

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Stephanie Hom
Deputy City Administrator

SUBJECT: Loaned Equity Director for
Department of Race and Equity

DATE: May 3, 2016

City Administrator Approval

Date:

5/11/16

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into An Amended Memorandum Of Understanding With The City Of Portland, Oregon, For The Continued Loan Of An Equity Director To The City Of Oakland For Occasional Training And Technical Consultation Visits, Extending The Time Period Through June 30, 2017 And Increasing The Not-To-Exceed Amount From Sixty-Seven Thousand Dollars (\$67,000) To Ninety-Seven Thousand Dollars (\$97,000).

EXECUTIVE SUMMARY

On November 17, 2015, the City Council approved a resolution authorizing the City Administrator to enter into a Memorandum of Understanding (MOU) with the City of Portland, Oregon, for the loan of an Equity Director to the City of Oakland for up to 3 months during the Fiscal Year 2015-16. Subsequently, Mr. Dante James, Portland's Director of Equity and Human Rights, has been in Oakland providing training, technical advice, and consultation to the City of Oakland and successfully establishing a foundational structure for Oakland's Department of Race and Equity.

The City Council is being asked to approve a resolution that will authorize the City Administrator to extend and continue the MOU with the City of Portland, Oregon for the loan of Portland's Director of Equity and Human Rights through FY 2016-17. This will allow the director's occasional visits to Oakland to provide additional training and technical assistance to the City of Oakland. The MOU would be increased from \$67,000 to \$97,000 and be supported by the Department of Race and Equity's adopted budget.

BACKGROUND / LEGISLATIVE HISTORY

As part of the Fiscal Year (FY) 2015-17 budget development process, the City Council approved the creation of the Department of Race and Equity. The FY 2015-16 appropriation for the department includes 1.0 FTE director position and 1.0 FTE Program Analyst II, funded for 6 months, and \$150,000 in Operations and Maintenance (O&M) funding.

Item: _____
Finance Committee
May 24, 2016

On June 30, 2015, the City Council approved Ordinance No. 13319 C.M.S. creating the Department of Race and Equity by December 2015, and establishing definitions and implementation steps related to a citywide strategy of a fair and just city. On September 8, 2015, the City Council approved Ordinance No. 13326 C.M.S. amending the prior ordinance to reformat the ordinance and provide clarifying language consistent with the intent and to avoid unintended legal consequences.

On November 17, 2015, the City Council approved a resolution authorizing the City Administrator to enter into a MOU with the City of Portland, Oregon, for the loan of an Equity Director to the City of Oakland for up to 3 months during the Fiscal Year 2015-16 for an amount not-to-exceed \$67,000.

ANALYSIS AND POLICY ALTERNATIVES

The FY 2015-16 Adopted Budget includes funding for two positions for the Department of Race and Equity. The City Administration has engaged an executive recruiting firm to conduct the national recruitment for the Director of Race and Equity. Pending the selection of the new Director of Race and Equity, the City of Portland's Director of Equity and Human Rights, Mr. Dante James, was able to serve as Oakland's Interim Director of Race and Equity during a 3-month period in FY 2015-16.

On April 19, 2016, prior to the end of the 3-month loan period. Mr. James provided the City Council with a report and presentation on the activities of the Department of Race and Equity's first 90 days. During these first 90 days of the department, work has been accomplished that establish the foundation for the department including the following:

- Department website content launched.
- Oakland participation in the year-long Learning Cohort on Advancing Racial Equity sponsored by the Government Alliance of Race and Equity (GARE) underway.
- Department engagement and sponsorship of Oakland's participation in the GARE Learning Cohort, including participation on a panel discussion and regular meetings with the Oakland team.
- Initial discussions with all elected officials regarding department goals and opportunities.
- Initial equity training for all Department Directors, City Attorney's Office, and some city staff.
- Initial discussions with Department Directors regarding methodologies that can infuse an equity lens in city work product and learn of issues/concerns within their departments.
- Development of equity lens tools and training materials.

While Mr. James has completed the initial 3-month loan period in Oakland, the City of Oakland seeks to extend the time frame of the MOU to enable Mr. James to make occasional visits to Oakland to provide additional training and technical assistance as needed. The number and timing of each visit would be determined through mutual agreement between the City of Oakland and the City of Portland and not extend beyond June 30, 2017.

The City Council is being asked to approve a resolution that will authorize the City Administrator to extend and continue the MOU with the City of Portland, Oregon for the loan of Portland's

Director of Equity and Human Rights through FY 2016-17 to allow for the director's occasional visits to Oakland to provide additional training and technical assistance to the City of Oakland. The MOU would be increased from \$67,000 to \$97,000 and be supported by the Department of Race and Equity's adopted budget.

FISCAL IMPACT

During FY 2015-16, the estimated total cost for the services, transportation and lodging for Portland's Director of Equity and Human Rights while in Oakland was approximately \$55,000 and is budgeted in the FY 2015-16 Adopted Budget in Fund 1010 – General Purpose Fund; Organization 64111 – Race and Equity; Accounts 54919 – Contracts; 55112 – Transportation; 55114 – Lodging.

The proposed resolution seeks authority to increase the MOU amount from \$67,000 to \$97,000 for FY 2016-17. The available balance of \$42,000 is budgeted in the FY 2016-17 Adopted Budget in Fund 1010 – General Purpose Fund; Organization 64111 – Race and Equity; Accounts 54919 – Contracts; 55112 – Transportation; 55114 – Lodging. Use of salary savings in the department will be available.

During each visit, the City of Oakland would cover the cost of Portland's Director of Equity and Human Rights wages and benefits, temporary housing while in Oakland, and travel expenses.

PUBLIC OUTREACH / INTEREST

At this time, no outreach was deemed necessary for the proposed policy action beyond the standard City Council agenda noticing procedures.

COORDINATION

This subject and report has been reviewed by the Office of the City Attorney and Controller's Budget Office.

SUSTAINABLE OPPORTUNITIES

Economic: There are no direct economic opportunities associated with this report.

Environmental: There are no direct environmental opportunities associated with this report.

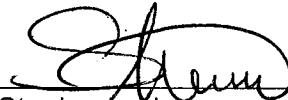
Social Equity: The approval of the resolution enables the City Administrator to continue to advance the work of the Department of Race and Equity, and the principle of "fairness and justice" embedded throughout the delivery of city services, pending the hire of a permanent director and through a transition period.

ACTION REQUESTED OF THE CITY COUNCIL

It is recommended that the City Council approve the Resolution Authorizing The City Administrator To Enter Into An Amended Memorandum Of Understanding With The City Of Portland, Oregon, For The Continued Loan Of An Equity Director To The City Of Oakland For Occasional Training And Technical Consultation Visits, Extending The Time Period Through June 30, 2017 And Increasing The Not-To-Exceed Amount From Sixty-Seven Thousand Dollars (\$67,000) To Ninety-Seven Thousand Dollars (\$97,000).

For questions regarding this report, please contact Stephanie Hom, Deputy City Administrator at (510) 238-7542.

Respectfully submitted,



Stephanie Hom
Deputy City Administrator
City Administrator's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2016 MAY 11 PM 3:10

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AMENDED MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PORTLAND, OREGON, FOR THE CONTINUED LOAN OF AN EQUITY DIRECTOR TO THE CITY OF OAKLAND FOR OCCASIONAL TRAINING AND TECHNICAL CONSULTATION VISITS, EXTENDING THE TIME PERIOD THROUGH JUNE 30, 2017 AND INCREASING THE NOT-TO-EXCEED AMOUNT FROM SIXTY-SEVEN THOUSAND DOLLARS (\$67,000) TO NINETY-SEVEN THOUSAND DOLLARS (\$97,000)

WHEREAS, as part of the Fiscal Year (FY) 2015-17 budget development process, the City Council approved the creation of the Department of Race and Equity; and

WHEREAS, on June 30, 2015, the City Council approved Ordinance No. 13319 C.M.S. creating the Department of Race and Equity by December 2015, and establishing definitions and implementation steps related to a citywide strategy to create a fair and just city; and

WHEREAS, on September 8, 2015, the City Council approved Ordinance No. 13326 C.M.S. amending the prior ordinance to reformat the ordinance and provide clarifying language consistent with the intent and to avoid unintended legal consequences; and

WHEREAS, the City of Portland, Oregon agreed to loan its Director of Equity and Human Rights to the City of Oakland for up to three months to provide technical advice and consultation to the City in establishing a foundational structure for the new Department of Race and Equity, recruiting and selecting the City's first Director of Race and Equity, and working towards advancing the objectives of the new department, and;

WHEREAS, Portland's Director of Equity and Human Rights has considerable experience and expertise in establishing and managing a department with goals and functions similar to those of the City of Oakland's Department of Race and Equity; and

WHEREAS, the City of Oakland does not possess such capabilities in-house; and

WHEREAS, it is in the interest of the City of Oakland to utilize the services of Portland's Director of Equity and Human Rights; and

WHEREAS, the City Council approved Resolution Number 85904 C.M.S. authorizing the City Administrator to enter into a Memorandum of Understanding with the City of Portland, Oregon, for the loan of an equity director for up to three months during the Fiscal Year 2015-16 in an amount not-to-exceed \$67,000; and

WHEREAS, Portland's Director of Equity and Human Rights was located in the City of Oakland for a period of three months providing training, technical advice and consultation to the City in establishing a foundational structure for the Department of Race and Equity; and

WHEREAS, the estimated total cost for the services, transportation and lodging for Portland's Director of Equity and Human Rights while in Oakland was approximately \$55,000 and is budgeted in the FY 2015-16 Adopted Budget; and

WHEREAS, it is in the interest of the City of Oakland, and the City of Portland agrees, to extend the Memorandum of Understanding to enable Portland's Director of Equity and Human Rights to provide additional on-site training and technical consultation visits to the City of Oakland through the next Fiscal Year 2016-17; and

WHEREAS, the number and timing of each visit would be determined through mutual agreement between the City of Oakland and the City of Portland; and

WHEREAS, during each visit, the City of Oakland would cover the cost of Portland's Director of Equity and Human Rights wages and benefits, temporary housing while in Oakland and travel expenses through the FY 2016-17 Adopted Budget for the Department of Race and Equity; now, therefore be it

RESOLVED, that the City Council of the City of Oakland authorizes the City Administrator to enter into an Amended Memorandum of Understanding with the City of Portland, Oregon, for the continued loan of its Director of the Portland Office of Equity and Human Rights to the City of Oakland for occasional training and technical consultation visits, extending the time period through June 30, 2017 and increasing the not-to-exceed amount from sixty-seven thousand dollars (\$67,000) to ninety-seven thousand dollars (\$97,000); and be it

FURTHER RESOLVED, that based on information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED, that the City Attorney's Office will approve the Memorandum of Understanding as to form and legality and a copy will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLAN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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