



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 JAN -3 PM 5:05

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Howard A. Jordan
Chief of Police

SUBJECT: Private Security Contract

DATE: December 28, 2012

City Administrator
Approval

Deanna Santana

Date

1/3/12

COUNCIL DISTRICT: #3

RECOMMENDATION

Accept this report and resolution authorizing the city administrator to extend the contract with VMA security services to continue providing private security services on an "as needed" basis from January 1, 2013 through June 30, 2014, or until the additional capped amount of \$100,000 (one hundred thousand dollars) is expended, whichever is earliest.

OUTCOME

The City Administrator's Office would execute a contract amendment to the agreement with VMA Security to continue to provide private security services, at the levels currently provided to the City, as outlined in the attached contract's scope of services until the contract cap is reached and on an as-needed basis.

ANALYSIS

Staff recommends the contract extension and increase as a result of the nuisance behavior and safety concerns which continue to persist in Frank Ogawa Plaza. From October 2011 to date, staff throughout the complex, along with the businesses in the complex, has complained about crime, safety, and the general appearance of the Plaza. Complaints have included but are not limited to:

1. Nuisance behavior, including drinking, smoking marijuana, playing amplified sound, graffiti, littering, and general belligerence from individuals loitering in the Plaza;
2. Continued crime: the downtown (14th/Broadway) area of Oakland continues to be impacted by a high rate of robberies for electronics and other valuables such as iPhones, computers, and tablets;
3. The Community Business Districts continue to report an impact on their business members as well as an impact on their resources due to Downtown/Ambassador needing to provide support to the Plaza, this has strained the relationship between the CBD's and City;

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4. Staff reports that the conditions in the Plaza have made it difficult to lease and or retain tenants in the Plaza, as well the downtown's ability to attract businesses; and
5. Due to staffing levels, OPD lacks the resources needed to provide coverage that's needed for Plaza safety and security.

In light of all of the above, along with the fact that private security is an attractive option to residents, businesses, and visitors which help insure that they visit and conduct their business in FOP in a pleasant manner, staff recommends approving the attached resolution which continues the presence of VMA security services in FOP and within the downtown. Additionally, and equally as important, the City has many employees that are based in FOP complex and we have received significant positive input that the VMA presence in the FOP has increased employee safety.

PUBLIC OUTREACH/INTEREST

This item did not require any additional public outreach other than the required posting on the City's website.

COORDINATION

The Budget Office, OPD, and Contract Compliance were consulted during the preparation of this report. The City Attorney's Office reviewed this Report and the Resolution for content.

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the City Administrator to extend the current contract with VMA in the amount of \$100,000. The budget appropriation will be drawn from the General Purpose Fund balance and would be appropriated to the City Administrator's Office fund 1010 021 11, miscellaneous contract account 54919, 00000000 non-project account IP 03. This source of funds is consistent with the City Council's budget principle of using one-time funds for one-time expenditures.

SUSTAINABLE OPPORTUNITIES

Economic: The presence of private security has enhanced the safety and attraction of the City's Frank Ogawa Plaza, which will help to draw residents and visitors to the Plaza to patronize the tenant businesses and surrounding area of downtown.

Environmental: The presence of security officers will help to reduce blight, litter, and trash by monitoring the behavior of visitors and making sure that individuals do not litter, graffiti, or otherwise harm the Plaza environment.

FILE
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

M. Mowdon
City Attorney

RESOLUTION NO. _____

C.M.S.

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Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE CONTRACT WITH VMA SECURITY SERVICES TO CONTINUE PROVIDING PRIVATE SECURITY SERVICES ON AN "AS NEEDED" BASIS FROM JANUARY 1, 2013 THROUGH JUNE 30, 2014, OR UNTIL THE ADDITIONAL CAPPED AMOUNT OF \$100,000 (ONE HUNDRED THOUSAND DOLLARS) IS EXPENDED, WHICHEVER IS EARLIEST.

WHEREAS, the City of Oakland desires to maintain a safe, beautiful, clean, and elegant Frank Ogawa Plaza, properties, parks and events in the downtown area of the City of Oakland; and

WHEREAS, the City is aware of the significant increase in downtown crime including but not limited to robberies of cell phones, computers, tablets and other high value items;

WHEREAS, the City had been informed by the Downtown Community Benefit District that their ambassadors were being impacted by the nuisance behavior of the people loitering on and near Frank Ogawa plaza; and

WHEREAS, the City had been advised by tenants and staff alike that the general appearance and mood of the Plaza afforded them a sense of unease and concern over their safety;

WHEREAS, The City's desire to maintain a safe, beautiful, clean, and elegant Plaza are significantly impacted robberies, crimes, and nuisance behaviors of those who choose to loiter for such activities in the Plaza; and

WHEREAS, the City Administrator and Chief of Police determined that the condition and activities of the Plaza warranted a plan to address safety and behavioral concerns; and

WHEREAS, the City Administrator and Chief of Police both acknowledged that staffing and police resources made it impossible to assign Officers to monitor the Plaza area at all times; and

WHEREAS, it was and is in the City's best interests to maintain a safe, clean, beautiful, and elegant Plaza for its resident and visitors alike; and

WHEREAS, a Request for Proposal process found that VMA Security Services (VMA Security) was the most appropriate and competitive local private security firm; and

WHEREAS, during the height of the Occupy Oakland events and in response to the increased crime, concerns of staff and tenants, and in order to protect the general public while visiting Frank Ogawa Plaza, the City Administrator executed a \$300,000 (three hundred thousand dollars) contract pursuant to her authority in Oakland Municipal Code (OMC) Section 2.04.020H for a VMA Security to patrol and secure the Plaza area; and

WHEREAS, pursuant to OMC Section 2.04.020, on December 6, 2011, the City Administrator presented an informational report on her exercise of her emergency authority; and

WHEREAS, since VMA Security has been providing security services to the Plaza, the City Administrator's Office has been advised by staff and tenants that the appearance of the Plaza and the nuisance and crime behaviors which had been previously causing concern have diminished; and

WHEREAS, the City Administrator has determined that extension of the agreement with VMA Security, which has reached its earlier capped amount, is in the best interest of the City maintaining and improving the quality of the Plaza.

WHEREAS, the City Administrator has determined that the services rendered by the security firm shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That based upon the information set forth in the City Administrator's report, the City Council authorizes an extension of the emergency security services contract with VMA Security to June 30, 2013, or for an additional capped amount not to exceed \$100,000 (one hundred thousand dollars), whichever occurs first; and be it

FURTHER RESOLVED: That the City Council finds and determines that the services provided by VMA Security are professional, technical, and temporary in nature; and be it

FURTHER RESOLVED: That said agreement shall be approved for 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, KALB, KAPLAN, KERNIGHAN, GALLO, MCELHANEY, REID, and SCHAAF

NOES -

ABSENT -

ABSTENTION -

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