

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Priscilla Holmes
City Attorney

2013 SEP 12 PM 4:05 RESOLUTION NO. 84630 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO EXTEND THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CALIFORNIA HIGHWAY PATROL (CHP) FOR UP TO TWO YEARS OF CRIME SUPPRESSION ASSISTANCE WHEREBY CHP WILL DEPLOY 10 OFFICERS IN FIVE, DOUBLE UNIT PATROL VEHICLES AND TWO SERGEANTS IN A SUPERVISOR VEHICLE, UP TO FOUR DAYS PER WEEK, AT A COST NOT TO EXCEED TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000) AUGUST 8, 2013 TO AUGUST 7, 2015, AND A MOU EXTENSION TOTAL AMOUNT NOT TO EXCEED THREE MILLION TWO HUNDRED SEVENTY SIX THOUSAND DOLLARS (\$3,267,000), SUBJECT TO THE AVAILABILITY OF FUNDS AS APPROPRIATED BY THE COUNCIL

WHEREAS, for a period of two years from the commencement date of this proposed extension of the Memorandum of Understanding (MOU) with the California Highway Patrol (CHP), 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 crime and gun and gang violence, as well as homicides, robberies, burglaries, assauhs, 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 street crime, robberies, and violence that have resulted in citizens being injured or killed. OPD's low staffing levels have affected how OPD can effectively respond to in progress crimes; and

WHEREAS, the primary purpose of the proposed MOU extension 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, OPD's service agreement with the Alameda County Sherriff's Office to provide contracted crime suppression assistance has concluded; and

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

WHEREAS, under the proposed MOU extension, CHP will deploy ten (10) officers in five (5) double unit patrol vehicles and two sergeants in a supervisor vehicle up to four 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 extend the MOU with CHP for up to two years, for an amount not to exceed \$2.6 million and for a total contract amount not to exceed \$3,276,000.

WHEREAS, funds have been appropriated in OPD's FY 2013-15 General Purpose Fund budget and are available in (#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(1) 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; 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 extend the MOU with CHP for up to two years at an amount not to exceed \$2.6 million; and be it

FURTHER RESOLVED: The funds have been appropriated in OPD's FY 2013-15 General Purpose Fund budget and are available in (#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 extension with CHP; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said proposed MOU extension 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, **00T - 1** 2013

PASSED BY THE FOLLOWING VOTE:

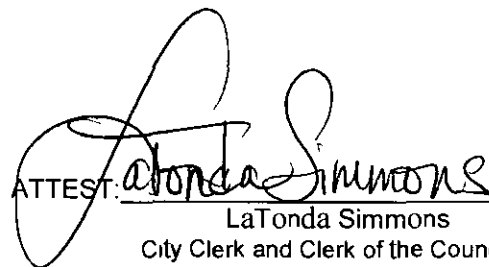
AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~KLAW~~, SCHAAF and PRESIDENT KERNIGHAN - 7

NOES - .

ABSENT -

ABSTENTION -

Excused - Reid - 1

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