

Rocio V. Garcia
City Attorney

10 JUN 23 PM 12: **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO AMEND THE AGREEMENT WITH POLICE PERFORMANCE SOLUTIONS, LLC, THE INDEPENDENT POLICE MONITORING TEAM WHO IS OVERSEEING THE IMPLEMENTATION OF CONTEMPORARY POLICE PRACTICES BY THE OAKLAND POLICE DEPARTMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND THREE HUNDRED TWENTY DOLLARS (\$100,320.00): (1) TO PROVIDE ADDITIONAL TECHNICAL ASSISTANCE TO THE OAKLAND POLICE DEPARTMENT, BEGINNING JUNE 1, 2010 AND ENDING JUNE 30, 2011, AS REQUIRED BY A COURT ORDER ISSUED IN THE MATTER OF *DELPHINE ALLEN, ET AL. V. CITY OF OAKLAND*, USDC CASE NO. COO-4599 THE; (2) AMENDING RESOLUTIONS NO. 82448 C.M.S., WHICH AUTHORIZED A TWO-YEAR CONTRACT WITH SAID MONITORING TEAM UNDER THE NAME OF ALEXANDRIA GROUP OF MPRL, AND NO. 82491 C.M.S. WHICH AUTHORIZED A CHANGE IN THE NAME OF SAID MONITORING TEAM

WHEREAS, on November 3, 2009, the City Council approved the MOU between the City and Police Performance Solutions, which addresses post Negotiated Settlement Agreement terms and conditions allowing for the resolution of Plaintiff's claims for injunctive relief and for dismissal of the action; and

WHEREAS, the NSA expired on January 22, 2010, at which time the narrowed MOU replaced the NSA. By mutual agreement between the parties, Police Performance Solutions was appointed as the Independent Monitor for an additional time period not to exceed two years; and

WHEREAS, on May 27, 2010, Judge Henderson of the United States District Court issued an Order requiring the City to meet and confer with the Monitor and enter into a financial agreement for Police Performance Solutions to provide additional technical assistance to the Department to ensure the Department achieves compliance with the terms of the agreement before the expiration of the MOU; and

WHEREAS, the primary focus of the technical assistance provided by the Monitor will be in the areas of Stop Data collection and Internal Affairs investigations; both areas where the Department has struggled to achieve compliance over the life of the agreement; and

WHEREAS, the work will consist of additional site visits to the Department for the purpose of conducting meetings, training, and consultation with relevant OPD personnel to assist them in reaching compliance with the various requirements of the Agreement; now therefore be it

RESOLVED: That the City Council authorizes the City Administrator to amend the Agreement with Police Performance Solutions, LLC, in an amount not to exceed \$100,320.00, to provide additional technical assistance to the Oakland Police Department, beginning June 1, 2010 and ending June 30, 2011, in order to comply with the May 27, 2010 Federal Court Order; and be it

FURTHER RESOLVED: That funds in the amount of \$100,320.00 required to pay for the additional technical assistance will be drawn from Organization (106110), Fund (2112), Project (G378910) Justice Assistance Grant (JAG); and be it

FURTHER RESOLVED: That Resolution No. 82448 C.M.S., is hereby amended to reflect the agreement with Police Performance Solutions LLC to provide additional technical assistance provided to the Oakland Police Department beginning June 1, 2010 and ending June 30, 2011.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

DATE OF ATTESTATION: _____