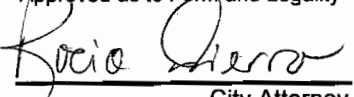


FILED
OFFICE OF THE CITY CLERK
OAKLAND**OAKLAND CITY COUNCIL**
City Attorney**RESOLUTION No. 81361 C.M.S.**

2008 MAY 15 PM 6:43

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE TO: 1) WAIVE THE COMPETITIVE BID PROCESS, 2) PURCHASE FOUR HUNDRED FIFTY (450) TASER X26 CONDUCTED ENERGY WEAPONS AND ASSOCIATED EQUIPMENT FROM TASER INTERNATIONAL, INC., IN AN AMOUNT NOT TO EXCEED SIX HUNDRED FORTY-FIVE THOUSAND AND FIVE DOLLARS (\$645,005) FOR DEPLOYMENT TO ALL SWORN, UNIFORMED, POLICE PERSONNEL, AND 3) APPROPRIATE FUNDS IN THE AMOUNT OF FIFTY-FIVE THOUSAND DOLLARS (\$55,000) ANNUALLY TO THE POLICE DEPARTMENT TO COVER ANNUAL AND RECURRING COSTS ASSOCIATED WITH FULL DEPLOYMENT OF THE TASER CONDUCTED ENERGY WEAPONS

WHEREAS, the Oakland Police Department seeks to fully deploy 450 TASER X26 conducted energy weapons for use by all sworn, uniformed, police personnel to reduce the number of on-duty injuries to police officers and suspects, and decrease worker's compensation and disability retirement expenditures associated with these injuries; and

WHEREAS, the Oakland Police Department has effectively deployed 270 TASER X26 conducted energy weapons on all three watches throughout the City; and

WHEREAS, between April and September 2006, Oakland police officers deployed the TASER approximately 90 times with approximately 92% effectiveness and no suspect injuries; and

WHEREAS, on-duty injury and injury related retirement expenditures for sworn Police Department personnel cost the City approximately \$20.9 million between the years 2003 and 2005, and approximately 51% of the reported injuries resulted from incidents of physical conflict between officers and suspects or as a result of fence climbing while in pursuit of suspects; and

WHEREAS, the TASER conducted energy weapon has shown, on a national basis, to reduce on-duty officer injuries by an average of 50% and suspect injuries by an average of 64%; and

WHEREAS, an examination of current use trends and effectiveness, and a review of crime and use of force reports involving TASERs show the weapon to be a very effective tool in law enforcement and suspect apprehension; and

WHEREAS, funding for this purchase has been identified through a reduction in OPD's Worker's Compensation fringe benefit overhead burden appropriation; and

WHEREAS, the anticipated Worker's Compensation overhead rate for FY 08-09 was 10.48%; however the Finance and Management Agency will adjust the rate for FY 08-09 to 9.73%, a difference to cover the cost of the purchase. As a result, OPD will realize a savings in overhead appropriation, which will be applied directly to the purchase of the Tasers; and

WHEREAS, annual recurring and maintenance costs associated with full TASER deployment totals approximately \$55,000; and

WHEREAS, TASER international, Inc. is the sole manufacturer and sole authorized police distributor of the TASER X26 conducted energy weapon and the patented 25 foot XP Air Cartridge for California, therefore it will be in the City's best interest to waive the competitive bid process; now, therefore be it

RESOLVED: That pursuant to Oakland Municipal Code 2.04.051.B and information set forth in the agenda report accompanying this item, the City Council finds and determines that it is in the City's best interests to dispense the competitive request for proposal/qualifications process for the purchase of 450 TASER conducted energy weapons; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to purchase 450 TASER X26 conducted energy weapons and associated equipment from TASER International, Inc., the sole manufacturer and the sole authorized distributor in the State of California of the TASER X26 and associated equipment, in an amount not to exceed \$645,005; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the use of funds existing in Sworn Fringe Benefit Accrual Account (51614) for the purchase of 450 TASER weapons; and be it

FUTHER RESOLVED: That savings will be appropriated to the General Fund (1010), Oakland Police Training Organization (103430), Technical and Scientific Supplies Account (52913), Program (PS09), and a Project to be determined; and be it

FURTHER RESOLVED: That funds in the amount of \$55,000 shall be annually appropriated to General Fund (1010), Police Training Organization (103430), Technical and Scientific Supplies Account (52913), Program (PS09), and used for annual and recurring costs associated with full TASER deployment; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to execute any further documents necessary to implement this resolution; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to modify, extend, or amend said agreement, provided that no additional funds shall be allocated without prior Council approval.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 17, 2008, 20

PASSED BY THE FOLLOWING VOTE:

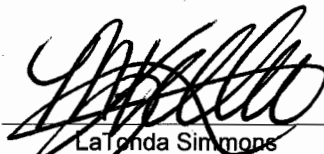
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES- ϕ

ABSENT- ϕ

ABSTENTION- ϕ

ATTEST



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