

REVISED

Approved as to Form and Legality

Arwads J. S. [Signature]
City Attorney

REVISED

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2019 FEB 25 PM 3:53

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA HIGHWAY PATROL (CHP) FOR SIXTY (60) DAYS OF CRIME SUPPRESSION ASSISTANCE WHEREBY CHP WILL DEPLOY 10 OFFICERS IN FIVE, DOUBLE UNIT PATROL VEHICLES AND TWO SERGEANTS IN A SUPERVISOR VEHICLE, TWO DAYS PER WEEK, AT A COST NOT TO EXCEED ONE HUNDRED AND SIXTY TWO THOUSAND DOLLARS (\$162,000).

WHEREAS, for a period of sixty (60) days from the commencement date of this proposed services agreement, the CHP agrees to provide uniformed personnel with patrol vehicles and all necessary safety equipment, in order to assist the Oakland Police Department (OPD) with conducting high visibility law enforcement to help reduce gun and gang violence, as well as homicides, robberies, burglaries, assaults, traffic enforcement (excluding traffic accident investigations), and other law enforcement services as necessary within the City of Oakland (City); and

WHEREAS, Oakland has had an increased amount of gun violence and street robberies that have resulted in citizens being severely injured or killed. Currently, OPD is at the minimal level for police staffing and in Oakland there has been an increase in crime in all categories including homicides, robberies, burglaries and assaults. This shortage of police staffing affects how OPD can effectively respond to in progress crimes;

WHEREAS, the primary purpose of the proposed Memorandum of Understanding (MOU) is to establish that OPD has primary jurisdiction throughout the City, has primary policing responsibilities in all instances, and that CHP serves as a supplemental resource; and

WHEREAS, pursuant to this MOU, CHP retains control over CHP employees, and

WHEREAS, CHP will deploy ten (10) officers in five (5) double unit patrol vehicles and two sergeants in a supervisor vehicle two days per week on varying days as requested in advance by OPD. Shifts will generally be 10 hours in duration as predetermined by CHP and OPD; and

WHEREAS, OPD will provide each CHP double unit patrol with one OPD hand-held radio for emergency communication with OPD Dispatch; and

WHEREAS, approval of this resolution will authorize OPD to enter into a MOU with CHP for a 60-day period for an amount not to exceed \$162,000, and funding for this proposal has been identified with the \$5-million-dollar reserve fund for Negotiated Settlement Agreement (NSA)/OPD strategic initiatives. The funds shall be appropriated to the General Purpose Fund (#1010), Office of the Chief of Police (Organization #90591), Contract (Account #54919), Agency-wide Administration Program (#PS01) and project number to be determined; and

WHEREAS, Section 504(l) of the Oakland City Charter provides that, when directed by City Council, the City Administrator shall have the power and duty to represent the City in its intergovernmental relations and to negotiate contracts for joint government actions, subject to Council Approval; now, therefore, be it and

WHEREAS, intergovernmental agreements for services are not subject to the RFP/Q requirements of the purchasing ordinance (Oakland Municipal Code Chapter 2.04); now therefore, be it

RESOLVED: That the City Council authorizes the City Administrator, or her designee, to enter into a memorandum of understanding (MOU) with CHP for CHP to provide police services to the City at an amount not to exceed \$162,000; and be it

FURTHER RESOLVED: ~~Funding for this proposal has been identified with the \$5-million dollar reserve fund for the Negotiated Settlement Agreement (NSA)/OPD strategic initiatives.~~ The finding shall be appropriated to the General Purpose Fund (#1010), Office of the Chief of Police (Organization #90591), Contract (Account #54919), Agency-wide Administration Program (#PS01) and project number to be determined; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the proposed MOU with CHP; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said proposed MOU with CHP, 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, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California