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City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 88734 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ALAMEDA COUNTY DISTRICT ATTORNEY'S OFFICE (ACDA), THE CALIFORNIA HIGHWAY PATROL (CHP), THE ALAMEDA COUNTY PROBATION DEPARTMENT (ACPD) AND THE ALAMEDA COUNTY SHERIFF'S OFFICE (ACSO) TO PARTICIPATE IN THE ALAMEDA COUNTY REGIONAL AUTO THEFT TASK FORCE (ACRATT), FROM JULY 1, 2021 THROUGH JUNE 30, 2026

WHEREAS, the mission of ACRATT is to reduce the incidents of vehicle theft in Alameda County through proactive enforcement efforts, officer training and public awareness; and

WHEREAS, ACRATT participating agencies and personnel have goals of increasing the number of arrests for vehicle thefts, increasing the recovery of stolen vehicles, gathering and disseminating information related to vehicle theft activity, collaborating to identify vehicle theft trends, targeting specific locations used in conjunction with vehicle thefts, and increasing the prosecution rates for individuals involved in vehicle theft; and

WHEREAS, ACRATT will be governed by the ACRATT oversight committee which will meet on a quarterly basis; and

WHEREAS, the ACRATT oversight committee will consist of the Chiefs of the participating local agencies or designees and agency Commanders or their designees; and

WHEREAS, management of ACRATT resources will be the responsibility of the Task Force Coordinator who shall be a sworn member of the California Highway Patrol (CHP); and

WHEREAS, any citizen complaint or other internal affairs matter arising from any participating ACRATT personnel shall be investigated by the involved employee's parent agency; and

WHEREAS, each participating agency is responsible for providing the salary, benefits and overtime payments for its assigned personnel; and

WHEREAS, limited overtime reimbursement may be allocated to OPD officers participating with ACRATT depending on the approval of the ACRATT oversight committee; 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 other governmental agencies; and

WHEREAS, the City Administrator signed a prior MOU on December 15, 2016 to authorize OPD's participation in ACRATT between the period of July 1, 2016 through June 30, 2021; now, therefore be it

RESOLVED: that the City Council authorizes the City Administrator or designee to enter into a MOU with ACDA, CHP, ACPD, ACSO to participate in the Alameda County Regional Auto Theft Task Force (ACRATT), for an initial duration period of July 1, 2021 through June 30, 2026; and be it

FURTHER RESOLVED: any and all property, including equipment, furniture, furnishings of whatever kind or description, will remain under the ownership of the participating agency; and be it

FURTHER RESOLVED: that each agency shall be responsible for any claims arising out of the actions or omissions of that agency's team member, including vehicle collisions; and be it

FURTHER RESOLVED: that any reimbursements for overtime expenses made by ACRATT to OPD shall be deposited into Fund 2160, Org 102310, Account 46319, Project TBD, and Program PS03 in an amount not to exceed \$25,000 per year; and be it

FURTHER RESOLVED: that each participating agency will provide their staff with their own vehicles, fuel and maintenance for that vehicle; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to execute, modify, extend and/or amend the MOU without returning to the City Council; and be it

FURTHER RESOLVED: That in accordance with Article IV, Section 401(6) of the City Charter, the MOU authorized by this resolution shall be approved by as to form and legality before execution, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

JUL 06 2021

IN COUNCIL, OAKLAND, CALIFORNIA, _____


PASSED BY THE FOLLOWING VOTE:

AYES - ~~NUM~~ KALB, GALLO, KAPLAN, REID, TAYLOR, THAO ~~NUM~~ - 6

NOES - 1 Fife

ABSENT - 0

ABSTENTION - 1 Fortunato Bas

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