



City Attorney

# OAKLAND CITY COUNCIL

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

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: 1) ACCEPT AND APPROPRIATE ONE HUNDRED FIFTY-THREE THOUSAND SIX HUNDRED TWENTY-SEVEN DOLLARS (\$153,627) IN UNTESTED SEXUAL ASSAULT EVIDENCE AUDIT GRANT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE (CA DOJ) BUREAU OF FORENSIC SERVICES, TO PROCESS UNTESTED SEXUAL ASSAULT EVIDENCE KITS IN THE OAKLAND POLICE DEPARTMENT'S (OPD) INVENTORY; 2) ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH CA DOJ BUREAU OF FORENSIC SERVICES TO DEFINE GRANT REIMBURSEMENT RULES; AND 3) AUTHORIZE THE CITY'S GENERAL PURPOSE FUND TO CONTRIBUTE TEN THOUSAND THREE HUNDRED FORTY NINE DOLLARS (\$10,349) TO COVER THE ASSOCIATED CENTRAL SERVICES OVERHEAD CHARGES.**

**WHEREAS**, the CA DOJ Bureau of Forensic Services Untested Sexual Assault Evidence Grant program (Testing Grant) is designed to assist statewide county and city local law enforcement agencies to test sexual assault forensic evidence, to support the requirements outlined in Assembly Bill 3118 (Chiu, 2018); and

**WHEREAS**, grant funds totaling one hundred fifty-three thousand six hundred twenty-seven dollars (\$153,627) have been awarded by CA DOJ to OPD to cover salary and overtime for staff to complete the sexual assault kit processing work and sexual assault kit testing supplies for approximately 97 kit analyses; and

**WHEREAS**, the grant award period of performance is July 1, 2020 through June 30, 2022; and

**WHEREAS**, the City's Central Services Overhead (CSO) rates of 15.5%, overhead equates to approximately \$10,349; however, per the granting agency, indirect costs such as CSO charges are disallowed; and

**WHEREAS**, Article V, Section 504(1) of the Oakland City Charter requires that the City Council approve all inter-agency relationships such as between OPD and CA DOJ; therefore, be it

**RESOLVED:** That the City Council does hereby authorize the City Administrator or designee to accept and appropriate a grant award in an amount totaling one hundred fifty-three thousand six hundred twenty-seven dollars (\$153,627) from the State of California, Department of Justice; and be it

**FURTHER RESOLVED:** that the City's General Purpose Fund is authorized to contribute

\$10,349 to cover the associated CSO charges; and be it

**FURTHER RESOLVED:** that the City Administrator or designee is authorized to enter into an MOU and sign all related documents with CA DOJ Bureau of Forensic Services to define grant reimbursement rules; and be it

**FURTHER RESOLVED:** that the grant funds shall be maintained in the State of California Fund (2159); Criminalistics Organization (102610), Special Victims Organization (102130), and Property and Evidence Organization (102120); in the Project to be determined; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator or designee to act as an agent to conduct all negotiations and related actions and to sign all applications, agreements and memoranda of understanding that may be necessary for the completion of the aforementioned grant; and be it

**FURTHER RESOLVED:** That all contracts issued hereunder shall be reviewed and approved by the City Attorney for form and legality and copies shall be placed on file in the City Clerk's Office; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the agreement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
ASHA REED  
Acting City Clerk and Acting Clerk of the Council  
of the City of Oakland, California