



CITY OF OAKLAND

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 DEC 28 PM 3:26

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** David Downing  
Assistant Chief of Police

**SUBJECT:** Unity High School Right-Of-Entry  
Agreement

**DATE:** November 23, 2016

City Administrator Approval

*[Signature]*  
Office for SBL

Date:

12/27/16

## RECOMMENDATION

**Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Memorandum Of Understanding With Unity Schools For The Period Of October 1, 2016 To September 30, 2017 To Allow The Oakland Police Department (OPD) To Use Unity School's Premises For Training Purposes.**

## EXECUTIVE SUMMARY

Oakland Unity High School ("Unity Schools") is an independent charter high school with a temporarily unused new building. The school administration has offered OPD use of the building at no cost through September 30, 2017 for personnel training purposes. The school is offering OPD use of the building because they are in the planning process for moving their campus to a new location. The resolution accompanying this report will authorize the City and Unity Schools to enter into a Memorandum of Understanding (MOU) for use of the building by OPD personnel. The building, located at 2955 Peralta Oaks Court (near the Oakland Zoo) is an ideal training environment for the OPD Canine Program and Tactical Team, and will assist in meeting police academy training needs.

## BACKGROUND / LEGISLATIVE HISTORY

OPD requires facilities to ensure that sworn personnel and police officer trainees (POT) have the opportunity to engage in canine, pursuit, and tactical training as part of overall POT training. Training involving canines and tactical operations require large open spaces. OPD does not own facilities to accommodate such trainings. Unity Schools is a public charter high school located in East Oakland, which has acquired a multi-floor building for its new campus. The school's administration plans to move to the new facility in approximately two years, and is therefore willing to allow OPD training personnel to use the building in this interim period for scenario training. Unity Schools is offering the use of their facility at no cost as a public service to OPD and the community. The City of Oakland Charter requires that the City Council authorize the administrator or designee to enter in any contract or MOU with another organization.

Item: 5

Public Safety Committee  
January 10, 2017

## **ANALYSIS AND POLICY ALTERNATIVES**

Unity Schools is currently located at 6038 Brann Street near Mills College. Unity School's new building, located at 2955 Peralta Oaks Court, Oakland (near the Oakland Zoo) will provide a great benefit to OPD training personnel because the design and layout of the multi-floor structure with different interior environments is an ideal training environment for OPD's Canine Program and Tactical Team, and will help meet police academy training needs. OPD personnel need to practice a variety of search and rescue scenario drills, which can be achieved in the large and temporarily unused building. Unity Schools is agreeing to allow OPD's use of the building from October 1, 2016 through September 30, 2017 at no cost.

OPD and Unity Schools have agreed that the training shall not involve the use of live ammunition, bombs, gas, and smoke or "flash bang" distraction devices, detonations or any other similar device or activity. OPD and Unity Schools have also agreed that the training shall not interfere with the operation or use of the property. Trainings will occur during mutually beneficial times during the period covered by this agreement.

## **FISCAL IMPACT**

There is no fiscal impact connected with this MOU as Unity Schools is allowing OPD to use their facility at no cost to the City.

## **PUBLIC OUTREACH / INTEREST**

No public outreach was required in connection with this report beyond the standard City Council agenda noticing procedures.

## **COORDINATION**

The Controller's Bureau and the Office of the City Attorney reviewed this report and the attached resolution.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** There are no economic development opportunities associated with this report.

**Environmental:** OPD is helping the City to maintain a lower carbon footprint by using local training facilities for its personnel training needs, as opposed to future travel.

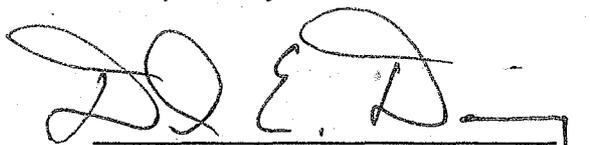
**Social Equity:** OPD's efforts to ensure that all sworn personnel are well trained and prepared to serve as public safety officers ultimately helps all Oaklanders to have a safer city.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Memorandum Of Understanding With Unity Schools For The Period Of October 1, 2016 To September 30, 2017 To Allow The Oakland Police Department (OPD) To Use Unity Schools' Premises For Training Purposes.

For questions regarding this report, please contact Bruce Stoffmacher, Legislation Manager, at (510) 238-6976.

Respectfully submitted,



David Downing  
Assistant Chief of Police  
Oakland Police Department

Reviewed by:  
Sekou Millington, Lieutenant  
OPD, Training Section

Christopher Sansone, Canine Program Supervisor  
OPD, Training Section

Prepared by:  
Bruce Stoffmacher, Legislation Manager  
OPD, Office of the Chief, Research & Planning

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*Arndt S. Smith*  
City Attorney

2016 DEC 28 PM 3:26

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH UNITY SCHOOLS FOR THE PERIOD OF OCTOBER 1, 2016 TO SEPTEMBER 30, 2017 TO ALLOW THE OAKLAND POLICE DEPARTMENT (OPD) TO USE UNITY SCHOOLS' PREMISES FOR TRAINING PURPOSES**

**WHEREAS**, OPD operates its own police officer training academies to ensure that new police officer trainees (POT) are prepared for demanding police work; and

**WHEREAS**, OPD requires diverse training facilities beyond what is available in the police administration building (PAB) to ensure that sworn personnel and new police officer trainees have opportunities to train in such areas as canine pursuits and tactical operations; and

**WHEREAS**, the Unity High School is a public charter high school located in East Oakland, which has acquired a multi-floor building for its new campus; and

**WHEREAS**, the Unity High School administration is not yet not prepared to move its instructional operations to this new building for approximately two years, and is therefore willing to allow OPD training personnel to use the building in this interim period for scenario training; and

**WHEREAS**, this building provides a great benefit to OPD training personnel because the design and layout of the multi-floor structure with different interior environments are an ideal training environment for OPD's Canine Program, Tactical Team, and other police academy training needs; and

**WHEREAS**: Oakland City Charter Section 504(I) requires the City Administrator to obtain council approval when negotiating contracts for joint governmental actions; and

**WHEREAS**, OPD and Unity Schools have agreed that the training shall not involve the use of live ammunition, bombs, gas, smoke or "flash bang" distraction devices, detonations and/or any other similar device or activity; and

**WHEREAS**, OPD and Unity Schools have agreed that the training shall not interfere with the operation or use of the Property by any tenants or by Licensor or cause any damage to any structures, fixtures, buildings, landscaping and/or other

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**PUBLIC SAFETY CMTE.**

JAN 10 2017

improvements on the Property; now therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or designee, to enter into Memorandum of Understanding (MOU) with Unity Schools for personnel training purposes, from October 1, 2016 until September 30, 2017; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this MOU without returning to the City Council; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said MOU with Unity Schools as to form and legality, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON  
MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

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**PUBLIC SAFETY CMTE.**