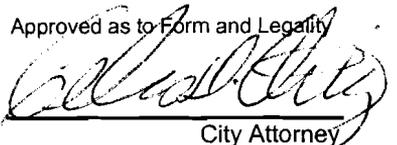


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 JAN 29 PM 5:51

Approved as to Form and Legality



City Attorney

**OAKLAND CITY COUNCIL**  
81785

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION WAIVING THE REQUEST FOR PROPOSAL OR  
QUALIFICATIONS SELECTION PROCESS FOR A  
PROFESSIONAL SERVICES CONTRACT WITH A QUALIFIED  
LAW ENFORCEMENT EXECUTIVE SEARCH FIRM TO  
CONDUCT A NATIONWIDE SEARCH AND RECRUITMENT FOR  
THE POSITION OF CHIEF OF POLICE OF THE OAKLAND  
POLICE DEPARTMENT FOR AN AMOUNT NOT TO EXCEED  
\$50,000.00**

**WHEREAS**, the City Council and the Mayor have identified public safety as the number one issue facing the City of Oakland; and

**WHEREAS**, with the announced resignation of the current Chief of Police of the Oakland Police Department (OPD) the search for the next Police Chief is of paramount importance; and

**WHEREAS**, in order to conduct a comprehensive nationwide search to find candidates who meet the criteria and possess the talents, skills, and fortitude necessary for the position of Oakland Police Chief the City wishes to contract with a firm that specializes in searches for law enforcement executives; and

**WHEREAS**, the City's Purchasing Ordinance, (Oakland Municipal Code ("OMC") Chapter 2.04) authorizes the City Administrator to execute professional services contracts up to \$150,000 without Council approval provided that a competitive Request for Proposals/Request for Qualifications ("RFP/RFQ") selection process is conducted for professional services contracts in excess of \$25,000 (OMC section 2.04.051(A) ), or provided that the Council waives the RFP/RFQ competitive selection requirement (OMC section 2.04.051(B) ); and

**WHEREAS**, the completion of the competitive RFP/RFQ selection process would delay the process for hiring a new Chief of Police; and

**WHEREAS**, it is necessary that the City enter into a contract immediately so that the City will be able to complete a thorough search and begin interviewing candidates; and

**WHEREAS**, the City Council finds that this contract is for services of a professional nature;

and

**WHEREAS**, the City Council finds that the service is temporary in nature; and

**WHEREAS**, the City Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That, pursuant to Oakland Municipal Code Section 2.04.051.B and for the reasons stated above, the City Council finds that it is in the City's best interests to waive the competitive RFP/RFQ selection process for a contract with a qualified law enforcement recruitment firm to conduct a nationwide search and recruitment for the position of Chief of Police in an amount up to \$50,000.00, and so waives the requirement; and be it

**FURTHER RESOLVED:** That the Office of the City Attorney will approve the contract as to form and legality and a copy shall be placed on file with the Office of the City Clerk

FEB 3 2009

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~BROOKS~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER -7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:

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