

**OAKLAND CITY COUNCIL**

OFFICE OF THE CITY CLERK  
OAKLAND

**RESOLUTION No. 84117 C.M.S.**

2012 NOV 15 AM 10:09

*Priscilla Hyatt*  
City Attorney

**RESOLUTION AMENDING RESOLUTION NUMBER 83756 C.M.S., WHICH ACCEPTED AND APPROPRIATED STATE OF CALIFORNIA CORRECTIONS STANDARDS AUTHORITY TITLE II FORMULA GRANT PROGRAM FUNDS (TITLE II GRANT FUNDS) IN THE AMOUNT OF ONE HUNDRED SEVENTY TWO THOUSAND ONE HUNDRED FORTY ONE DOLLARS (\$172,141) FOR THE OAKLAND YOUTH COURT AND AUTHORIZED A PROFESSIONAL SERVICES AGREEMENT WITH MCCULLUM YOUTH COURT CORPORATION TO ADMINISTER AND OPERATE THE PROGRAM, TO:**

- 1) AUTHORIZE A SERVICES AGREEMENT WITH CENTERFORCE CORPORATION (CENTERFORCE), IN AN AMOUNT NOT TO EXCEED EIGHTY THREE THOUSAND SIX HUNDRED AND THIRTY EIGHT DOLLARS (\$83,638) FOR THE PERIOD JULY 20, 2012 THROUGH DECEMBER 31, 2012 FOR THE ADMINISTRATION AND OPERATION OF THE OAKLAND YOUTH COURT PROGRAM; AND**
- 2) WAIVE THE ADVERTISING AND REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS FOR THE PROPOSED 2012 CENTERFORCE AGREEMENT;**

**WHEREAS**, on March 20, 2012, via Resolution Number 83756 C.M.S. (Resolution 83756), Council authorized the City Administrator to accept and appropriate State of California Corrections Standards Authority Title II Formula Grant Program funds (Title II grant funds) in an amount of one hundred seventy two thousand one hundred forty one dollars \$172,141) for the continued administration and operation of the Oakland Youth Court; and

**WHEREAS**, also by Resolution 83756, Council waived the advertising and Request for Proposals/Qualifications (RFP/Q) requirements and authorized a Professional Services Agreement with the McCullum Youth Court Corporation (McCullum Youth Court), a non-profit organization for the period of January 1, 2012 through December 31, 2012, with two one-year options to extend, in an amount not to exceed eighty-three thousand six hundred and thirty-eight dollars (\$83,638) to administer and operate the Oakland Youth Court program; and

**WHEREAS**, Title II grant fund terms prohibit the grantees from entering into Professional Services Agreements where such funds will be appropriated to organizations that are not tax exempt non-profit entities; and

**WHEREAS**, this is the 12th consecutive year the Oakland Police Department has participated with the Oakland Youth Court program in the shared effort to divert youth offenders from the juvenile justice system; and

**WHEREAS**, in May 2012 the City of Oakland and McCullum Youth Court were poised to enter into a professional services agreement (proposed 2012 McCullum agreement) whereby McCullum would have administered and operated the Oakland Youth Court Program and the City would have dispersed Title II grant funds to McCullum for reimbursement of services provided; and

**WHEREAS**, due to lack of adequate funding, McCullum Youth Court has ceased all administration, operation and management of the Oakland Youth Court program and is relinquishing its non-profit tax exempt legal status and will be dissolving; and

**WHEREAS**, the McCullum Youth Court first notified the City that it would not be able to meet its duties pursuant to the proposed 2012 McCullum agreement on June 21, 2012; and

**WHEREAS**, to date McCullum Youth Court has not carried out any services pursuant to the proposed 2012 McCullum agreement and the City has not reimbursed any amount of the total \$83,638 allocated Title II grant funds to McCullum Youth Court; and

**WHEREAS**, staff was not provided with sufficient advance notice of the McCullum Youth Court Corporation's dissolution to conduct the advertising and RFP/Q process to award a new Professional Services Agreement with another entity to carry out the work that McCullum Youth Court had agreed to provide pursuant to the 2012 McCullum agreement; and

**WHEREAS**, the Oakland Youth Court program operations will cease immediately if the proposed contract with CenterForce is not approved at least through the end of December 2012; and

**WHEREAS**, Oakland Municipal Code section 2.04.051.B permits the Council to waive the request for proposal/qualifications ("RFP/Q") requirements upon a finding that it is in the best interest of the City to do so; and

**WHEREAS**, Oakland Municipal Code section 2.04.050.I.5 permits the Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

**WHEREAS**, staff recommends that the City enter into an agreement with the CenterForce Corporation (CenterForce) in an amount not to exceed \$83,638 to administer and operate the Oakland Youth Court program through the end of this year in order to avoid interruption of the Oakland Youth Court program; and

**WHEREAS**, CenterForce has been a national leader that develops and delivers innovative programs geared towards incarcerated individuals and their families that aim to foster transformative experiences during incarceration, promote successful re-entry, and help reduce the risk of re-incarceration; and

**WHEREAS**, CenterForce has the temporal and programmatic experience serving at-risk youth (including *Bay Area Network for Positive Health*; *Peer-Based Health Education Programs*; *the Inside/Out National Summit Conference* that addresses issues of incarceration and reentry from a multi-dimensional framework; *Project START* an intervention program incorporating features of prevention, case management, motivational interviewing, and incremental risk reduction, *MOMS Program*, a post-release program for parenting mothers, and *Safe Transitions*, a model program for recruitment, identification and transitional case management for re-entry African American males over 18 years); and

**WHEREAS**, CenterForce will maintain the integrity, content and continuity of the preexisting Oakland Youth Court program; and

**WHEREAS**, CenterForce also maintains a diverse funding streams sources from both public and private sources; and

**WHEREAS**, staff recommends that it is in the best interests of the City to waive the advertising and the RFP/Q process so that the City Administrator can enter into a Professional Services Agreement with CenterForce for the period of July 20, 2012 through December 31, 2012; and

**WHEREAS**, entering into the proposed Professional Services Agreement with CenterForce shall not result in the loss of employment or salary by any person having permanent status in the competitive services, as required by Oakland Municipal Code 2.04.020.E.3; now, therefore be it

**RESOLVED:** That the City of Oakland desires to continue to participate in the Federal Title II Formula Block Grant Program supported by federal Formula Grant funds and administered by the Corrections Standards Authority (CSA); and be it

**FURTHER RESOLVED:** That the City Council finds that pursuant to Oakland Municipal Code sections 2.04.050.I.5 and 2.04.051.B, for the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the advertising and bidding requirements and the request for proposal/qualifications (RFP/Q) for the services to be provided pursuant to the proposed 2012 agreement with CenterForce Corporation; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator or her designee, on behalf of the City of Oakland to enter into a Professional Services Agreement with CenterForce Corporation (CenterForce) from July 20, 2012 through December 31, 2012 for the administration and operation of the Oakland Youth Court program; and be it

**FURTHER RESOLVED** that federal grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and be it

**FURTHER RESOLVED** that the implementing agency (Oakland Police Department) and partnering entity (CenterForce) agree to abide by the statutes and regulations governing the federal Formula Grants Program as well as the terms and conditions of the Grant Agreement as set forth by the CSA; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and professional services agreements, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk; and be it

**FINALLY RESOLVED:** That the City Attorney shall review and approve said agreement with CenterForce as to form and legality.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 4 2012

**PASSED BY THE FOLLOWING VOTE:**

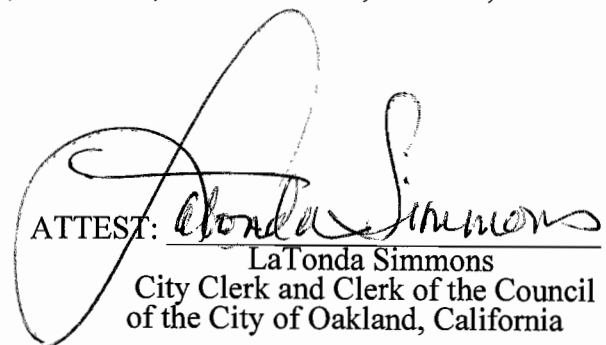
AYES - BROOKS, ~~BRENNER~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brenner - 1

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