



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- 1) **ACCEPTING AND APPROPRIATING A BYRNE CRIMINAL JUSTICE INNOVATION PROGRAM (BCJI) GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE (BJA) IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) FOR THE TRIANGLE INCIDENT RESPONSE IN EAST OAKLAND;**
- 2) **ALLOCATING EIGHT HUNDRED THIRTY-ONE THOUSAND FIFTY DOLLARS (\$831,050) OF THE GRANT FUNDS TO THE DEPARTMENT OF VIOLENCE PREVENTION AND THE REMAINING ONE HUNDRED SIXTY-EIGHT THOUSAND NINE HUNDRED FIFTY DOLLARS (\$168,950) TO THE OAKLAND POLICE DEPARTMENT;**
- 3) **AUTHORIZING THE CITY ADMINISTRATOR TO CREATE AND ADD TWO (2) 1.0 FULL TIME EQUIVALENT (FTE) FAMILY CRISIS RESPONDER POSITIONS TO THE DEPARTMENT OF VIOLENCE PREVENTION FOR THE DURATION OF THE GRANT TERM FOR A TOTAL AMOUNT NOT TO EXCEED SEVEN HUNDRED THIRTY THOUSAND THREE HUNDRED THIRTY-SIX DOLLARS (\$730,336);**
- 4) **WAIVING THE COMPETITIVE PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ADDITIONAL DNA TYPING SUPPLIES FROM PROMEGA CORPORATION FOR FORTY-SIX THOUSAND FOUR HUNDRED DOLLARS (\$46,400); AND**
- 5) **WAIVING THE COMPETITIVE PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ADDITIONAL DNA TYPING SUPPLIES FROM QIAGEN NORTH AMERICAN HOLDINGS INC. FOR TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$22,500)**

WHEREAS, since April 2021, the Department of Violence Prevention (DVP) has coordinated the triangle incident response (TIR), a 24/7 crime scene or hospital response to shootings with injury and homicides in Oakland that involves participation from the Oakland Police Department (OPD) and violence interrupters hired by DVP-funded agencies; and

WHEREAS, the goals of the TIR are to reduce retaliatory violence, reduce levels of trauma experienced by impacted individuals, and improve relations between community and government partners; and

WHEREAS, on December 10, 2021, the City of Oakland was awarded a grant in the amount of one million dollars (\$1,000,000) from the Department of Justice Bureau of Justice Assistance (BJA) through the Byrne Criminal Justice Innovation (BCJI) grant program to support implementation of the TIR in East Oakland for the service term of October 1, 2021 to September 30, 2024; and

WHEREAS, the DVP recommends allocating seven hundred thirty thousand three hundred thirty-six dollars (\$730,336) in BCJI grant funds for two (2) 1.0 FTE Family Crisis Responder positions to serve as community response advocates for the TIR; and

WHEREAS, OPD lacks an adequate number of DNA testing supplies required to test all DNA samples related to shootings and homicides in Oakland; and

WHEREAS, the OPD Criminalistics Division must use and maintain rigorously validated DNA typing reagents and instruments from specific vendors because purchasing DNA supplies from vendors other than those who manufacture DNA kits or instruments not currently used by the crime lab would not be acceptable as the OPD Forensic Biology Unit has not validated their use and hence would violate the Federal Bureau of Investigation (FBI) DNA Quality Assurance Standards (QAS); and

WHEREAS, OPD anticipates purchasing in excess of Fifty Thousand Dollars (\$50,000) of DNA typing supplies from both Promega Corporation and Qiagen North American Holdings Inc. during the fiscal year; and

WHEREAS, staff recommends that the City Council make a finding and a determination that it is in the best interests of the City to waive advertising and bidding processes because purchasing DNA supplies and equipment from vendors other than those who manufacture DNA kits and equipment currently used by the Crime Laboratory would not be effective as other DNA supplies and instruments from other vendors have not been validated for use the OPD Criminalistics Division; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.050.1.5 authorizes the City Council to waive the advertising and competitive bidding requirements of OMC Section 2.04.050 after finding and determining that it is in the best interests of the City to do so; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator to accept and appropriate a grant in an amount not to exceed one million dollars (\$1,000,000) from the BJA for the TIR; and be it

FURTHER RESOLVED: That the City Council hereby appropriates said funds to the Department of Justice Fund (2112); Oakland Unite Organization (70211); in the Byrne Criminal Justice Innovation 2021-2024 Project (1006291); Bureau of Justice Assistance Award (24108) and Fostering Safe and Healthy Communities Program (SC22); and be it

FURTHER RESOLVED: That the City Administrator is authorized to create and add two (2.0) full time equivalent (FTE) Family Crisis Responder positions to the Department of Violence for the duration of the grant term for a total amount not to exceed Seven Hundred Thirty Thousand Three Hundred Thirty-Six Dollars (\$730,336); and be it

FURTHER RESOLVED: That the City Council finds and determines that pursuant to OMC Section 2.04.050.1.5 and based upon the reasons stated above and in the City Administrator's report accompanying this resolution, it is in the best interest of the City to waive the advertising and competitive bidding requirements of the OMC and authorize the City Administrator to purchase DNA typing supplies from Promega Corporation for Forty-Six Thousand Four Hundred Dollars (\$46,400); and be it

FURTHER RESOLVED: That the City Council finds and determines that pursuant to OMC Section 2.04.050.1.5 and based upon the reasons stated above and in the City Administrator's report accompanying this resolution, it is in the best interest of the City to waive the advertising and competitive bidding requirements of the OMC and authorize the City Administrator to purchase DNA typing supplies from Qiagen North American Holdings Inc. for Twenty-Two Thousand Five Hundred Dollars (\$22,500); and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to complete all required negotiations, certifications, assurances, agreements, and documentation required to modify or extend at no-cost the grant award; and be it

FURTHER RESOLVED: That prior to execution, all agreements shall be reviewed and approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

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IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California