

Impact Statement for Requested Council Action

Legislation title: *Authorize a contract with Rosenbaum & Watson, LLP to serve at the independent Compliance Officer and Community Liaison for the Department of Justice Settlement Agreement and amend the FY 2014-15 budget to reallocate funding.

Contact name: Deanna Wesson-Mitchell or Ellen Osoinach

Contact phone: x34277 or x39968

Purpose of proposed legislation and background information:

- The City engaged in a national search to find candidates for a Compliance Officer and Community Liaison (COCL)
- The COCL will be an independent contractor in order to instill public confidence and ensure impartiality
- The contract requires the COCL to perform the duties outlined in the City's Settlement Agreement with the United States
- The contract also requires specified team members to have minimum local contacts

Financial and budgetary impacts:

- Long-term financial impacts – the DOJ Settlement Agreement requires the City to retain a COCL until DOJ determines the City to be in substantial compliance with the DOJ Agreement. The parties anticipate substantial compliance may occur as early as October 2017, but it may also take longer. This contract automatically terminates in January 2020 unless extended.
- Change in cost – this ordinance authorizes additional spending of up to \$75,000 per year to reimburse travel expenses. Funds have already been budgeted but must be reallocated from the City Attorney's Office to the Mayor's Office.

Community impacts and community involvement:

A broad cross-section of the Portland community, including communities of color, youth, and mental health advocates and consumers, were extensively involved in creating the request for resumes for the COCL, conducting outreach to interested candidates, and vetting applicants. In response to community concerns, the contract specifically outlines the local presence required of the COCL.

#40



CITY OF
PORTLAND, OREGON
OFFICE OF THE CITY ATTORNEY

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Memorandum

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Date: January 6, 2015

To: Mayor Charlie Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick
Commissioner Dan Saltzman

From: Ellen Osoinach *elo*
Office of the City Attorney

RE: Amendment request for Council Agenda Items 40 and 41

ITEM 40: *Authorize a contract with Rosenbaum & Watson, LLP to serve as the independent Compliance Officer and Community Liaison for the Department of Justice Settlement Agreement and amend the FY 2014-15 budget to reallocate funding. (Ordinance)

ITEM 41: *Amend the FY 2014-15 budget to include appropriation authority for additional expenses related to the United States Department of Justice Settlement Agreement regarding police practices. (Ordinance)

Due to an oversight, the following changes are needed in the Council Directives and Exhibit 1 attached to Council Item 40. The amendments will be presented at the Council meeting on January 7, 2015.

ITEM 40 – Exhibit 1

Replace Exhibit 1. Exhibit 1 is a contract. The scope of work, page 6 of 11, has been updated to clarify that either Rosenbaum or Watson shall be present at quarterly town hall as follows:

In order to provide a high level of in-person service to the public and the City, Drs. Rosenbaum and/or Watson will hold in-person meetings every month with relevant stakeholders and will maintain weekly contact throughout the contract. Justice Paul DeMuniz will be available at least one day per week for community engagement, and for the first six months of the contract, he will be in Portland two to three days per week. Justice DeMuniz will chair **and preside over** the quarterly meetings of the **Community Oversight Advisory Board (COAB)**. **Either Dr. Rosenbaum or Dr. Watson shall attend the COCL's quarterly open town hall meetings to present the draft compliance reports to the COAB, and to receive public comment on the assessments of compliance and recommendations, as provided by the Settlement Agreement.**

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ITEM 40 – Council Directive

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is hereby authorized to execute a contract, substantially similar in content to that which is before it today attached as Exhibit 1, with Rosenbaum & Watson, LLP to serve at the independent Compliance Officer and Community Liaison for the Department of Justice Settlement Agreement for \$315,000.00 annually for a total not to exceed amount of ~~\$1,575.00~~ **\$1,575,000.00** for accomplishment of the work over the five year contract term; and

ITEM 41 – Council Directive

NOW, THEREFORE, the Council directs:

- a. The FY 2014-15 Appropriation Schedule is amended to include appropriation authority for additional expenses related to the Community Oversight Advisory Board and the Compliance Officer and Community Liaison.

GENERAL FUND

Fund - 100

Business Area - NI

Bureau Program Expenses - \$45,000

GENERAL FUND

Fund - 100

Business Area - MY

Bureau Program Expenses - ~~\$215,000~~ **\$205,000**

GENERAL FUND

Fund - 100

Business Area - FM

Contingency - (\$250,000)