



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 8, 2025

**TO:** Mayor and Members of the City Council

**SUBMITTED BY:** Dante Hall, City Manager

**SUBJECT:** Discussion Regarding the Structure of the Police Chief Advisory Board Meetings

### **RECOMMENDED ACTION:**

Staff recommends that the Council discuss this item and give direction to staff by minute order.

### **BACKGROUND:**

At the February 25, 2025, City Council meeting, Mayor Bailey requested that the City Council discuss options for a Police Department Advisory Committee that would be subject to the Brown Act. This requirement would ensure that the meetings are publicly noticed and allow the public to attend and participate. On April 22, 2025, staff reported back to the Council with that analysis and sought further Council direction on this matter.

After reviewing the purpose and protocols of the existing Chief Advisory Board (CAB) and engaging in a constructive discussion, Vice Mayor Kelley made a motion, seconded by Council Member Walker-Griffin, for staff to evaluate three options for enhancing the transparency of the CAB meetings and establishing a formal advisory board meeting structure. That motion was passed unanimously. The three options identified by the Council for further analysis and discussion were:

1. Option 1 would involve maintaining the current CAB format and structure, while also including the posting of meeting agendas and minutes for public review.
2. Option 2 would retain the current CAB format and structure but would include the posting of meeting agendas, excluding minutes, and require the Police Chief to regularly provide a summary report on discussions with the CAB at City Council meetings.



3. Option 3 would establish a Police advisory body or commission in the Hercules Municipal Code which would be subject to the Brown Act and the Council's rules and procedures.

Staff returns this evening to discuss these options and other considerations.

## **ANALYSIS:**

In January 2021, the prior Chief of Police and City Manager began discussing a proposed CAB as part of an ongoing review of policing, social justice, and oversight of the Hercules Police Department. The CAB initiative was designed to foster trust and collaboration between the Hercules Police Department and the community. It serves as a resource for strategy development, policy awareness, and community input, but does not have decision-making authority or investigative power. Instead, it provides a forum for discussion on policing trends, use of force, and other significant law enforcement issues. The members serve as a direct conduit between the Police Department and the community, providing invaluable information on improving public safety services. Chief Vasquez took over administration of the CAB in October 2022. The CAB currently has nine members who reflect the ethnic and cultural diversity of the City. While the CAB meetings do have agendas, they typically feature free-flowing discussions among members in a roundtable format.

When evaluating options for enhancing transparency in the advisory committee meeting framework, the Council should assess the potential benefits and challenges associated with each.

Option 1 – Maintain existing CAB structure and publish Agenda and Minutes - This option involves maintaining the current CAB format and publishing meeting agendas and minutes for public review.

### **Pros:**

- The current CAB is flexible and adaptable. Maintaining the existing structure of the CAB with the addition of published agendas and minutes can be done easily, without adopting further ordinances or resolutions or establishing a new committee structure.
- The existing CAB has a low administrative burden. There would be fewer procedural and reporting requirements which would limit the need for additional staff resources.
- The existing CAB involves informal, free-flowing dialogue and community building. Informal meetings can foster open and conversational discussions, promoting trust and understanding between police and community



members. Discussions and/or questions from the public would not be limited by traditional Brown Act and/or City Council rules and procedures.

Cons:

- The CAB does not have formal authority over any particular issue at this time. The CAB does not currently advise the Council directly on policy decisions and there is no departmental review of any CAB items or discussions.
- Evaluating the effectiveness of the CAB without clear objectives can be challenging.

Option 2 – Maintain existing CAB structure, publish Agenda but no Minutes, and require Police Chief Report - This option is similar to Option 1 as it involves maintaining the current CAB format, publishing meeting agendas (without minutes), and providing regular public updates from the Police Chief at City Council meetings.

Pros:

- The same pros included in Option 1 above, plus the Police Chief's regular public reporting would promote community trust and understanding between police and community members.

Cons:

- Same as the cons in Option 1.

Option 3 – Establish a Formal Committee Subject to the Brown Act – This option involves establishing a new committee under the Hercules Municipal Code that adheres to Brown Act requirements. The process begins with the formal creation of the committee by the City Council, which requires adoption of an ordinance that defines the committee's purpose, outlines its roles and responsibilities, and sets forth membership requirements. Adoption of such an ordinance would also require the Council to confirm whether the body is advisory or has its own jurisdiction and decision-making authority. Once the committee is established, it must operate in accordance with the official Council rules and procedures, including quorum requirements and voting protocols. Agendas for meetings must be publicly posted at least 72 hours in advance, providing detailed descriptions of the topics to be discussed. Meeting minutes would be recorded and maintained for public review as required by law.

Ensuring accessibility is another key requirement—meetings must be held in locations open to the public and compliant with ADA regulations. Additionally, the public should be allowed to participate and provide comments on matters within the committee's jurisdiction.

Pros:

- A formally established committee can have clearly defined powers and responsibilities, including recommending policy changes to the Council or



adopting them. Such a committee would have clear authority over certain topics and issues.

- A formal committee could increase public confidence in the police department due to the public meeting requirements and decision-making accountability.

Cons:

- Increased complexity and time commitment: Establishing a formal committee requires developing ordinances, defining roles and responsibilities, and navigating potential legal considerations.
- Higher administrative burden: Formal committees necessitate formal meeting procedures, record-keeping, and reporting requirements, which can be time-consuming and require resources.
- Risk of becoming bureaucratic: Without careful design and oversight, a formal committee can get bogged down in procedural issues, hindering its ability to address community concerns effectively.
- Cost of implementation: Training committee members and establishing operational procedures may require additional staff and financial resources.

Both informal and formal Police advisory bodies offer potential benefits and challenges. Staff seeks the City Council's direction on this issue.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

**ATTACHMENTS:**

No attachments