



# AGENDA REPORT

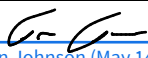
**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Floyd Mitchell  
Chief of Police

**SUBJECT:** Michael Palmertree Professional  
Services Contract

**DATE:** April 14, 2025

City Administrator

  
Jestin Johnson (May 14, 2025 14:32 PDT)

Date: **May 14, 2025**

## **RECOMMENDATION**

**Staff Recommends That City Council Adopt A Resolution 1) Authorizing The City Administrator To Enter Into A Professional Services Agreement With Michael Palmertree, Marriage Family Therapist, To Provide Behavioral Science Consultation And Training Services To The Oakland Police Department From July 1, 2025, To June 30, 2030, In An Amount Not To Exceed Six Hundred Eighty-Seven Thousand Five Hundred Dollars (\$687,500); And 2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q), And The Local/Small Local Business Enterprise Program Requirements.**

## **EXECUTIVE SUMMARY**

Adoption of the proposed resolution between OPD and Mr. Palmertree will ensure that OPD personnel continue to receive critical and continuous psychological support. Furthermore, OPD is required to provide this service according to mandates of Oakland's Federal Negotiated Settlement Agreement (NSA) as well as with the OPD-Oakland Police Officer Association (OPOA) contract.

## **BACKGROUND / LEGISLATIVE HISTORY**

OPD recognizes that police work can, at times, be very stressful for sworn personnel and the professional staff that support sworn personnel. Employees benefit from a wellness program that addresses stressful conditions through healthy approaches. OPD has historically suffered tragic losses, such as on-the-job deaths and suicides due to work-related stressful conditions. To

address work-related challenges, OPD must go beyond training officers to physically survive each day. OPD has created a wellness program, housed organizationally in the Health and Wellness Unit (HWU), to serve officers and professional staff with mental health issues that arise from work-related challenges. HWU offers resources including Peer Support, the Chaplain's Unit, Critical Incident Response Team, the OPD Medical Unit, and the Employee Assistance Program (EAP) together in one place. Counseling services are a critical component of the HWU, and OPD relies on professional providers to offer this service.

Oakland has contracted with Michael Palmertree, Marriage Family Therapist (MFT), through several City Council-approved resolutions. Mr. Palmertree is a licensed psychotherapist who specializes in the treatment of post-traumatic stress and alcohol/drug abuse. OPD began working with Mr. Palmertree in 2007. OPD conducted the RFP process in 2008, 2012, and 2020 for the Palmertree contract. Each time Mr. Palmertree was the only one who responded.

[Resolution No. 80647 C.M.S.](#) authorized a contract with Mr. Palmertree not to exceed \$49,999 per year from July 1, 2007 through June 30, 2008. In 2008, OPD conducted an RFP/Q for counseling services and Mr. Palmertree was the only vendor to respond to the request. The City awarded a contract to Mr. Palmertree from July 1, 2008 through June 30, 2010, for \$50,000 per year. [Resolution No. 82835 C.M.S.](#) provided authorization for the City to extend the contract with Mr. Palmertree from July 1, 2010 through June 30, 2011 for \$50,000. [Resolution No. 83305 C.M.S.](#) authorized the City Administrator's Office (CAO) to enter into a contract with Mr. Palmertree from July 1, 2011 through June 30, 2012, for \$50,000 for mental health services.

In December 2012, OPD conducted another RFP/Q for counseling services. Mr. Palmertree was the only vendor who responded to the request. [Resolution No. 85036 C.M.S.](#) authorized the CAO to enter into an agreement with Mr. Palmertree from July 1, 2014 through June 30, 2017, with a two-year extension option, for \$75,000 per year. This amount was amended in 2016 to add \$25,000 a year from the HWU budget, increasing the amount to \$100,000 per year, through [Resolution No. 86213 C.M.S.](#) In 2020 [Resolution No. 88131 C.M.S.](#) authorized the CAO to enter into an agreement with Mr. Palmertree from July 1, 2020 to June 30, 2023 in an amount not to exceed \$375,000 with two one-year options to extend for an additional two years, in an amount not to exceed \$125,000 per year with a total contract not to exceed \$625,000.

## **ANALYSIS AND POLICY ALTERNATIVES**

This policy action advances the Citywide priorities of holistic community safety and responsive and trustworthy government. Professional advice and counsel related to mental health and behavioral science issues provided to OPD Command Staff and psychological counseling services provided to sworn and professional employees following traumatic events benefit the entire community.

As part of the decision made by the United States District Court for Northern California ("the Court") in relation to the lawsuit brought forth in the case known as the Riders, the City of Oakland and OPD entered into a Negotiated Settlement Agreement (NSA). Tasks 40 and 41 of the NSA require OPD to establish an early identification and intervention program to detect and address police personnel engaged in at-risk behavior and substandard performance.

### ***Current Counseling and Therapy Services Provided to OPD***

Mr. Palmertree is the current service provider who is a licensed MFT (Marriage and Family Therapist) in the state of California. Mr. Palmertree has over 30 years of experience providing mental health counseling services to law enforcement agencies, not only at OPD, but also for eight other Bay Area police departments. Mr. Palmertree has established himself as a unique psychological therapy service provider for OPD and has proven himself invaluable in the services he provides in the treatment of post-traumatic stress disorder and alcohol/drug disorder. He has been closely associated with the design, development, implementation, and ongoing improvements to the OPD early identification and intervention program, specializing in assessing and treating post-traumatic stress disorder (PTSD) and alcohol/drug disorder, as well as a pioneer in the development of employee assistance programs (EAP).

To treat PTSD, Mr. Palmertree has developed the Critical Incident Stress Debriefing (CISD) program for law-enforcement that is based on assisting officers who have experienced a severely traumatic critical incident avoid developing PTSD. Mr. Palmertree specializes in assessing and treating post-traumatic stress disorder (PTSD), by developing discussion sessions. During those sessions, he facilitates group discussion regarding the incident and provides psycho-education of the nature of post-traumatic stress and ways to become more resilient through effective self-care. Through the discussion sessions, he identifies police officers who may require additional treatment for PTSD.

In addition to his specialization in PTSD, Mr. Palmertree also specializes in identifying and treating alcohol/drug disorders. While working with OPD, he has developed a special alcohol/drug treatment program for OPD officers, which he is the primary coordinator and contact person. This program allows for full payment of a 28-day in-patient treatment. Upon release from the residential program, Mr. Palmertree meets with the officers on an ongoing basis for up to 18 months to support their continued recovery.

Mr. Palmertree provides a wide variety of mental health services to a substantial amount of OPD employees. From fiscal years 2018-2023, Mr. Palmertree provided 1,033 individual counseling sessions. He also gave 468 individual consultations for clinical advice and resource information. He provided 230 referrals for programs and counseling. He intervened in 72 crisis cases in which employees were experiencing psychological emergencies. He conducted dozens of trainings in continuous professional training (CPT) to describe the scope of mental health services available to employees. Last, he conducted 36 critical incident stress briefings, which included a wider range of traumatic experiences. On average, he provided services to 26% or more of OPD employees.

Mr. Palmertree provided services to 271 OPD employees for fiscal year 2023-2024, according to his annual report. 231 of those were sworn officers. This was an 11% increase over the previous year and an overall 32% use rate for sworn personnel. This high utilization of services indicates that personnel throughout the department are in greater need his counseling services. Clients saw Mr. Palmertree for clinical assessment for a variety of needs, including PTSD, job related stress, relationship problems, and others. He provided 69 individual consultations about mental health concerns and provided resources. He also provided 54 referrals to officers and professional staff. In the case where personnel needed to access additional counseling, Mr. Palmertree helped them select an appropriate counselor with

Claremont or Kaiser. He also intervened in 21 officer/employee crisis cases. These involve officers and other employees who are experiencing psychological emergencies. He conducted 7 formal group debriefings, for which 152 officers and employees in total attended. The largest and most significant debriefing involved the line of duty death of Officer Tuan Le. Other debriefings were included following the death or injury of children, officer involved shootings, officers being threatened or shot at, and other incidents deemed to have been especially traumatic to officers. He is currently managing active counseling and consultation sessions for 145 personnel.

### ***Current Contract***

Mr. Palmertree charges \$175 per hour. The \$137,500 annual payment equals approximately 786 hours per year, or 65 hours per month on average for counseling sessions. Currently, officers and professional staff call Mr. Palmertree directly to set up appointments. Sworn officer appointments usually occur at the Oakland Police Officers Association (OPOA) facility in downtown Oakland because this location provides more confidentiality and comfort, as well as does not require OPD to impart precious space from the Police Administration Building. Employees can call Mr. Palmertree through the HWU, to directly arrange telephone consultations and one-on-one in-person consultations meetings, as the employees prefer that in order to keep the fact that they even are seeing Palmertree confidential. Additionally, Mr. Palmertree will be working with the OPD HWU staff to develop group trainings that appeal to OPD sworn and professional employees. The goal of both the group trainings and one-on-one therapy consultations is to help all staff learn emotional and mental strategies to positively address the stresses that can easily compromise their work.

Ordinance Nos. [13640 C.M.S.](#) and [13647 C.M.S.](#) require a minimum 50-percent (50%) Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation for all purchase of commodities, goods, and associated services for contracts valued at or over fifty thousand dollars (\$50,000) when there are at least three certified business listed in the industry, trade, or profession that constitutes a major category of work. However, the Council may waive the City's LBE/SLBE requirements due to a lack or limited availability of SLBEs or LBEs and because it is in the best interests of the City to do so.

Staff requests that the Council waive the multi-step solicitation process and the LBE/SLBE utilization requirements for this proposed contract award because it is in the best interests of the City to do so. Having a mental health professional with the appropriate skill set and experience is critical when support for other services is unpredictable. Mr. Palmertree has established a rapport and relationship with several officers and has a unique insight into counseling OPD officers. His services also are a necessary component to staying in compliance with Tasks 40 and 41 in the NSA agreement. Early identification of issues allows proactive intervention for PTSD, trauma from critical incidences, and other psychological issues which can impact an officer's performance. If OPD was without Mr. Palmertree's services, over one third of OPD personnel would be without mental health services they have come to depend on. Staff wish to continue receiving services from Mr. Palmertree due to the trust, understanding, and longstanding history they have built with him.

Additionally, Mr. Palmertree is the source of consistent, reliable mental health support. OPD Sworn staff used to be covered under MHN (Managed Health Network), behavioral health services specifically designed to meet the needs of our law enforcement staff. These services were discontinued. The OPD Wellness Unit was established to provide support, referral for

services, training, and resources to our LE staff. The Wellness Unit serves all staff and three locations: PAB, EMM and Communications. The Unit was managed by a wellness coordinator with assistance from an intern. Peripheral duties of the coordinator including logistics and funding responsibilities. This position is now vacant due to layoffs. Michael Palmertree's services have been consistently available to OPD staff since 2007. The Wellness Unit has been occasionally supported in the past by US Department of Justice and CA/Board of State and Community Corrections (BSCC) health and wellness grants, usually project focused. We currently have no active federal grants that support officer health and wellness and one (one time allotment) from BSCC (2023-2025).

### **FISCAL IMPACT**

Funding for this proposed contract will be administered according to Table 1. The total of the five-year contract will be \$687,500.

**Table 1: OPD-Michael Palmertree Contract**

| <b>Fiscal Year</b> | <b>Fund Source</b> | <b>Organization</b> | <b>Account</b> | <b>Project</b> | <b>Program</b> | <b>Amount</b> |
|--------------------|--------------------|---------------------|----------------|----------------|----------------|---------------|
| 2025-26            | 1010               | 106210              | 54919          | 1000008        | PS01           | \$137,500     |
| 2026-27            | 1010               | 106210              | 54919          | 1000008        | PS01           | \$137,500     |
| 2027-28            | 1010               | 106210              | 54919          | 1000008        | PS01           | \$137,500     |
| 2028-29            | 1010               | 106210              | 54919          | 1000008        | PS01           | \$137,500     |
| 2029-30            | 1010               | 106210              | 54919          | 1000008        | PS01           | \$137,500     |

### **PUBLIC OUTREACH / INTEREST**

This item did not require any additional public outreach other than the required posting on the City's website.

### **COORDINATION**

Staff collaborated with the Budget Bureau and the Office of the City Attorney.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** There are no economic opportunities are identified in this report. However, professional advice and counseling services, including stress debriefing, may enhance the City's risk management strategies.

**Environmental:** There are no environmental opportunities are identified in this report.

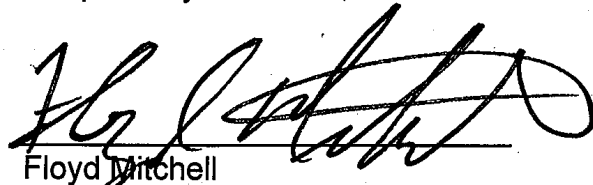
**Race & Equity:** Professional advice and counsel related to mental health and behavioral science issues provided to OPD Command Staff and psychological counseling services provided to sworn and professional employees following traumatic events benefit the entire community.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That City Council Adopt A Resolution 1) Authorizing The City Administrator To Enter Into A Professional Services Agreement With Michael Palmertree, Marriage Family Therapist, To Provide Behavioral Science Consultation And Training Services To The Oakland Police Department From July 1, 2025, To June 30, 2030, In An Amount Not To Exceed Six Hundred Eighty-Seven Thousand Five Hundred Dollars (\$687,500); And 2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q), And The Local/Small Local Business Enterprise Program Requirements.

For questions regarding this report, please contact Thomas Sotto, Lieutenant, at [tsotto@oaklandca.gov](mailto:tsotto@oaklandca.gov).

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Floyd Mitchell, Chief of Police.

Floyd Mitchell  
Chief of Police  
Oakland Police Department

Reviewed by:

Lisa Ausmus, Deputy Chief  
Oakland Police Department

Thomas Sotto, Lieutenant  
Oakland Police Department

Prepared by:

Dr. Tracey Jones, Police Services Manager  
Research and Planning