

OAKLAND CITY COUNCIL

City Attorney

RESOLUTION No. 80873 C.M.S.

2007 SEP 13 PM 3:56

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THIRTY-NINE THOUSAND NINE HUNDRED AND SEVENTY-FOUR DOLLARS (\$539,974) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO SUPPLEMENT FRONTLINE POLICING SERVICES, AND AUTHORIZING A WAIVER OF THE REQUEST FOR PROPOSAL PROCESS FOR A CONTRACT FOR SERVICE IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000) WITH THE OAKLAND POLICE ACTIVITIES LEAGUE FOR IMPLEMENTATION OF THE OAKLAND MIDNIGHT BASKETBALL PROGRAM, AND APPROPRIATE SAID FUNDS TO THE POLICE DEPARTMENT

WHEREAS, it is anticipated that grant funds totaling up to \$539,974 will be received from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant (JAG) Program, for frontline policing services in the Police Department; and

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance, provides funding through the Edward Byrne Memorial Justice Assistance Grant program to units of local government for the purpose of reducing crime and improving public safety; and

WHEREAS, the proposed program period for the initiative is July 1, 2007 through June 30, 2008; and

WHEREAS, the Government Code requires that the Chief of Police request the local jurisdiction's legislative body to appropriate said funds solely for front line law enforcement services in accordance with the Chief's spending plan; and

WHEREAS, Government Code Section 30062(d) defines front-line law enforcement services to include community crime prevention programs; and

WHEREAS, the proposed spending plan will facilitate the City Council's goal of crime reduction through City-wide community policing and other strategies; and

WHEREAS, the sum of \$539,974 in FY 2007 Justice Assistance grant funds received must be allocated in accordance with the JAG spending plan; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 80128 C.M.S. dated September 19, 2006, Resolution No. 79764 C.M.S. dated March 7, 2006, and Resolution No. 79378 C.M.S. dated July 19, 2005; and

WHEREAS, the Police Department requests a waiver of the Request for Proposal process because the original proposal submission to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, specifically cited a collaborative program partnership between the City of Oakland and the Oakland Police Activities League for the delivery of the Oakland Midnight Basketball Program; and

WHEREAS, the Department desires to enter into a contract for service with the Oakland Police Activities League for an amount not to exceed eighty thousand dollars (\$80,000) for implementation of the Oakland Midnight Basketball program, to be funded by the grant; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement with the Oakland Police Activities League authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds the agreement with the Oakland Police Activities League shall not result in a loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Council does hereby implement the provisions of the California Government Code by accepting and increasing estimated revenues and appropriations to the Police Department by \$539,974 in Justice Assistance Grant funds, plus accrued interest earnings, in accordance with the spending plan; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the Request for Proposal process on the basis of the findings set forth in the Police Department's report accompanying this resolution with regard to the contract with the Oakland Police Activities League for the implementation of the Oakland Midnight Basketball program; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to accept and appropriate a grant in an amount not to exceed \$539,974 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistant Grant (JAG) Program, to be allocated to the Federal Grant Fund (2112): Bureau of Administration Division Org. (106110); Bureau of Administration Division Program (PS01), in a Project Account to be determined; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to enter into a contract for service with the Oakland Police Activities League in an amount not to exceed \$80,000 for the implementation of the Oakland Midnight Basketball program, to be funded by the grant, and be it

FURTHER RESOLVED: That grant funds received for the Justice Assistance Grant program shall not be used to supplant expenditures controlled by the City of Oakland; and be it

FURTHER RESOLVED: That the Bureau of Administration shall provide all required reports regarding the JAG funds, as specified in the California Government Code; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and contract for service; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with the Oakland Police Activities League (Oakland PAL) 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, OCT 2 2007, 20

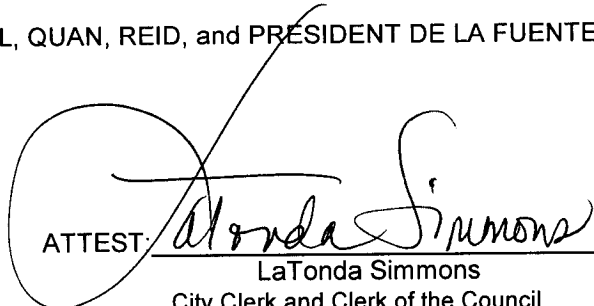
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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