

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2007 SEP 13 PM 3:56

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: September 25, 2007

Re: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Grant Funds in an Amount Not to Exceed Five Hundred Thirty-Nine Thousand Nine Hundred and Seventy-Four Dollars (\$539,974) from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Program to Supplement Frontline Policing Services, and Authorizing a Waiver of the Request for Proposal Process for a Contract for Service in an Amount Not to Exceed Eighty Thousand Dollars (\$80,000) with the Oakland Police Activities League for Implementation of the Oakland Midnight Basketball Program, and Appropriate Said Funds to the Police Department

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate a grant in an amount not to exceed \$539,974 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Program; formerly the Local Law Enforcement Block Grant (LLEBG) program; to supplement frontline policing services; examples of which are Field-Based Reporting and the In-Car Video project.. The resolution also authorizes a waiver of the Request for Proposal process to facilitate a contract for services with the Oakland Police Activities League (Oakland PAL) in an amount not to exceed \$80,000 for implementation of the Oakland Midnight Basketball program. The proposed program period is July 1, 2007 through June 30, 2008.

FISCAL IMPACT

Approval of the proposed resolution will authorize the application, acceptance, and appropriation of U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance grant program funds for the Police Department's JAG program for the program term of July 1, 2007 through June 30, 2008, in the estimated amount of \$539,974. Funding will be appropriated to the Federal Grant Fund (2112); Bureau of Administration Division Org. (106110); Bureau of Administration Division Program (PS01), in a Project Account to be determined. The funding agency does not require a matching funds component. The program will be managed by the Deputy Director for the Bureau of Administration. Proposed expense allocations are as follows:

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Source of Funds	Funding Amount
Oakland Midnight Basketball (OMB) Program:	
Oakland Police Activities League (Contract for Service)	80,000
Site Directors (Staff Overtime – OPD and Parks and Recreation)	71,901
OPD Security / Park Rangers (Staff Overtime)	66,316
Subtotal: OMB Program	218,217
In-Car Video Cameras (25 Cameras x \$8,000/ea)	200,000
Equipment Installation Charges (25 Cameras x \$600/ea)	15,000
Sales Tax (215,000 x 8.75%)	18,812
Subtotal: In-Car Video	232,812
Field-Based Reporting (FBR) – Laptops (10/Units x \$2,485/ea)	24,850
Vision Tech Software (10/Units x \$1,600/ea)	16,000
Radio IP, Odyssey, and Afraria Software (10/Units x \$790/ea)	7,900
Power Vu System (10/Units x \$125/ea)	1,250
Sales Tax (50,000 x 8.75%)	4,375
Subtotal: FBR	54,375
General Office Supplies	932
Accountancy O/T Services	5,670
Central Services Overhead (143,887 x 17.77%)	25,568
City-Mandated Contract Assessment Fee (80,000 x 3%)	2,400
Grand Total:	\$539,974

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Interest earned on the federal portion of the grant must be appropriated to the JAG program and expended in accordance with the approved spending plan. The proposed resolution includes a request for the City Council to appropriate the interest earned to the JAG Project Account.

BACKGROUND

For the 12th year, the City of Oakland has been awarded funding from the U.S. Department of Justice, Bureau of Justice Assistance, Justice Assistance Grant (JAG) program. The JAG combined the previous individual Edward Byrne and Local Law Enforcement Block Grant (LLEBG) programs to afford applicant agencies with additional flexibility to prioritize and place justice funds where they are needed most; namely, in alignment with frontline policing services.

KEY ISSUES AND IMPACTS

Competitive RFP Waiver Justification: Oakland Police Activities League

The enactment of the Oakland Midnight Basketball (OMB) program is predicated upon a collaborative partnership between the City of Oakland and the Oakland Police Activities League (Oakland PAL); with Oakland PAL having primary, day-to-day administrative responsibilities relative to enactment of the OMB program. This collaborative relationship was readily outlined within the context of the Department's original grant application (spending plan) submission to the U.S. Department of Justice, Bureau of Justice Assistance. It should also be noted that the Department has worked on a number of previous, highly successful enactments of the Oakland Midnight Basketball program in collaboration with Oakland PAL.

For these reasons, the Police Department is requesting a waiver of the Request for Proposal process to facilitate the development of a contract for service with Safe Passages.

Oakland Midnight Basketball Program

The Oakland Midnight Basketball Program is an afterschool and weekend project coordinated through the joint efforts of the Oakland Police Department (OPD) and the Oakland Police Activities League (Oakland PAL). The target population is at-risk, low to middle income teenagers and young adults between the ages of 14-25. Program participants are male and female, and come from all Oakland City Council districts.

The Oakland Midnight Basketball Program will provide youth violence prevention services through recreation/fitness, outreach, and personal and leadership development to approximately three hundred (300) teenagers and young adults who reside in Oakland. The program will help youth to recognize and avoid destructive influences (centered around violence) in their school,

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personal, social and family lives centered around violence, premature sexual behavior, truancy, delinquency, drug use, social interaction and overall personal well-being. The program also enacts initiatives and service components aimed at preventing youth violence and youths' subsequent entry into the juvenile justice system. The program will accomplish these tasks by meeting the following program goals for at-risk youth participants:

- Reduce juvenile delinquency
- Provide general guidance and support in a safe, well-structured environment
- Promote personal and social responsibility
- Discourage use of illegal drugs and firearms, involvement in violence, and other delinquent activity
- Encourage participation in community service activities

There are five basic elements to the Oakland Midnight Basketball (OMB) Program: recreation/fitness, outreach, personal and leadership development, information and referral. The program design is centered around safe, late evening organized basketball sessions that provide a healthy, constructive alternative to “hanging out” on the streets, combined with personal development and outreach activities.

Basketball is the “hook” that attracts young adults on a regular basis, enabling OMB to provide weekly personal development exercises and build trusting relationships, ultimately linking teens and young adults to other program offerings. Outreach activities and community events, which take place prior to each basketball session, allow the OMB program to establish relationships and continuity with participants.

The program will be implemented in two separate 12-week sessions, with enrollment openings in each session of approximately 150 participants. The first session will be conducted in October-December, 2007 and the second in March – May 2008. It is estimated that 75% of the project participants will be male; 25% female.

Recreation/Fitness

Free organized basketball leagues, managed by the OPD and coordinated through Oakland PAL will operate on Friday nights (men's sessions) and Saturday nights (women's sessions). Coaches will be assigned to coordinate optional weekly practices with their teams.

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Personal Development Workshops

Participants are required to attend weekly pre-recreational workshops. The pre-game workshops cover a range of topics, such as leadership development, life skills, employment training, parenting skills and anger management.

Outreach

Outreach efforts are designed to inform and educate participants; identify needs and interests; facilitate the use and delivery of community service efforts, and to foster a sense of community belonging. All outreach activities place emphasis on identifying and recruiting at-risk and underserved teenagers and young adults, including those in group homes, on probation or parole, truants and the unemployed. Female participants who are not already engaged in organized sports or with little or no basketball experience are especially recruited. Fliers, mailings, community meetings, radio announcements and peer word-of-mouth will contribute to the overall outreach process.

Information/Referral

Participants receive an initial assessment to identify potential service needs and personal interests through one-to-one discussions, surveys, information provided on registration forms and direct requests. Related efforts focus on individual goal setting and strategies, identifying and addressing personal barriers, assessing potential layers of support, and appropriate/available resources and services.

In-Car Video Project

For several years, law enforcement agencies across the United States have explored means of documenting accurate portrayals of department personnel's interactions with the public. As technology has advanced, so have the capabilities of departments to successfully use technology to enhance their investigative powers. One law enforcement technology that has attracted widespread attention is In-Car Video (ICV).

Each year in Oakland, lawsuits and complaints are filed against the City and the Oakland Police Department (OPD) which accuse officers of inappropriate behavior during citizen interactions. One recent, highly publicized example of this was the "Riders" case. As a result of the Settlement Agreement that arose from the case, the OPD developed several policies to reduce allegations of officer misconduct, but these efforts still lack the tools necessary to gather and utilize evidence appropriately for misconduct investigations. To address the problem of inadequate evidence, the Department is proposing the purchase of an In-Car Video system. To

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date, no similar technological devices are used by our agency in order to address this issue. Further, the Department has been unable to purchase equipment of this type due to internal budgetary constraints; a matter that can only be rectified with the benefit of this direct federal assistance.

Overview of ICV System Technology

All ICV systems (both analog and digital) contain a camera, mounted either on a vehicle dashboard or the windshield, which is connected to a control device that allows an officer to turn the system on and off and zoom the camera in or out. Most systems also have a monitor attached, to show what is being recorded and to view a playback. The VCR, or hard drive, is located in a locked box inside the trunk or under the seat of the vehicle. Audio can be recorded by remote microphones worn by officers. Audio-enabled systems automatically begin recording when the emergency lights are activated, but can also be manually turned on by an officer. The recording ends when the lights are turned off or the officer manually turns off the audio record system.

The Department shall use a portion of the FY 2007 Justice Assistance Grant program funds to further supplement costs associated with the In-Car Video (ICV) system. *(The Department previously acquired, and positioned, more than \$1.6 million dollars to cover costs associated with the implementation of the In-Car Video System through Authorizing Resolution Number 80127 C.M.S., dated September 19, 2006, Legistar No. 06-0665.)* The ICV system allows officers to capture video of traffic stops and criminal activity in progress. The system also transmits live video images and audio from the patrol vehicle(s) to the Police Administration Building, or other select law enforcement location(s), in near real time. This feature minimizes the handling of evidence by personnel, which will save time and money by eliminating the need for additional policy and protocol to maintain evidentiary security.

Field-Based Reporting

In 2006, the Oakland Police Department implemented Field Based Reporting (FBR) as the last component of the Information Police Safety System (IPSS) System, which was designed for better response to major catastrophic incidents. The purpose of the implementation of FBR into IPSS is the integration of all information stored on the IPSS Server, which consists of the Local Records Management System (LRMS), Computer Aided Dispatch (CAD), and FBR. IPSS increases productivity, reduces tasks necessary to maintain this information, and ensures the security of the information. The Field Based Reporting system allows Police Officers to transmit reports wirelessly from the field onto the IPSS Server. Additionally, Field Based Reporting linked together with the Mobile Data Application, allows Police Officers to import CAD information into their reports; minimizing redundant data entry and increasing Police

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Officer efficiency. This system will significantly enhance information accuracy and reliability by eliminating paper processing.

During the Department's implementation of the Field-Based Reporting (FBR) initiative, it was realized that the current Mobile Data Terminals (MDT) did not provide front-line Police Officers with the up-to-date tools necessary to gather and process criminal data without physical limitations. Officer's activities were limited to their patrol cars, impeding positive interactions with the community. Patrol Officers must be able to verify and analyze critical data elements in the field. Data must be capable of being transmitted back to the Officers and other front line responders through high-speed wireless networks, especially in the high alert environment in which officers currently operate.

Laptop based systems will provide the Oakland Police Department mobility, flexibility, and sense of security with improved data and enhanced intelligence collection and fast processing capabilities. It will increase and significantly improve the City's capability to address community policing problems by capitalizing on technological advancements. Further, implementation of the FBR initiative will provide Police Officers with instant communication capabilities and provide critical updates during major incidents.

SUSTAINABLE OPPORTUNITIES

Economic

Whenever possible, supplies and equipment used for the project will be purchased locally.

Environmental

There are no environmental issues associated with this report.

Social Equity

The Police Department's use of the Field-Based Reporting project and In-Car Video Management System could dramatically reduce the number of lawsuits filed against the City of Oakland. Youth advocacy services provided through the Oakland Midnight Basketball program will greatly assist in police-community relations.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no ADA or senior citizen access issues contained in this report.

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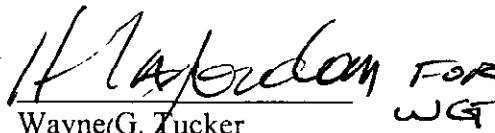
RECOMMENDATION

The Oakland Police Department recommends that the City Council adopt the resolution and authorize the City Administrator to accept grant funds in an amount not to exceed \$539,974 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Justice Assistance Grant Program in support of frontline policing services. The Department also recommends that the City Council authorize a waiver of the Request for Proposal process and authorize a contract for service in an amount not to exceed \$80,000 with the Oakland Police Activities League for implementation of the Oakland Midnight Basketball program.

ACTION REQUESTED BY THE CITY COUNCIL

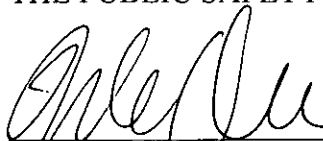
Staff recommends that the City Council approve the amended resolution.

Respectfully submitted,

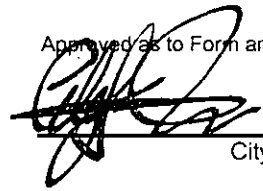

Wayne G. Tucker FOR
Chief of Police WGT

Prepared by: Candice Jessie
Budget and Grants Administrator
Bureau of Administration

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

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RESOLUTION No. _____ C.M.S.
2007 SEP 13 PM 3:56

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THIRTY-NINE THOUSAND NINE HUNDRED AND SEVENTY-FOUR DOLLARS (\$539,974) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO SUPPLEMENT FRONTLINE POLICING SERVICES, AND AUTHORIZING A WAIVER OF THE REQUEST FOR PROPOSAL PROCESS FOR A CONTRACT FOR SERVICE IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000) WITH THE OAKLAND POLICE ACTIVITIES LEAGUE FOR IMPLEMENTATION OF THE OAKLAND MIDNIGHT BASKETBALL PROGRAM, AND APPROPRIATE SAID FUNDS TO THE POLICE DEPARTMENT

WHEREAS, it is anticipated that grant funds totaling up to \$539,974 will be received from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant (JAG) Program, for frontline policing services in the Police Department; and

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance, provides funding through the Edward Byrne Memorial Justice Assistance Grant program to units of local government for the purpose of reducing crime and improving public safety; and

WHEREAS, the proposed program period for the initiative is July 1, 2007 through June 30, 2008; and

WHEREAS, the Government Code requires that the Chief of Police request the local jurisdiction's legislative body to appropriate said funds solely for front line law enforcement services in accordance with the Chief's spending plan; and

WHEREAS, Government Code Section 30062(d) defines front-line law enforcement services to include community crime prevention programs; and

WHEREAS, the proposed spending plan will facilitate the City Council's goal of crime reduction through City-wide community policing and other strategies; and

WHEREAS, the sum of \$539,974 in FY 2007 Justice Assistance grant funds received must be allocated in accordance with the JAG spending plan; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 80128 C.M.S. dated September 19, 2006, Resolution No. 79764 C.M.S. dated March 7, 2006, and Resolution No. 79378 C.M.S. dated July 19, 2005; and

WHEREAS, the Police Department requests a waiver of the Request for Proposal process because the original proposal submission to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, specifically cited a collaborative program partnership between the City of Oakland and the Oakland Police Activities League for the delivery of the Oakland Midnight Basketball Program; and

WHEREAS, the Department desires to enter into a contract for service with the Oakland Police Activities League for an amount not to exceed eighty thousand dollars (\$80,000) for implementation of the Oakland Midnight Basketball program, to be funded by the grant; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement with the Oakland Police Activities League authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds the agreement with the Oakland Police Activities League shall not result in a loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Council does hereby implement the provisions of the California Government Code by accepting and increasing estimated revenues and appropriations to the Police Department by \$539,974 in Justice Assistance Grant funds, plus accrued interest earnings, in accordance with the spending plan; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the Request for Proposal process on the basis of the findings set forth in the Police Department's report accompanying this resolution with regard to the contract with the Oakland Police Activities League for the implementation of the Oakland Midnight Basketball program; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to accept and appropriate a grant in an amount not to exceed \$539,974 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistant Grant (JAG) Program, to be allocated to the Federal Grant Fund (2112): Bureau of Administration Division Org. (106110); Bureau of Administration Division Program (PS01), in a Project Account to be determined; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to enter into a contract for service with the Oakland Police Activities League in an amount not to exceed \$80,000 for the implementation of the Oakland Midnight Basketball program, to be funded by the grant, and be it

FURTHER RESOLVED: That grant funds received for the Justice Assistance Grant program shall not be used to supplant expenditures controlled by the City of Oakland; and be it

FURTHER RESOLVED: That the Bureau of Administration shall provide all required reports regarding the JAG funds, as specified in the California Government Code; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and contract for service; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with the Oakland Police Activities League (Oakland PAL) 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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