



AGENDA REPORT

TO: Ed Reiskin
City Administrator

FROM: Susan E. Manheimer
Chief of Police

SUBJECT: Michael Palmertree Professional
Services Contract

DATE: April 20, 2020

City Administrator Approval

Date: 5-11-2020

RECOMMENDATION

Staff Recommends That City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Professional Services Agreement With Michael Palmertree To Provide Behavioral Science Consultation And Training Services To The Oakland Police Department For The Period Of July 1, 2020 To June 30, 2023, In An Amount Not To Exceed Three Hundred Seventy Five Thousand Dollars (\$375,000) With Two One-Year Options To Extend For An Additional Two Years, In An Amount Not To Exceed One Hundred Twenty-Five Thousand Dollars (\$125,000) Per Year, With A Total Contract In An Amount Not To Exceed Six Hundred Twenty-Five Thousand Dollars (\$625,000).

EXECUTIVE SUMMARY

The Oakland Police Department (OPD) has a long-established relationship with Michael Palmertree for behavioral science consultation services. Mr. Palmertree has established himself as a unique psychological therapy service provider for OPD and has proven himself invaluable in the services he provides in the treatment of post-traumatic stress disorder and alcohol/drug disorder. Mr. Palmertree has worked with OPD since 2007 and has been the only respondent to three Request for Proposal / Quote (RFP/Q) processes conducted in the last 13 years.

Adoption of the proposed resolution between OPD and Mr. Palmertree will ensure that OPD personnel continue to receive critical and continuous psychological support. Furthermore, OPD is required to provide this service according to mandates of Oakland's Federal Negotiated Settlement Agreement (NSA) as well as with the OPD-Oakland Police Officer Association (OPOA) contract.

BACKGROUND / LEGISLATIVE HISTORY

OPD recognizes that police work can, at times, be very stressful for sworn personnel and the professional staff that support sworn personnel. Employees benefit from a wellness program that addresses stressful conditions through healthy approaches. OPD has historically suffered tragic losses such as on-the-job deaths and suicide due to work-related stressful conditions. To

City Council
May 19, 2020

address work-related challenges, OPD must go beyond training officers to physically survive each day. OPD has created a wellness program, housed organizationally in the Health and Wellness Unit (HWU), to serve officers and professional staff with mental health issues that arise from work-related challenges. HWU offers resources including Peer Support, the Chaplain's Unit, Critical Incident Response Team, the OPD Medical Unit, and the Employee Assistance Program (EAP) together in one place. Counseling services are a critical component of the HWU, and OPD relies on professional providers to offer this service.

City Council approved Resolution No. 84897 C.M.S. on March 18, 2014, which authorized \$200,000 in ongoing funding for OPD's wellness program. On October 13, 2015 the Public Safety Committee received an informational report about the creation of the OPD HWU.

Oakland has contracted with Michael Palmertree, Marriage Family Therapist (MFT), through several City Council-approved resolutions. Mr. Palmertree is a licensed psychotherapist who specializes in the treatment of post-traumatic stress and alcohol/drug abuse. OPD began working with Mr. Palmertree in 2007. Resolution No. 80647 C.M.S. authorized a contract with Mr. Palmertree not to exceed \$49,999 per year from July 1, 2007 through June 30, 2008. In 2008, OPD conducted an RFP/Q for counseling services and Mr. Palmertree was the only vendor to respond to the request. The City awarded a contract to Mr. Palmertree from July 1, 2008 through June 30, 2010, for \$50,000 per year. Resolution No. 82835 C.M.S. provided authorization for the City to extend the contract with Mr. Palmertree from July 1, 2010 through June 30, 2011 for \$50,000. Resolution No. 83305 C.M.S. authorized the City Administrator's Office (CAO) to enter into a contract with Mr. Palmertree from July 1, 2011 through June 30, 2012, for \$50,000 for mental health services.

In December 2012, OPD conducted another RFP/Q for counseling services. Mr. Palmertree was the only vendor who responded to the request. Resolution No. 85036 C.M.S. authorized the CAO to enter into an agreement with Mr. Palmertree from July 1, 2014 through June 30, 2017, with a two-year extension option, for \$75,000 per year. This amount was amended in 2016 to add \$25,000 a year from the HWU budget, increasing the amount to \$100,000 per year, through Resolution No. 86213 C.M.S.

ANALYSIS AND POLICY ALTERNATIVES

As part of the decision made by the United States District Court for Northern California ("the Court") in relation to the lawsuit brought forth in the case known as the Riders, the City of Oakland and OPD entered into a Negotiated Settlement Agreement (NSA). Tasks 40 and 41 of the NSA require OPD to establish an early identification and intervention program to detect and address police personnel engaged in at-risk behavior and substandard performance.

Current Counseling and Therapy Services Provided to OPD

Mr. Palmertree is the current service provider who is a licensed MFT (Marriage and Family Therapist) in the California State. Mr. Palmertree has over 30 years of experience providing mental health counseling services to law enforcement agencies not only at OPD, but also for eight Bay Area police departments. Mr. Palmertree has been closely associated with the design, development, implementation, and ongoing improvements to the OPD early identification and

intervention program specializing in assessing and treating post-traumatic stress disorder (PTSD) and alcohol/drug disorder, as well as a pioneer with development of employee assistance programs (EAP).

To treat PTSD, Mr. Palmertree has developed the Critical Incident Stress Debriefing (CISD) program for law-enforcement that is based on assisting officers who have experienced a severely traumatic critical incident avoid developing PTS. Mr. Palmertree specializes in assessing and treating post-traumatic stress disorder (PTSD), by developing discussion sessions. During those sessions, he facilitates group discussion regarding the incident and providing psycho-education of the nature of post-traumatic stress and ways to be more resilient through effective self-care. Through the discussion sessions, he identifies police officers who may require additional treatment for PTS. Mr. Palmertree has identified 75 CISD cases involving 620 officers and provided individual sessions involving 312 officers with a 95 percent success rate.

In addition to his specialization in PTSD, Mr. Palmertree also specializes in identifying and treating alcohol/drug disorder. While working with OPD, he has developed a special alcohol/drug treatment program for OPD officers, which he is the primary coordinator and contact person. This program allows for full payment of a 28-day in-patient treatment. In the past 5 years, there have been 35 officers placed in treatment through that program. Upon release from the residential program, Mr. Palmertree meets with the officers on an ongoing basis for up to 18 months to support their continued recovery.

Current Contract

Mr. Palmertree charges \$120 per hour, as stipulated in the current contract. The \$100,000 annual amount equals approximately 833 hours per year, or 69 hours per month on average for counseling sessions. Currently, officers and professional staff call Mr. Palmertree directly to set up appointments. Sworn officer appointments usually occur at the Oakland Police Officer Association (OPOA) facility in downtown Oakland because this location provides more confidentiality and comfort as well as does not require OPD to impart precious space from the Police Administration Building. In recent years, OPD staff has utilized most but did not exceed the full amount of available consultation services. In Fiscal Year (FY) 2014-15, Mr. Palmertree used \$71,340 of the \$75,000 annual contract amount. For FY 2015-16, Mr. Palmertree billed for the full \$75,000 of his annual contract based on staff demand. For FY 2016-17 and FY 2017-18, almost the full \$100,000 of the annual contract was utilized for services offered to OPD personnel. On June 6, 2016 Resolution No. 86213 C.M.S. authorized compensation of \$100,000.

On July 15, 2019, Resolution No. 87596 C.M.S authorized OPD to enter into a one-year contract with Palmertree in which he received compensation in the amount of \$100,000. Upon passage of this resolution, City Council instructed "OPD to conduct a new RFP/Q for behavioral science consultation and training services before Jun 30, 2020 to choose a vendor for the next contract which would begin after the expiration of this proposed contract (duration of July 1, 2019 to June 30, 2020)," in which OPD has accomplished this instruction with the advertisement of the RPR/Q on February 21, 2020. Mr. Palmertree was the only vendor who responded to the OPD RFP/Q. The RFP/Q was advertised in three local newspapers listed below, as well as the online sites of RFPmart.com and City of Oakland's Contract Compliance.

Local Newspapers

- East Bay Times (formerly Oakland Tribune / Bay Area Newspaper Group)
- San Francisco Chronicle
- The Oakland Post

Selection of Vendor

Michael Palmertree provided the only response to OPD's advertised RFP/Q and demonstrated he has the necessary qualifications, certifications, and experience who can provide OPD with the requested services. Michael Palmertree is a licensed therapist in the State of California who specializes in marriage and family therapy, assessing and treating post-traumatic stress disorder, and in identifying and treating alcohol/drug disorder.

The new contract will provide OPD with approximately 1,000 consultation hours annually during the term of the contract at the agreed upon hourly rate of \$125. Employees are able to call Mr. Palmertree through the HWU, to directly arrange telephone consultations and one-on-one in-person consultations meetings, as the employees prefer that in order to keep the fact that they even are seeing Palmertree confidential. Additionally, Mr. Palmertree will be working with the OPD HWU staff to develop group trainings that appeal to OPD sworn and professional employees. The goal of both the group trainings and one-on-one therapy consultations is to help all staff learn emotional and mental strategies to positively address the stresses that can easily compromise their work.

FISCAL IMPACT

Funding for this proposed contract will be administered according to Table 1. The total of the three-year contract will be \$375,000, which is based on an annual cost of \$125,000 with two one year options to extend. If the two one-year options are executed, the total cost of the contract will not to exceed \$625,000.

Table 1: OPD-Michael Palmertree Contract

| Fiscal Year | Fund Source | Organization | Account | Project | Program | Amount |
|--------------------|--------------------|---------------------|----------------|----------------|----------------|---------------|
| 2020-21 | 1010 | 106210 | 54919 | 1000008 | PS01 | \$125,000 |
| 2021-22 | 1010 | 106210 | 54919 | 1000008 | PS01 | \$125,000 |
| 2022-23 | 1010 | 106210 | 54919 | 1000008 | PS01 | \$125,000 |
| 2023-24 | 1010 | 106210 | 54919 | 1000008 | PS01 | \$125,000 |
| 2024-25 | 1010 | 106210 | 54919 | 1000008 | PS01 | \$125,000 |

PUBLIC OUTREACH / INTEREST

This item did not require any additional public outreach other than the required posting on the City's website.

COORDINATION

Staff collaborated with the Budget Bureau of the Finance Department in the production of this report. The Office of the City Attorney reviewed the Report and Resolution as to form and legality.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities are identified in this report. However, professional advice and counseling services, including stress debriefing, may enhance the City's risk management strategies.

Environmental: There are no environmental opportunities are identified in this report.

Race & Equity: Professional advice and counsel related to mental health and behavioral science issues provided to OPD Command Staff and psychological counseling services provided to sworn and professional employees following traumatic events benefit the entire community.

ACTION REQUESTED OF THE CITY COUNCIL

Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Professional Services Agreement With Michael Palmertree To Provide Behavioral Science Consultation And Training Services To The Oakland Police Department For The Period Of July 1, 2020 To June 30, 2023, In An Amount Not To Exceed Three Hundred Seventy Five Thousand Dollars (\$375,000) With Two One-Year Options To Extend For An Additional Two Years, In An Amount Not To Exceed One Hundred Twenty-Five Thousand Dollars (\$125,000) Per Year, With A Total Contract In An Amount Not To Exceed Six Hundred Twenty-Five Thousand Dollars (\$625,000).

For questions regarding this report, please contact Andy Best, Police Services Manager, at (510) 238-6443.

Respectfully submitted,

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