

Ordinance No. 187315

Amend contract with Rosenbaum & Watson, LLP in the amount of \$458,000 per year for a five year total not to exceed amount of \$2,243,834 for the independent Compliance Officer and Community Liaison for the Department of Justice Settlement Agreement (Ordinance; amend Contract No 30004378)

The City of Portland ordains:

Section 1. The Council finds:

1. In July 2015, the United State District Court entered the Order Entering Settlement Agreement between the City and the U.S. Department of Justice (DOJ) in the matter of United States of America v. the City of Portland, USDC Case no, 12-cv-02265-SI, related to stipulated changes in Portland's police practices.
2. In accordance with the Settlement Agreement, under Ordinance No. 186966 the City Council authorized a contract with Rosenbaum & Watson, LLP for an independent Compliance Officer and Community Liaison (COCL). Ordinance No. 186967 amended FY 2014-15 budget to allocate funds for contracting of the COCL and payment of related expenses.
3. FY 2015-16 budget included on-going funds in the amount of \$725,000 for the COCL contract services, travel expenses, administrative support required by the Settlement Agreement for both the COCL and the Community Oversight Advisory Board (COAB).
4. After seven months of implementing requirements of the Settlement Agreement, both the COCL and the COAB have gained in-depth understanding regarding the capacity, resource availability and support needs required to accomplish their diverse assigned elements of the Settlement Agreement. By necessity, there have been changes required including changes and addition of subcontractors, identification of training and development needs for the COAB, and provision of focused community surveying.
5. Funding needs of the COAB are greater than the amount original designated for their use, including: additional training and development for the COAB, advertising, and focus groups to ascertain the quality of experiences with Portland Police by traditionally marginalized Portland communities.
6. The COCL team has more fully recognized the complexity of community engagement related to the Settlement Agreement. Importantly, the responsibilities associated with chairing and facilitating the work of the Community Oversight and Advisory Board (COAB) have increased in scope and intensity as the reforms have progressed. The COCL hired Kathleen Saadat as the new Community Liaison of the COCL team as she is able to provide this increased level of leadership and facilitation skills necessary to support the COAB and interface with all parties to the Settlement Agreement.

7. Given the complexities of the process as well as the material, timelines, community engagement, and training needs for supporting and guiding the COAB, the COCL determined that a Project Manager position was necessary. The COCL team hired Amy Ruiz to fill this position on an interim basis. Presently, this position is viewed as invaluable by both the COCL team and the COAB.
8. The DOJ originally required COCL policy expertise in the reviewing and evaluating Portland Police policies related to the Settlement Agreement. The requirements have expanded in the both number of policies to be reviewed and the level of evaluation. To accomplish this new standard, a second policy expert subcontractor, Heather Daniel, has been added by Rosenbaum & Watson LLP. Also, the time contracted with existing policy expert subcontractor Geoff Alpert has been doubled.
9. Existing COCL team subcontractor, Tom Christoff will take on new and additional responsibilities as manager of fieldwork and surveys, and responsibilities for oversight of the auditing and records keeping systems at PPB. These roles are in addition to continuing data coordination and analyzing, report writing and participation in COAB meetings and subcommittees.
10. There are no changes proposed for the COCL contract related to the original \$75,000 budgeted for travel expenses.
11. In recognition, of both the importance and uniqueness of the City of Portland's Settlement Agreement with the Department of Justice, the City Council voted in January 2015 to provide for additional administrative funding for possible unforeseen challenges. This amendment increases the total to \$458,000 / year for a five year contractual total not to exceed \$2,243,833.50. Due to the identification of regular on-going administrative costs (not including the upcoming buildout or additional focus group surveying costs) the majority of the additional COCL contractual costs and increased COAB budget can be funded by a transfer from the unused portions of the administrative budget for 2015-16.
12. Build-out estimates for the COCL team's local office space and annual community surveying costs were originally anticipated in the Administrative Budget. An estimate is forthcoming for the COCL office build-out. The community surveying desired by COCL and COAB is more extensive than those stipulated in the Settlement Agreement and are anticipated to have additional costs. Due to the transfer of administrative funds to cover the amended COCL contract there will likely be a future budget request for additional administrative funds.

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is authorized to amend Contract No. C30004378 with Rosenbaum & Watson, LLP to increase the total contract amount to \$458,000 per year for a five year total not to exceed amount of \$2,243,833.50 subject to approval as to form by the City Attorney's office.

Passed by Council: **AUG 26 2015**

Mayor Charlie Hales

Prepared by: Deanna Wesson-Mitchell

Date Prepared: August 13, 2015

**Mary Hull Caballero**  
Auditor of the City of Portland

By: *Gayla Jennings*

Deputy

Agenda No.

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Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Charlie Hales</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <i>JHA</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Mayor's Office Bureau Head: Mayor Hales</p> <p>Prepared by: Deanna Wesson-Mitchell Date Prepared: August 13, 2015</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>W</i></p> <p>Council Meeting Date <b>August 19, 2015</b></p>	<p>CLERK USE: DATE FILED <u>AUG 14 2015</u></p> <p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p>AUG 19 2015 PASSED TO SECOND READING AUG 26 2015 9:30 A.M.</p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/></p> <p>Start time: <u>2 pm</u></p> <p>Total amount of time needed: <u>2 hours</u> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales	✓	