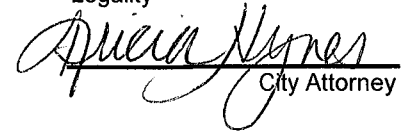


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2018 NOV 27 AM 9:54

RESOLUTION No. _____ C.M.S.

Approved as to Form and
Legality


City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR
DESIGNEE TO ENTER INTO A MEMORANDUM OF
UNDERSTANDING (MOU) WITH THE UNITED STATES
DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT
ADMINISTRATION (DEA) TO FORM THE OAKLAND POLICE
DEPARTMENT (OPD) DEA TASK FORCE GROUP (TASK
FORCE) TO COLLABORATE ON INFORMATION SHARING AND
FOCUSED OPERATIONS TO DISRUPT ILLEGAL DRUG
ACTIVITY OCCURRING IN THE CITY OF OAKLAND, FROM
OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019**

WHEREAS, there are many types of drugs and narcotics listed as illegal to possess, use, manufacture, or sell anywhere in the United States (US) under the 1970 US Controlled Substances Act (CSA); and

WHEREAS, there is an established nexus between the use, manufacture, and sale of illegal narcotics and violent crime in Oakland; and

WHEREAS, the mission of the DEA is to “enforce the controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations, involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets;” and

WHEREAS, OPD officers assigned to the DEA Task Force shall adhere to Taskforce policies and procedures, as well as OPD policies and procedures; failure to adhere to the most restrictive policies and procedures shall be grounds for dismissal from the Taskforce, and shall subject the OPD officers to administrative action by OPD; and

WHEREAS, Article V, Section 504(l) of the City Charter requires that the City Council authorize the City Administrator or designee to enter into an agreement between the City and other agency or organization; therefore, be it

RESOLVED: That the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation

required to execute, modify, extend and/or amend the MOU without returning to the City Council; and be it

FURTHER RESOLVED: that the initial duration period of the MOU between OPD and the DEA shall be October 1, 2018 through September 30, 2019; and be it

FURTHER RESOLVED: funds paid by the DEA to OPD will be deposited into Fund 2999, Org 102310, Account 46129, Project TBD, and Program PS03; and be it

FURTHER RESOLVED: that the City Administrator is authorized to accept and appropriate any reimbursements for overtime expenses without returning to the City Council; and be it

FURTHER RESOLVED: that OPD shall comply with all relevant federal laws, such as Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and rules related to lobbying, debarment, suspension, and a drug-free workspace; and be it

FURTHER RESOLVED: That in accordance with Article IV, Section 401(6) of the City Charter, the MOU authorized by this resolution shall be approved by as to form and legality before execution, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, GIBSON MCELHANEY AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California