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OFFICE OF THE CITY CLERK
OAKLAND

2015 MAY 14 PM 5:04

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION No. 85640 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FEDERAL BUREAU OF INVESTIGATION (FBI) VIOLENT CRIMINAL THREAT SECTION (VCTS), TO FACILITATE THE JOINT PURCHASE AND INSTALLATION OF A COMPUTER NETWORK INFRASTRUCTURE, COMPUTERS AND FURNITURE AT THE POLICE ADMINISTRATION BUILDING (PAB) TO CREATE A SHARED WORK SPACE FOR THE SAFE STREETS TASKFORCE, AND WAIVING THE ADVERTISING AND BIDDING REQUIREMENTS FOR THE CITY'S EXPENDITURE OF \$63,000.00 TOWARDS THE PURCHASE OF SAID ITEMS

WHEREAS, the City of Oakland is the most violent city in California and was selected in 2014 as one of five cities to be included in the United States Department of Justice's (DOJ) Violence Reduction Network (VRN); and

WHEREAS, partnering VRN cities are selected to receive enhanced support from the Federal government to tackle persistent challenges caused by violent crime; and

WHEREAS, Oakland's high crime rates and limited staffing levels constrain OPD's capacity for crime investigations and thus the City of Oakland and Alameda County have one of the lowest homicide clearance and conviction rates in California and the United States; and

WHEREAS, the FBI Safe Streets Task Force, a program of the DOJ VRN, works to address violent crime in Oakland by providing Agents and resources to aid in investigations and address the most serious types of crime; and

WHEREAS, OPD has partnered with the Safe Streets Task Force on a number of recent joint investigations related to gangs, homicides, robberies and fugitives and during this partnership OPD cleared 10 of the 11 homicides which occurred; and

WHEREAS, The FBI Safe Streets Task Force has the capacity to dedicate 10 FBI agents to collaborate directly with OPD's Criminal Investigations Division (CID) to expand OPD's current investigations capacity; and

WHEREAS, OPD's CID currently only has one small room in the Homicide Section of the PAB for a shared workspace, which is insufficient to house a fully staffed Safe Streets Task Force and provide team members access to FBI resources and computers; and

WHEREAS, the proposed workspace in the north (former Alameda County) side of the PAB will be able to accommodate twelve workstations with FBIInet access, a meeting room, an interview room and a break room, so that FBI special agents and OPD officers who at times work up to 48 hours straight on homicide investigations, have an opportunity to eat and rest while still being engaged in a case; and

WHEREAS, by sharing space with the OPD homicide detectives, FBI resources are able to be directly infused into an investigation at the very beginning and are aligned with OPD efforts for maximum effectiveness and the shared space allows both agencies to share information related to cases and decrease the likelihood that opportunities for critical and evidence gathering would be missed; and

WHEREAS, the one hundred ten thousand dollars (\$110,000) allocated to the project by the FBI and sixty three thousand dollars (\$63,000) allocated to the project by OPD will cover the costs for the computers, desks and furniture and network infrastructure; and

WHEREAS, due to the federal funding, the items must be purchased from FBI vendors, therefore, it is in the City's best interests to waive advertising and bidding requirements for the City's expenditures; and

WHEREAS, OPD will allocate an additional twenty eight thousand five hundred dollars (\$28,500) directly to the Oakland Public Works Department for electrical, flooring and painting work; and

WHEREAS, per the MOU, both OPD and the FBI agree that each party is responsible for the negligent and wrongful acts and omissions by its employees and that this MOU shall be governed by the laws of the state of California and nothing herein should be construed as supplanting any applicable statute, rule, or regulation; and

WHEREAS, per the MOU, the FBI agrees that OPD and the City, its employees, officers, directors, agents and representatives are not liable for any claims or damages arising out of any injuries or damages to any of the FBI's security-cleared regular vendors who will be tasked with the build-out at the PAB; and

WHEREAS, per the MOU, the FBI's security-cleared regular vendors who work on the build-out at the PAB will obtain and execute right of entry forms from the City prior to commencing work on the build-out; and

WHEREAS, per Oakland Municipal Code section 504(1), the City Council must approve intergovernmental MOUs, and authorize the City Administrator to represent the City in all related negotiations, among other things; now, therefore be it

RESOLVED: That City Council does hereby authorize the City Administrator or designee to enter into the MOU with the FBI for the joint purchase of a computer network infrastructure, computers and furniture to construct a new shared workspace in the PAB as part of a joint OPD-FBI Safe Streets Taskforce, to be financed by a contribution of one hundred ten thousand dollars (\$110,000) from the FBI and sixty three thousand dollars (\$63,000) of City OPD funds; and be it

FURTHER RESOLVED: That, pursuant to Oakland Municipal Code Section 2.04.050.I.5 and for the reasons stated above, the City Council finds that it is in the best

interests of the City to waive advertising and bidding for the City's expenditures towards the Safe Streets Taskforce shared workspace, and so waives the requirements; and be it

FURTHER RESOLVED That the City Administrator is authorized to conduct all ongoing negotiations, execute and submit all documents, including but not limited to amendments, modifications and related actions which may be necessary to carry out the basic purpose of this resolution, without increasing the amount of the allocated funds; and be it

FURTHER RESOLVED: That said MOU shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 02, 2015

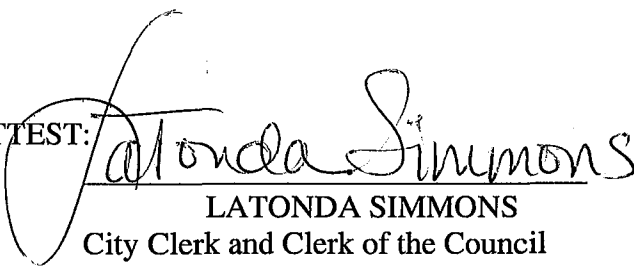
PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, CAMPBELL WASHINGTON, GALLO, ~~CHAIEN~~, KALB, ~~REID~~,
REID, AND PRESIDENT GIBSON MCELHANEY - 6

NOES - Kaplan - 1

ABSENT - Guillen - 1

ABSTENTION - 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California