jim Wheatley, David Wilson,
Chair Eddie Sims

NAYES: None

Chair Sims declared the motion carried and support for recommendation to change the Committee role as stated above was approved.

Citizens Public Safety Oversight Committee Minutes

January 23, 2014

Page 9

Item 5, continued:

Mayor Rosenthal discussed “advisory” to mean review expenditures and provide advice on other public safety issues that may arise. Member Duff included when funds are taken from PSST Fund and what it is being spent on.

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Item 6 being:

ESTABLISH TOPICS FOR NEXT AGENDA.

Topics identified for the next agenda. Continued Discussion of the PSST Sales Tax and PSST Sales Tax Vote/Election.

K Allen discussed concern about money being used for other uses except public safety.

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Item 7, being:

MISCELLANEOUS DISCUSSION.

No Discussion.

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The meeting adjourned at 5:31 p.m.