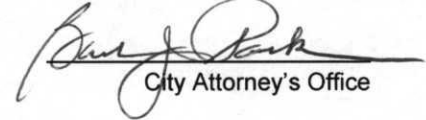


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
City Attorney's Office

2014 MAY 22 PM 5:21 OAKLAND CITY COUNCIL

RESOLUTION NO. 85040 C.M.S.

INTRODUCED BY CITY ADMINISTRATOR FRED GLOVER BLACKWELL

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE CITY AND CHIEF OF POLICE SEAN WHENT FOR THE FOUR-YEAR TERM OF MAY 14, 2014 THROUGH MAY 13, 2018 AND TOTAL ANNUAL COMPENSATION OF \$262,879.21 WHICH INCLUDES AN ANNUAL SALARY OF \$226,438.44, THE TOP OF THE SALARY RANGE FOR THE CHIEF OF POLICE CLASSIFICATION, AND PREMIUM PAY REQUIRED BY THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE OAKLAND POLICE MANAGEMENT ASSOCIATION IN THE AMOUNT OF \$36,440.76**

**WHEREAS**, the City Administrator appointed Sean Whent as Interim Chief of Police for the City of Oakland and he has served in that capacity for the last year; and

**WHEREAS**, during his tenure the City has seen significant gains in terms of achieving compliance with the Negotiated Settlement Agreement pertaining to the *Delphine Allen v. City of Oakland* litigation, commonly referred to as the Riders case, and crime reduction; and

**WHEREAS**, the City Administration conducted a nationwide recruitment for a permanent Police Chief and Chief Whent successfully competed for the post; and

**WHEREAS**, on May 14, 2014, Interim City Administrator Fred Glover Blackwell appointed Interim Police Chief Whent as permanent Police Chief for the Oakland Police Department; and

**WHEREAS**, City Administrator Blackwell has negotiated an employment agreement with Chief Whent that requires the City Council's approval of the four-year contract term and authorization to pay Chief Whent the salary at the top of the range for the Chief of Police classification; and

**WHEREAS**, the City Administrator has authority under the City's Salary Ordinance to grant Chief Whent terms provided under the Memorandum of Understanding between the City and the Oakland Police Management Association ("MOU") which includes annual premium pay totaling \$36,440.76 based on Longevity premium of \$1675.00, Uniform Allowance of \$800 and 5% premium currently in the amount of \$11,321.92 for each of the following: Peace Officers Training and Standards Certification, a Bachelor's Degree, and a Master's Degree; and

**WHEREAS**, the Salary Ordinance No. 12187 empowers the City Administrator to grant the Chief of Police up to six months' severance to be paid if the City terminates his employment without good cause before the expiration of the employment agreement, provided he has completed at least 10 years of service and Ordinance No. 12903 requires that the Council authorize a salary above the midpoint of the salary range for department heads; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator to execute an employment agreement with Police Chief Sean Whent for a four-year term beginning on May 14, 2014 and ending at midnight on May 13, 2018 with an annual salary of \$226,438.44 which is the top of the salary range for the Chief of Police classification; and be it

**FURTHER RESOLVED:** That in accordance with the MOU and City policies, the employment agreement will provide (1) four months of salary as severance pay if the City terminates Chief Whent's employment as Police Chief without cause before the end of the term, (2) cost of living and other salary increases provided under current or successor MOUs, (3) premiums provided under the MOU or successor MOUs for longevity, Bachelor's and Master's degrees, uniform allowance and Peace Officers Standards and Training Certifications, (4) use of a City vehicle, and (5) other benefits provided for executive employees; and be it

**FURTHER RESOLVED:** That the current total annual compensation including salary and premium pay is \$262,879.21; and be it

**FURTHER RESOLVED:** That the employment agreement must be approved as to form and legality by the City Attorney before the City Administrator executes it and a copy of the executed agreement shall be lodged with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,  
PASSED BY THE FOLLOWING VOTE:

JUN 3 2014

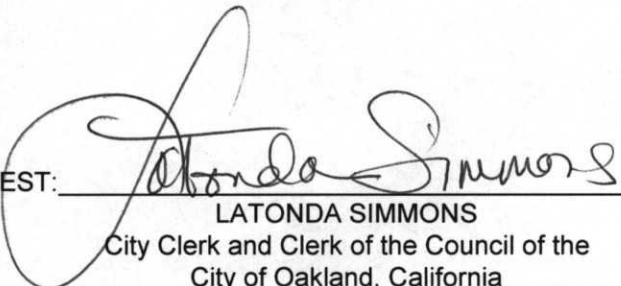
AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND  
PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California