

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Amelia Soto
City Attorney

2013 JUL 11 11:39 AM
RESOLUTION No. 84563 C.M.S.

RESOLUTION:

- 1) **AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE STATE OF CALIFORNIA CORRECTIONS STANDARDS AUTHORITY TITLE II FORMULA GRANT PROGRAM FUNDS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY TWO THOUSAND ONE HUNDRED FORTY ONE DOLLARS (\$172,141) ANNUALLY FOR THE PERIOD OF JANUARY 1, 2013 DECEMBER 31, 2014 FOR IMPLEMENTATION OF THE OAKLAND YOUTH COURT PROGRAM; AND**
- 2) **AUTHORIZING THE CITY ADMNISTRATOR TO AMEND AND EXTEND THE PROFESSIONAL SERVICES AGREEMENT WITH CENTERFORCE CORPORATION (CENTERFORCE) BY INCREASING THE AMOUNT TO BE PAID AT AN AMOUNT NOT TO EXCEED SEVENTY SIX THOUSAND AND THREE HUNDRED DOLLARS (\$76,300) PER YEAR FOR YEARS 2013 AND 2014, BRINGING THE TOTAL AUTHORIZED TO BE PAID UNDER THIS CONTRACT TO \$236,238 FOR THE ADMINISTRATION OF THE OAKLAND YOUTH COURT PROGRAM; AND**
- 3) **WAIVING THE ADVERTISING AND BIDDING REQUIREMENTS AND REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS FOR THE PROPOSED CENTERFORCE AGREEMENT AMENDMENT AND EXTENSION; AND**
- 4) **WAIVING THE CITY OF OAKLAND CENTRAL SERVICES OVERHEAD (CSO) FEES OF APPROXIMATELY \$9,894 ANNUALLY FOR YEARS 2013 AND 2014 ASSOCIATED WITH THE TITLE II FORMULA GRANT PROGRAM FUNDS**

WHEREAS, on March 20, 2012, via Resolution Number 83756 C.M.S., City Council authorized the City Administrator to accept and appropriate State of California Corrections Standards Authority Title II Formula Grant Program funds in an amount not to exceed one hundred seventy two thousand one hundred forty one dollars (\$172,141) and enter into a professional services agreement with the McCullum Youth Court non-profit organization for continued administration and operation of the Oakland Youth Court; and

WHEREAS, on December 4, 2012, through Resolution Number 84117, City Council amended Resolution Number 83756 C.M.S., and authorized the City Administrator to enter into a Professional Services Agreement with CenterForce Corporation (CenterForce) at a cost of \$83,638 for administration of the Oakland Youth Court program from January 1, 2012 through December 31, 2012. This was done in light of the fact that the McCullum Youth Court organization dissolved and could no longer perform the administration of the Oakland Youth Court program; and

WHEREAS, Title II grant fund terms prohibit the grantees from entering into Professional Services Agreement where such funds will be appropriated to organizations that are not tax exempt non-profit entities; and

WHEREAS, this is the 13th consecutive year the Oakland Police Department (OPD) has participated with the Oakland Youth Court program in the shared effort to divert youth offenders from the juvenile justice system; and

WHEREAS, CenterForce has been a national leader that develops and delivers innovative programs geared toward incarcerated individuals and their families that aim to foster transformative experiences during incarceration, promote successful re-entry, and help reduce the risk of re-incarceration; and

WHEREAS, and Phase 2 of the Title II grant was awarded to the Oakland Police Department in partnership with CenterForce as the operator; and

WHEREAS, CenterForce will maintain the integrity, content and continuity of the preexisting Oakland Youth Court program; and

WHEREAS, CenterForce also maintains a diverse funding stream source from both public and private sources; and

WHEREAS, Oakland Municipal Code section 2.040.051.B permits the City Council to waive the request for proposal/qualifications (“RFP/Q”) requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, for the reasons stated above and in the City Administrator’s report accompanying this resolution, which include the fact that the California Corrections Standards Authority requires that the grant funds be used to fund the proposed work with CenterForce, staff recommends that it is in the best interests of the City to waive the advertising and RFP/Q process so that the City Administrator can amend the Professional Services Agreement with CenterForce by extending performance period of January 1, 2013 up to December 31, 2014 and increasing the amount to be paid to CenterForce at up to seventy six thousand three hundred dollars annually for 2013 and 2014; and

WHEREAS, entering into the proposed Professional Services Agreement with CenterForce shall not result in the loss of employment or salary by any person holding permanent status in the competitive services, as required by Oakland Municipal Code 2.04.020.E.3; and

WHEREAS, the funding agency requires a 15% in-kind match in Phase 2 and 20% in Phase 3. OPD’s Program Manager salary will provide an in-kind match in the amount of \$13,685 and the remaining match of \$12,136 will be provided in-kind by CenterForce in the form of professional services in Phase 2 and the same in-kind match calculation will be used to determine the split between OPD and CenterForce in Phase 3; and

WHEREAS, the grant does not cover indirect costs of Central Services Overhead (CSO) the Department requests a waiver of CSO charges; and therefore be it

RESOLVED: That City Administrator or her designee is authorized to accept and appropriate Phase 2 and Phase 3 of the Federal Title II Formula Block Grant Program supported by federal Formula Grant funds and administered by the Corrections Standards Authority (CSA) in an amount not to exceed \$172,141 annually from the period of January 1, 2013 through December 31, 2014; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to amend the professional services agreement with CenterForce Corporation (CenterForce) by increasing the amount to be paid not to exceed seventy six thousand and three hundred dollars (\$76,300) annually for years 2013 and 2014, which in addition to the previously authorized 2012 amount of \$83,638, brings the total authorized amount to be paid under the City’s contract with CenterForce at an amount up to \$236,238, and to extend the agreement through December 31, 2014, for the administration of the Oakland Youth Court program; and be it

FURTHER RESOLVED: That the City Council finds that pursuant to Oakland Municipal Code sections 2.04.051.B, for the reasons stated above and in the City Administrator’s report accompanying this resolution, that it is in the best interests of the City to waive the advertising and bidding requirements and the request for proposal/qualifications (RFP/Q) for the proposed amendment and extension to the professional services agreement with CenterForce Corporation and so waives such requirements; and be it

FURTHER RESOLVED that federal grant funds received here under shall not be used to supplant expenditures controlled by this body; and be it

FURTHER RESOLVED that OPD and CenterForce agree to abide by the statutes and regulations governing the federal Formula Grants Program as well as the terms and conditions of the Grant Agreement as set forth by the CSA; and be it

FURTHER RESOLVED: That the City Council authorize the City Administrator to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and professional services agreement amendment, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk; and be it

FURTHER RESOLVED: The 15% in-kind match of \$25,821 for Phase 2 and a 20% in-kind match of \$34,428 in Phase 3 is approved; and be it

FURTHER RESOLVED: That City Central Services Overhead charges of approximately \$9,894 annually are hereby waived for years 2013 and 2014; and be it

FURTHER RESOLVED: that the proposed contract shall be reviewed and approved as to form and legality by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 30 2013

PASSED BY THE FOLLOWING VOTE:

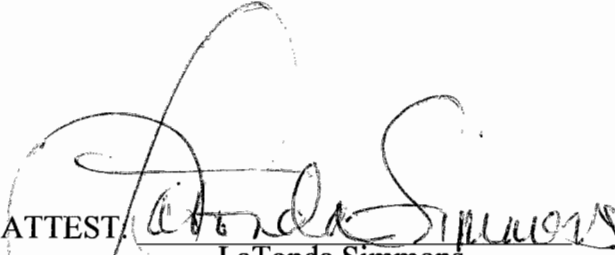
AYES - ~~BROOKS~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~BROOKS~~, SCHAAF and PRESIDENT KERNIGHAN - 6

NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

Excused - Brooks - 1

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