

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

  
City Attorney

86204

RESOLUTION No. \_\_\_\_\_ C.M.S.

2016 MAY 11 PM 3:10

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AMENDED MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PORTLAND, OREGON, FOR THE CONTINUED LOAN OF AN EQUITY DIRECTOR TO THE CITY OF OAKLAND FOR OCCASIONAL TRAINING AND TECHNICAL CONSULTATION VISITS, EXTENDING THE TIME PERIOD THROUGH JUNE 30, 2017 AND INCREASING THE NOT-TO-EXCEED AMOUNT FROM SIXTY-SEVEN THOUSAND DOLLARS (\$67,000) TO NINETY-SEVEN THOUSAND DOLLARS (\$97,000)**

**WHEREAS**, as part of the Fiscal Year (FY) 2015-17 budget development process, the City Council approved the creation of the Department of Race and Equity; and

**WHEREAS**, on June 30, 2015, the City Council approved Ordinance No. 13319 C.M.S. creating the Department of Race and Equity by December 2015, and establishing definitions and implementation steps related to a citywide strategy to create a fair and just city; and

**WHEREAS**, on September 8, 2015, the City Council approved Ordinance No. 13326 C.M.S. amending the prior ordinance to reformat the ordinance and provide clarifying language consistent with the intent and to avoid unintended legal consequences; and

**WHEREAS**, the City of Portland, Oregon agreed to loan its Director of Equity and Human Rights to the City of Oakland for up to three months to provide technical advice and consultation to the City in establishing a foundational structure for the new Department of Race and Equity, recruiting and selecting the City's first Director of Race and Equity, and working towards advancing the objectives of the new department, and;

**WHEREAS**, Portland's Director of Equity and Human Rights has considerable experience and expertise in establishing and managing a department with goals and functions similar to those of the City of Oakland's Department of Race and Equity; and

**WHEREAS**, the City of Oakland does not possess such capabilities in-house; and

**WHEREAS**, it is in the interest of the City of Oakland to utilize the services of Portland's Director of Equity and Human Rights; and

**WHEREAS**, the City Council approved Resolution Number 85904 C.M.S. authorizing the City Administrator to enter into a Memorandum of Understanding with the City of Portland, Oregon, for the loan of an equity director for up to three months during the Fiscal Year 2015-16 in an amount not-to-exceed \$67,000; and

**WHEREAS**, Portland's Director of Equity and Human Rights was located in the City of Oakland for a period of three months providing training, technical advice and consultation to the City in establishing a foundational structure for the Department of Race and Equity; and

**WHEREAS**, the estimated total cost for the services, transportation and lodging for Portland's Director of Equity and Human Rights while in Oakland was approximately \$55,000 and is budgeted in the FY 2015-16 Adopted Budget; and

**WHEREAS**, it is in the interest of the City of Oakland, and the City of Portland agrees, to extend the Memorandum of Understanding to enable Portland's Director of Equity and Human Rights to provide additional on-site training and technical consultation visits to the City of Oakland through the next Fiscal Year 2016-17; and

**WHEREAS**, the number and timing of each visit would be determined through mutual agreement between the City of Oakland and the City of Portland; and

**WHEREAS**, during each visit, the City of Oakland would cover the cost of Portland's Director of Equity and Human Rights wages and benefits, temporary housing while in Oakland and travel expenses through the FY 2016-17 Adopted Budget for the Department of Race and Equity; now, therefore be it

**RESOLVED**, that the City Council of the City of Oakland authorizes the City Administrator to enter into an Amended Memorandum of Understanding with the City of Portland, Oregon, for the continued loan of its Director of the Portland Office of Equity and Human Rights to the City of Oakland for occasional training and technical consultation visits, extending the time period through June 30, 2017 and increasing the not-to-exceed amount from sixty-seven thousand dollars (\$67,000) to ninety-seven thousand dollars (\$97,000); and be it

**FURTHER RESOLVED**, that based on information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

**FURTHER RESOLVED**, that the City Attorney's Office will approve the Memorandum of Understanding as to form and legality and a copy will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,                     JUN 07 2016                    

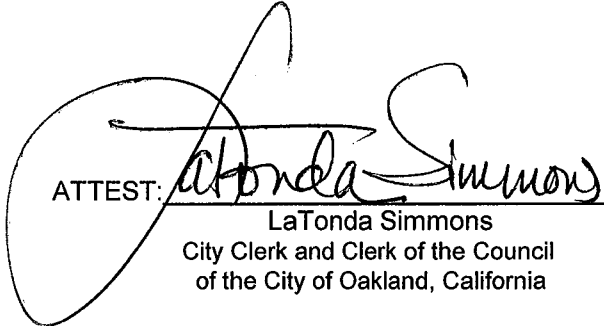
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLAN, KALB, KAPLAN, ~~REID~~ and PRESIDENT GIBSON MCELHANEY - 7

NOES - 0

ABSENT - 1 - REID

ABSTENTION - 0

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