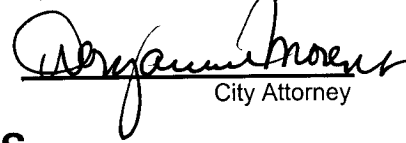


**OAKLAND CITY COUNCIL**

  
City Attorney

OFFICE OF CITY CLERK

RESOLUTION No. 80830 C.M.S.

2007 SEP 13 PM 5:52

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO 1) WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL PROCESS, AND 2) NEGOTIATE, AND ENTER INTO A CONTRACT WITH EAST BAY COMMUNITY FOUNDATION TO IMPLEMENT A YOUTH EARLY DIVERSION PROGRAM AND TO CONDUCT A POLICE TRAINING COLLABORATE IN AN AMOUNT NOT-TO-EXCEED NINETY-FOUR THOUSAND FIVE HUNDRED EIGHTY-EIGHT DOLLARS (\$94,588) FOR A PERIOD NOT-TO-EXCEED ONE YEAR FROM THE DATE OF PASSAGE OF THIS RESOLUTION**

**WHEREAS**, In July 2006, the Office of the Oakland Chief of Police and the Youth Ventures Board of Directors accepted the recommendation to create and implement a police administered early diversion program in Oakland; and

**WHEREAS**, Oakland Police Department agreed to continue and expand the Youth Ventures Police Training Collaborative; and

**WHEREAS**, it would be in the City's best interests to waive the competitive Request for Proposal/Qualifications requirement and select the East Bay Community Foundation (EBCF) for the above described tasks because the Oakland Police Department has enjoyed a long-standing collaboration relationship on numerous outreach programs focusing on at risk youth, and youth violence prevention with EBCF and, EBCF has helped the Department bridge the gap between Oakland's police and youths by working closely with staff to gain the trust of officers, therefore, EBCF is highly and best qualified to continue in the contract role; and

**WHEREAS**, East Bay Community Foundation (EBCF) would be retained to develop two joint projects with the Oakland Police Department: 1) The Oakland Police Department Early Diversion Program, and 2) the Youth Ventures Police Training Collaborative; and

**WHEREAS**, this contract amount is within the City Administrator's contract authority and funding for this project in the amount of \$94,588, will be provided through a trust (Asset Forfeiture) that is maintained in the District Attorney's Office which is governed by the Health and Safety Code Section 11489(i), which states that "assets seized by governmental entities shall be held in a special fund and 15% of the funds shall be used for the sole purpose of funding programs designed to combat drug abuse and divert gang activity, and wherever possible involve educators, parents, community-based organizations, and local businesses", and

**WHEREAS**, the services to be provided under the above-described contract are of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS**, the City's mandated 3% contract assessment fee associated with this contract totals \$2,837.65, and will also come from the Asset Forfeiture account; now therefore be it

**RESOLVED:** That pursuant to Oakland Municipal Code section 2.04.051.B and based on the reasons set forth in the City Administrator's report accompanying this Resolution, the City Council finds and determines that it is in the best interests of the City to waive the City's Request for Proposal/Qualifications process and so waives it for the contract with East Bay Community Foundation to implement a Youth Early Diversion Program and to conduct a Police Training Collaborative in an amount not-to-exceed \$94,588, for a period not-to-exceed one year from the final passage of this resolution; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to negotiate and enter into a contract with East Bay Community Foundation to implement a Youth Early Diversion Program and to conduct a Police Training Collaborative in an amount not-to-exceed \$94,588, for a period not-to-exceed one year from the final passage of this resolution; and be it

**FURTHER RESOLVED:** That funding for this project shall be drawn from the Police Department's Asset Forfeiture fund; 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 this agreement for services, except for any increase in the contract amount without returning to the City Council; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreement with EBCF, 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, SEP 18 2007, 20    

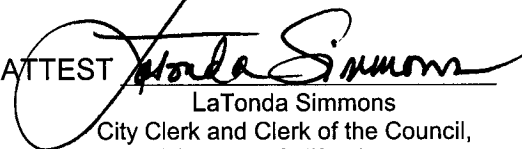
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, ~~MESSING~~, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- *Kernighan - 1*

ABSTENTION- 0

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