

CITY OF OAKLAND

REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

14 DEC 11 PM 1:13

AGENDA

TO: HENRY L. GARDNER
CITY ADMINISTRATOR

FROM: Mayor Jean Quan

SUBJECT: Boards And Commissions Management

DATE: November 19, 2014

City Administrator
Approval

Date

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Adopt A Resolution To Waive Advertising, Bidding and the Request for Proposal/Qualification (“RFP/Q”) Competitive Selection Requirements and Authorize A Contract With Granicus, Inc. In The Amount Of Sixteen Thousand Eight Hundred Dollars (\$16,800.00) Each Year For A Period Of 3 Years with 2 renewal options of 1 year each at the same annual rate, For A Total Contract Amount Of Fifty Thousand Four Hundred Dollars (\$50,400), To Host A Web-based Application To Manage Boards And Commissions Activities Under The Authority Of The Office Of The Mayor In Compliance With The City Charter, The Maddy Act, Brown Act, And Sunshine Ordinance To Promote Effective Management, Transparency, And Compliance In The Mandatory Disclosure Of City Boards And Commissions Membership Activity

EXECUTIVE SUMMARY

Municipal boards and commissions are governed by sections 54970 – 54974 of the government code, referred to as the “Maddy Act”, which sets forth specific requirements for disclosure of membership and vacancy activities of City boards and commissions. Further, section 601 of the City Charter establishes the Mayor of the City of Oakland as the appointment authority for City Boards and Commissions.

The City of Oakland currently has over 33 boards and commissions with independent by-laws, term limits, and quorum requirements requiring significant administrative oversight and coordination to ensure commissions are able to legally function.

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The various boards and commissions are established by many city ordinances which independently set forth the prescribed purposes and purview of the respective commissions. This, in effect, establishes thousands of legal requirements across all governing bodies for the appointment of commissioners, management of seats, and functions of the bodies, which must be examined upon each forthcoming appointment of commissioners.

There currently is no centralized system to streamline recruitment, appointments, and reporting which historically have hindered the work of City governing bodies. The proposed contract provides a system to effectively manage recruitment, monitor membership, quorum activity, advance appointments, and transition membership records to future administrations in accordance with all statutory requirements.

OUTCOME

The proposed contract provides access to systems that will establish consistency in the management of boards and commissions information, centralize essential information to seamlessly transition controls between staff, and provide the public with immediate reporting on commissions' activities in compliance with state and local requirements.

BACKGROUND/LEGISLATIVE HISTORY

Municipal boards and commissions are governed by sections 54970 – 54974 of the government code, referred to as the "Maddy Act", which sets forth specific requirements for disclosure of membership and vacancy activities. Further, section 601 of the City Charter establishes the Mayor of the City of Oakland as the appointment authority for City Boards and Commissions.

The city's boards and commissions are established respectively by many ordinances which independently set forth the prescribed purposes and purview of the respective commissions. This, in effect, establishes thousands of legal requirements across all of these governing bodies for the appointment of commissioners, management of seats, and functions of the bodies, which must be examined upon each forthcoming appointment of a commissioner. With already limited resources, the current workflow causes staff to spend a tremendous amount of time manually managing recruitment, appointment, and vacancy activities across different systems and city departments. Additionally, Mayoral appointments to City boards and commissions require Council approval and must be noticed for approval by the Oakland City Council in accordance with the City's Sunshine ordinance and Council's Rules of Procedures, Resolution 82580 C.M.S.

The range and complexity of complying with all state and local legal requirements result in a process that is cumbersome, onerous, and often laden with errors.

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The Granicus Boards and Commissions application simplifies processes with a workflow that incorporates recruitment, appointment referral, and dynamic public reporting.

Key features include:

- Easily publish and promote up-to-date open vacancies on the City of Oakland website and across social networks
- Customize and design the citizen application template and leverage a seamless integration to any government website
- Filter and qualify applicants using simple and effective search tools
- Auto-generate communications and follow up for all steps of the application & appointment process
- Intelligent dashboard for monitoring terms and vacancies with built in alert system
- Integrates seamlessly with our existing Granicus' Legislative Management system.
- Eliminate manual entry of all applicant information into multiple spreadsheets.
- Redact personal information while presenting recommended candidates to Council for approval
- Have detailed analytics to understand member and applicants composition for all Oakland Boards and Commissions for citizen access

ANALYSIS

The City of Oakland is required to comply with the State Maddy Act to provide notice to the public of the activities of the City's 33 boards and commissions. All boards have separate bylaws and requirements for appointments and term limits. Currently, processing of appointments and separations of commissions members is performed manually, requiring over 30 staff across many departments to track commission activity across duplicated systems. This has resulted in errors in the appointments, noticing of separations, and significant work to limit inaccuracies in the preparation of the annual commission report.

Oakland Municipal Code ("OMC") Title 2, Chapter 2, Article I, Section 2.04.050 requires advertising and bidding when the City purchases services, supplies or a combination thereof that exceeds \$50,000.00 and Section 2.04.051 A requires staff to conduct a competitive RFP/Q selection requirements for the procurement of professional services. However, OMC Section 2.04.050.I.5 and Section 2.04.051.B, respectively, permit the Council to waive advertising, bidding and the RFP/Q requirements upon a finding and determination that it is in the best interests of the City to do so. Staff recommends that the Council make such findings and waive these requirements for the product, equipment, license and services purchases authorized hereunder because contracting with Granicus takes advantage of an existing contract relationship with a contractor that is very familiar with the City's Clerk's information technology systems, the City needs this application urgently, and performing a bidding or RFP/Q process would take many months and delay the City Clerk's implementation of this very important project which seeks to automate and greatly expedite legislative workflow within the City of Oakland.

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PUBLIC OUTREACH/INTEREST

The state and local law require public disclosure of membership activities for all City boards and commissions. The public relies on state prescribed disclosure reports to apply for membership on City governing bodies to advise the City on service matters and policy. Additionally, it is the City's duty to provide notice to the public for commission appointments and separations in accordance with all relevant legal requirements. Furthermore, is the public's right to both have access to membership information and apply for commission membership to contribute their skills and experience to the effective operations of this government.

COORDINATION

Boards and Commissions appointments and disclosure reporting is coordinated across many City Departments and the offices of the Mayor, City Attorney and City Clerk to ensure recruitment and appointments comply with all relevant statutory requirements.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Total Project Costs \$16,800.00

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Monthly Software Subscription \$ 1,400.00

TOTAL AGREEMENT/CONTRACT AMOUNT \$16,800.00

3. SOURCE OF FUNDING: 1010-46331-55214-0000000-IP73

4. FISCAL IMPACT: \$16,800.00/year

Staff recommends that the Council authorize the City Administrator or his designee to enter into an agreement with Granicus, Inc. to host a web-based application to manage Boards and Commissions activities, in the amount of fifty thousand, four hundred dollars (\$50,400) for a three (3) year term (at an annual rate of \$16,800), with two (2) options to extend the contract for one (1) year each at the same annual rate.

SUSTAINABLE OPPORTUNITIES

Economic: There are no direct economic opportunities that have been identified.

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Environmental: There are no impacts to environmental opportunities associated with this report.

Social Equity: Passage of this resolution improves social equity by ensuring each board has a fair and balanced representation of Oakland's community to continue with the commitment to promote fairness, justice, and equity in the formation of public policy.

For questions regarding this report, please contact Melissa Vargas, Office of the Mayor at (510) 238-4991 or LaTonda Simmons, Office of the City Clerk at (510) 238-7370.

Respectfully submitted,

Mayor Jean Quan

Reviewed by:

Bryan Sastokas, Department of Information Technology

Prepared by:

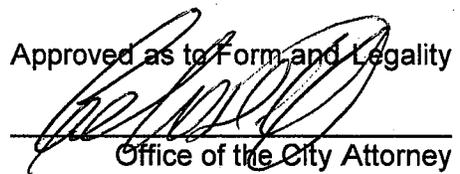
Melissa Vargas, Office of the Mayor

LaTonda Simmons, Office of the City Clerk

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Approved as to Form and Legality



Office of the City Attorney

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION WAIVING ADVERTISING, BIDDING AND REQUEST FOR PROPOSALS/QUALIFICATIONS ("RFP/Q") COMPETITIVE SELECTION REQUIREMENTS AND AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO EXECUTE A CONTRACT AMENDMENT WITH GRANICUS, INC TO HOST A WEB-BASED APPLICATION TO MANAGE BOARDS AND COMMISSIONS ACTIVITIES IN AN ANNUAL AMOUNT NOT TO EXCEED SIXTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$16,800) FOR A PERIOD OF 3 YEARS, FOR AN ADDITIONAL TOTAL CONTRACT AMOUNT OF FIFTY THOUSAND FOUR HUNDRED DOLLARS (\$50,400), WITH TWO ONE YEAR OPTIONS TO EXTEND THE TERM OF THE CONTRACT

WHEREAS, Oakland Municipal Code ("OMC") Title 2, Chapter 2, Article I, Section 2.04.050 requires advertising and bidding when the City purchases services, supplies or a combination thereof that exceeds \$50,000.00, and

WHEREAS, OMC Section 2.04.051 A requires staff to conduct a competitive RFP/Q selection requirements for the procurement of professional services; and

WHEREAS, OMC Section 2.04.050.1.5 permits the Council to waive advertising and competitive bidding upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, OMC Section 2.04.051.B permits the Council to waive the competitive RFP/Q competitive selection requirement upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, staff recommends that it is in the City's best interests to waive advertising, bidding and the RFP/Q competitive selection requirements for the product, equipment, license and services purchases authorized hereunder because contracting with Granicus takes advantage of an existing contract relationship with a contractor that is very familiar with the City's Clerk's information technology systems, the City needs this application urgently, and performing a bidding or RFP/Q process would take many months and delay the City Clerk's implementation of this very important project that seeks to automate and greatly expedite legislative workflow within the City of Oakland; and

WHEREAS, this contract is of a professional and temporary nature and the City Administrator has determined that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; now, therefore be it; and

WHEREAS, the City of Oakland has 33 boards and in accordance with Section 601 of the City Charter provides that members of City boards and commissions shall be appointed by the Mayor subject to confirmation by the affirmative vote of at least five members of the City Council; and

WHEREAS, it is in the City's interest to standardize the maintenance and publication of the boards and commissions to adhere to the requirements set forward by sections 54970 – 54974 of the government code, referred to as the "Maddy Act", which sets forth specific requirements for disclosure of membership and vacancy activities of City boards and commissions; now therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to enter into an agreement with Granicus, Inc. to host a web-based application to manage Boards and Commissions activities, in the amount of fifty thousand, four hundred dollars (\$50,400) for a three (3) year term (at an annual rate of \$16,800), with two (2) options to extend the contract for one (1) year each at the same annual rate, and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Sections 2.04.050 I and 2.04.051 B, and for the reasons stated above and in the agenda report accompanying this Resolution, the Council finds and determines that it is in the best interests of the City to waive advertising, bidding and the RFP/Q competitive selection requirements for this contract, and so waives these requirements; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said agreements with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office:

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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