

# OAKLAND CITY COUNCIL

Approved as to Form and Legality

*Barbara J. Stulen*  
Office of the City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

RESOLUTION No. 81104 C.M.S.

08 MAR 25 PM 3:57

## Resolution Authorizing:

- 1) A Transfer Of Existing Appropriations Of Measure Y Funds In An Amount Not To Exceed Seven Million Seven Hundred Twenty-Two Thousand Three Hundred And Thirty Nine Dollars (\$7,722,339) To Implement The 2008 Augmented Measure Y Police Recruitment Program;
- 2) Waiving Advertising And Bidding For The Purchase Of Ammunition, Firearms, Advertising Services, And Travel Services Authorized Below;
- 3) Waiving The Requests For Proposal/Qualifications Process For The Purchase Of Recruitment Services And Other Professional Services Needed To Expedite The Hiring And Training Of Police Recruits Authorized Below;
- 4) Authorizing The City Administrator To Purchase: Ammunition In An Estimated Amount Of Three Hundred Fifty Thousand Dollars (\$350,000 \$127,000 Of This Amount Was Previously Allocated From Non-Measure Y Funds), Firearms In An Estimated Amount Of One Hundred And Fifty Six Thousand (\$156,000), Travel Services In An Estimated Amount Of One Hundred Thirty Eight Thousand Four Hundred Sixty Four Dollars (\$138,464), , Recruitment Services In An Estimated Amount Of Sixty Two Thousand Three Hundred Thirteen Dollars (\$62,313), And Other Professional Services Needed To Expedite The Hiring And Training Of Police Recruits In An Estimated Amount Of Five Million Six Hundred Forty Two Thousand Five Hundred Sixty Two Dollars (\$5,642,562), Without Return To Council;
- 5) Waiving Local And Small Local Business Enterprise Requirements For Advertising, Recruitment, Firearm And Ammunition Purchases;
- 6) One Million Five Hundred Thousand Dollars (\$1,500,000) For (i)The Purchase Of Advertising Services For Recruitment Without Returning To Council And (ii) For Hiring Bonuses

**WHEREAS**, Oakland's crime and violence rates are intolerable as residents from every neighborhood are experiencing increased fear for their safety; and

**WHEREAS**, comparative analysis with other jurisdictions and recent studies discussing Oakland's crime reduction challenges all point to inadequate police staffing as a one of the City's most significant roadblocks.; and

**WHEREAS**, since the implementation of Measure Y in 2005, an aggressive recruitment campaign has been conducted, however the Police Department has not reached its fully authorized strength and critical community policing positions remain un staffed; and

**WHEREAS**, the only strategy to break through the current hiring/retiring revolving door that is preventing the City from achieving a fully staffed Police Department is to engage in a significantly augmented recruitment drive that rapidly brings the number of new officers on the force that Measure Y voters envisioned; and

**WHEREAS**, without engaging in an intensive recruitment drive that brings police officers onto the force at a higher rate than officers leave, augmented policing services will remain a perpetually elusive goal; and

**WHEREAS**, the Office of the Mayor, the Oakland Police Department (OPD), and the Finance Management Agency, Office of Personnel Resource Management (OPRM) will significantly expand the City's ability to recruit officers, compete more successfully in the highly competitive law enforcement job markets, and enhance the City's efficiency in recruitment; and

**WHEREAS**, City Charter section 808(a) and Oakland Municipal Code 2.04.050.1 authorize the City Council to waive competitive bidding and advertising for purchase of goods, materials and equipment when upon the determination of the Council such waiver is in the best interests of the City (O.M.C. §2.04.050.1.5); and

**WHEREAS**, Oakland Municipal Code 2.04.051.B authorizes the City Council to waive the competitive request for proposal/qualifications process for purchase of professional services when upon the determination of the Council such waiver is in the best interests of the City (O.M.C. §2.04.050.1.5); and

**WHEREAS**, were the City to conduct advertising and competitive bids for the purchase of ammunition, firearms, recruitment advertising and travel, it would not be timely in that requests for proposal/qualifications and related processes for purchase of these services needed for the hiring and training of new police recruits would delay unduly the City's ability to compete in the marketplace and would significantly delay the police recruit hiring and training program for 2008; and

**WHEREAS**, an appropriation from the Measure Y Fund Balance for Police Services is required to effectively carry out the recruiting and hiring strategies necessary to attain the augmented policing services intended by Measure Y; and

**WHEREAS**, hiring, including recruiting, Measure Y police officers is an appropriate use of the Measure Y Police Services Fund Balance; and

**WHEREAS**, sufficient funding is available in the Measure Y Fund Balance for Police Services without impacting the Measure Y fire services fund or violence prevention funding as the Measure Y Police Services Fund Balance currently totals over \$17 million; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or her designee, to transfer existing appropriations of Measure Y Funds in amount not to exceed Seven Million Seven Hundred Twenty Two Thousand Three Hundred Thirty Nine Dollars (\$7,722,339) to Fund 2251, Organizations 05111, 103430 and 106610 in a project to be determined for Police Services and authorize the Oakland Police Department and Office of Personnel Resource Management to fully implement the 2008 Augmented Police Recruitment Program; and be it

**FURTHER RESOLVED:** That such transfer shall be appropriated pursuant to the attached budget; and be it

**FURTHER RESOLVED:** That the bonuses for lateral transfers shall be in the amount of \$25,000 for lateral transfers for up to 20 laterals, with a requirement that the transferees stay with the Oakland Police Department for a minimum of five years

**FURTHER RESOLVED:** That as a condition of this transfer, the City Administration shall provide monthly actionable reports to the public safety committee with specific implementation status of each aspect of the recruitment plan including a tracking mechanism of the budget and balances and whether they are used for Measure Y or Non-Measure Y purposes; and be it

**FURTHER RESOLVED:** That to the extent that any Measure Y funds advanced for the recruitment are used for the hiring of non-Measure Y officers, the General Fund shall reimburse the Measure Y Fund for the equitable and proportionate costs of the recruitment of the non-Measure Y officer; and be it

**FURTHER RESOLVED:** That pursuant to City Charter section 808(a) and Oakland Municipal Code 2.04.050.1.5 and findings contained in the City Administrator's report accompanying this resolution,

the City Council hereby finds and determines that it is in the best interests of the City to waive advertising and bidding for the purchase of 1) ammunition, 2) firearms, 3) recruitment advertising and 4) travel needed to accelerate the hiring and training of police recruits and so waives these requirements; and be it

**FURTHER RESOLVED:** That pursuant to Oakland Municipal Code 2.04.05LB and findings contained in the City Administrator's report accompanying this resolution, the City Council hereby finds and determines that it is in the best interests of the City to waive the City's competitive request for proposal/qualifications process for the purchase of recruitment and other professional services needed to accelerate the hiring and training of police recruits and so waives these requirements; and be it

**FURTHER RESOLVED:** That the City Council hereby finds and determines that it is in the best interests of the City to waive the Local and Small Local Business purchasing requirements for advertising, recruitment, firearms and ammunition purchases; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to select vendors and award contracts for the purchase of 1) ammunition in an estimated amount of Three Hundred Fifty Thousand Dollars (\$350,000.00 - \$127,000 of this amount was previously allocated from non-Measure Y funds)), 2) firearms in an estimated amount of One Hundred and Fifty Six Thousand Dollars (\$156,000.00), and 3) travel services in an estimated amount of One Hundred Thirty Eight Thousand Four Hundred Sixty Four Dollars (\$138,464.00), without return to Council; and be it

**FURTHER RESOLVED:** That the City Council authorizes One Million five Hundred Thousand Dollars ((\$1,500,000.00) of Measure Y funds to be used by the City Administrator 1) to purchase advertising services for recruitment without return to Council, and 2) for hiring bonuses; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to select and award contracts for the purchase of 1) recruitment services in an estimated amount of Sixty Two Thousand Three Hundred and Thirteen Dollars (\$62,313.00), and other professional services needed to expedite the hiring and training of police recruits in an estimated amount of Five Million Six Hundred Forty Two Thousand Five Hundred Sixty Two Dollars (\$5,642,562.00), without return to Council; and be it

**FURTHER RESOLVED:** That, except for the Local and Small Local Business Enterprise program, contractors will be required to comply with all other purchasing programs such as Living Wage, Equal Benefits, Prompt Payment, etc.; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator, or her designee, to execute any further documents necessary to implement this resolution; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to modify, extend, or amend said agreement, provided that no additional funds shall be allocated without prior Council approval.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 4 2008, 20    

PASSED BY THE FOLLOWING VOTE:


AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND  
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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