

MISSING EXECUTED LEGISLATION FORM

Resolution / Ordinance Number: 88269

City Council Meeting Date JUL 28 2020

Agenda Item No. # 11

Recorded Vote 8 Ayes

Status of Resolution/Ordinance:

- Filed without signature
- Council amended legislation
- No signed version will be filed
- No signed version will be filed

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Notes (if any)

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBERS LOREN TAYLOR AND NIKKI
FORTUNATO BAS

RESOLUTION (1) CREATING THE RE-IMAGINING PUBLIC SAFETY TASK FORCE TO CREATE A PLAN TO DRAMATICALLY SHIFT RESOURCES FROM ENFORCEMENT AND PUNISHMENT TO PREVENTION AND WELLNESS FOR INTEGRATION IN THE FISCAL YEAR (FY) 2021-23 BUDGET USING A ROBUST ENGAGEMENT PROCESS WITH COMMUNITY STAKEHOLDERS ROOTED IN TRANSPARENCY AND ACCOUNTABILITY INCLUDING THOSE WHO HAVE NOT BEEN INCLUDED IN THE CONVERSATION, AND (2) WAIVING THE ADVERTISING AND REQUEST FOR QUALIFICATIONS/PROPOSALS (RFQ/RFP) PROCESS FOR A CONTRACT WITH A CONSULTANT FACILITATOR IN AN AMOUNT NOT TO EXCEED \$100,000, AND (3) AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE FUTURE MONETARY OR IN-KIND GRANTS, DONATIONS OR CONTRIBUTIONS FROM FEDERAL, STATE, COUNTY, LOCAL OR OTHER ENTITIES FOR THE TASK FORCE TO CARRY OUT ITS DESIGNATED MISSION

WHEREAS, The City Council seeks to transform public safety by reducing the Oakland Police Department General Purpose Fund (GPF) budget by 50%; and

WHEREAS, The City Council intends to significantly increase the proportion of the total GPF budget for departments providing community programs and services to address the root causes of violence and crime, including: Housing & Community Development; Human Services; Economic & Workforce Development; Parks, Recreation & Youth Development; Race & Equity; Violence Prevention; Workplace & Employment Standards; Library; and Fire; and

WHEREAS, The City Council intends to engage the expertise and support of existing public safety groups that embody the wisdom of Oakland neighborhoods including the Community Policing Advisory Board, the Public Safety Services Oversight

Commission and the Police Commission who have experience in criminal justice, public health, social services, research and evaluation, finance, audits, and/or public policy, and who are already working to strengthen the relationships between the community and the police department and identify solutions that don't involve armed police response; and

WHEREAS, This effort will require a robust engagement process led by a consultant/facilitator with community stakeholders rooted in transparency and accountability including those who have previously not been included in the conversation such as: youth, formerly incarcerated individuals, victims of violent crime and their family members, the immigrant community and other historically underrepresented populations; and

WHEREAS, To address the root causes of violent and serious crime, Oakland residents acknowledge the need for expanded and readily accessible mental and physical health services; education; youth programs; safe, affordable and stable housing; and high quality job opportunities; and

WHEREAS, To address the non-violent and quality-of-life 911 calls that do not require an armed police response, Oakland residents need trained, trauma-informed crisis responders and mediators who are trusted by the community; and

WHEREAS, The Oakland Police Department has been under a Negotiated Settlement Agreement since January 22, 2003 that requires police reforms in several areas, including internal affairs, supervision of officers, police use of force, training, personnel practices, and community policing; and

WHEREAS, The Oakland City Council seeks to improve community safety and equity by identifying additional measurable outcomes and timelines, such as: continued reduction in racial disparities in stop data; reduction in use of force incidents; reduction in use of force lawsuits and settlement payouts; improvement in 911 response times for violent crimes; increased civilianization of current sworn officer positions; improvements in crime data trends; and

WHEREAS, The Oakland City Council recognizes that achieving equitable public safety will rely on effective partnerships with community organizations to respond to non-violent calls for service and to provide ongoing community-led safety programs; and increased community participation in violence prevention programs, including Ceasefire and Oakland Unite grantee programs; and

WHEREAS, Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.051.A requires the City to conduct a competitive Request for Proposal/Qualifications (RFP/Q) selection process for the procurement of professional services, and OMC Title 2, Chapter 2, Article I, Section 2.04.050 requires the City to conduct advertising and competitive bidding when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

WHEREAS, OMC Section 2.04.051.B and 2.04.0501. 5 permit the Council to waive the RFP/Q and advertising and bidding requirements upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, Staff recommends that the City Council, based upon the significant need to initiate a robust community engagement process as soon as possible, and pursuant to OMC Section 2.04.051.B and 2.04.0501.5, waive the RFP/Q and advertising and bidding requirements and authorize the City Administrator to enter into the proposed contract(s) with a community engagement consultant/facilitator to be identified and selected; now, therefore, be it

RESOLVED: The City Council hereby creates the Reimagining Public Safety Task Force to rapidly reimagine and reconstruct the public safety system in Oakland by developing a recommendation for Council consideration to increase community safety through alternative responses to calls for assistance, and investments in programs that address the root causes of violence and crime (such as health services, housing, jobs, etc), with a goal of a 50% reduction in the OPD General Purpose Fund (GFP) budget allocation. develop a proposal for dramatically shifting resources from enforcement and punishment to prevention and wellness for integration in the FY 2021-23 Budget, that will be informed by robust community engagement and include a system to track and measure key indicators; and be it

FURTHER RESOLVED: That the City Council hereby states that it shall be the duty and function of the Reimagining Public Safety Task Force to, after thorough analysis and extensive community and stakeholder engagement, deliver for Council adoption a comprehensive recommendation to reduce the OPD budget that achieves the City's goals for reduction of race and equity disparities, alternative health and safety responses, and more efficient community centered public safety responses; and be it

FURTHER RESOLVED: That the City Council designates Councilmembers Loren Taylor and Nikki Fortunato Bas as Co-Chairs of the Task Force and that members of the Reimagining Public Safety Task Force shall be active members of the Oakland Community who are committed to the goals and success of the Taskforce and shall include:

- Representation from Impacted Communities, e.g.,
 - Formerly incarcerated individuals
 - Victims of violent crime and their family members
 - Immigrant community
 - From Community Impacted by police violence
 - Historically underrepresented populations
- Health/ Public Health Expertise
- City of Oakland labor/union representation
- Law Enforcement Operation/Budget Knowledge

With one nominee from each councilmember and the Mayor, one nominee from (a) the

Community Policing Advisory Board, (b) the Public Safety Services Oversight Commission, (c) the Police Commission, (d) the Budget Advisory Commission; and two nominees from the Oakland Youth Advisory Commission; and two nominees from the City Council designated co-chairs.

FURTHER RESOLVED: That the Council Co-chairs will work with the City Administrator to create a scope of work and define the characteristics of an ideal community engagement consultant/facilitator to drive the engagement process; and be it

FURTHER RESOLVED: That based upon the significant need to initiate a robust community engagement process as soon as possible and pursuant to OMC Sections and 2.04.0501. 5 and 2.04.051.A, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising, competitive request for proposal/qualifications (RFP/Q) requirements, for a contract with a community engagement consultant/facilitator and other contracts necessary to assist the Task Force to carry out its mission to develop recommendations for strategies, programs and/or other actions for adoption by the Council, provided such contracts are of a professional, scientific or technical and temporary nature; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, after consultation with the Council Co-chairs, to select and award a contract with the consultant/facilitator for the above purposes in the amount not to exceed one hundred thousand dollars (\$100,000), without returning to Council, provided that (1) the City Administrator determines, in accordance with Section 902(e) of the Oakland Charter that the contract shall not result in the loss of employment or salary of an employee member of the civil service system, and (2) the City Administrator complies with all funding requirements of the public or private funding source; and be it

FURTHER RESOLVED: That the Council Co-chairs and City Administrator team will work with the consultant/facilitator to develop a comprehensive community engagement process that includes meaningful engagement of impacted communities and organizations that represent them, the broader Oakland community, law enforcement, City staff, and City policy makers; and be it

FURTHER RESOLVED: That this will include identifying community stakeholders, defining the goals of the engagement process, identifying communications strategies/tools to support effective engagement, and establishing a timeline and key milestones including identifying and developing a core task force by September, 2020, announcing the task force at the September 29, 2020 joint meeting of the Public Safety Services Oversight Commission, the Police Commission, Community Policing Advisory Board and City Council, and developing a draft recommendation by the end of 2020 to align the process with the development of the FY 2021-23 Budget; and be it

FURTHER RESOLVED: That the process will be required to have multiple

opportunities for public engagement through various channels that reach the impacted and underrepresented communities mentioned above and value and lift up the lived experience of the community; and be it

FURTHER RESOLVED: That in support of this work, the City Administrator will identify staff to aggregate and conduct data analysis related to 911 calls and assignments; police overtime; resources and staffing levels of the Police Commission, CPRA and OPD (sworn and non-sworn); the budget as it relates to OPD and non-law enforcement approaches to public safety; and potential organizational changes; and be it

FURTHER RESOLVED: That the City Administrator will also identify staff to provide and make available information and data that includes the analysis and key documentation around the Negotiated Settlement Agreement, Measure Z, Equity Indicators, budget and staffing information; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to accept and appropriate future unknown monetary or in-kind grants, donations or contributions from federal, state, county, local or other entities for the Reimagining Public Safety Task Force to develop strategies and for implementation of the strategies, programs and other actions recommended by the Task Force, and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to any agreements authorized hereunder, including increases in contract amounts up to \$100,000, plus the value of any grants, donations, or contributions from other entities for any and all contracts without returning to Council.

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
Interim City Clerk and
Clerk of the Council of the
City of Oakland, California