



Agenda Report

April 19, 2021

TO: Honorable Mayor and City Council
FROM: Michele Beal Bagneris, City Attorney
**SUBJECT: AUTHORIZATION TO ENTER INTO A CONTRACT WITH
OIR GROUP LLC FOR INDEPENDENT POLICE AUDITOR SERVICES
FOR AN AMOUNT NOT-TO-EXCEED \$83,700**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3);
2. Authorize the City Attorney to enter into a contract with OIR Group LLC for independent police auditor services in an amount not to exceed \$83,700 for a period of one year; and
3. Amend the City Attorney/City Prosecutor's Fiscal Year 2021 Operating Budget by appropriating \$87,300 from the unappropriated General Fund balance to account 10112000-811400.

BACKGROUND:

On October 5, 2020, the City Council adopted an ordinance creating a Community Police Oversight Commission, as well as an Independent Police Auditor. That ordinance requires that the City Attorney "retain and administer" an IPA who reports to the City Council. The IPA's duties include, among other things, serving as a best-practices advisor to the Commission, reviewing categorical uses of force by Pasadena Police Department officers, reviewing investigations of personnel complaints of bias-based policing, and recommending changes to PPD policies, procedures, or officer training.

In February 2021, a Request for Proposals for Independent Police Auditor was issued. A total of 10 proposals were received from the following entities or persons: Diligence LLC, EngineerSoft, Integrated Operational Policing, Kroll, Leb Dispute Resolution, Christina Mesean, McKinney Group, OIR Group LLC, ProFirst, and Stone & Busailah. A panel composed of City staff reviewed and scored each proposal on ability (10%), related experience (30%), proposer stability and City experience (20%),

assigned employee(s) (20%), pricing (10%), local Pasadena business (5%), and small or micro-business (5%).

Following review of the written proposals, the top three proposers (Kroll, OIR Group, and Stone & Busailah) were invited to interview with a City Council Ad Hoc Committee of Vice Mayor Wilson and Councilmembers Hampton, Madison, and Williams. After conducting interviews, the Ad Hoc Committee unanimously recommended that the OIR Group be selected as the IPA.

OIR Group is led by Michael Gennaco, a nationally recognized expert on law enforcement reform and accountability systems. He was the Chief Attorney of the Office of Independent Review for Los Angeles County, and is a founding Principal of OIR Group. OIR Group currently serves as the IPA for a number of cities, including Anaheim, Davis, and Palo Alto, among others. Additionally, OIR Group has performed prior work for Pasadena by issuing independent reports on their reviews of the 2009 officer-involved shooting of Leroy Barnes, Jr. and the 2012 officer-involved shooting of Kendrec McDade. OIR Group was also retained last year to review the August 2020 officer-involved shooting of Anthony McClain; their work in this matter is ongoing.

It is anticipated that the IPA's work can begin in earnest when the members of the Community Police Oversight Commission are selected, and when Commission staff in the City Attorney's office is hired (a Management Analyst recruitment is currently underway). The OIR Group proposal provides for an hourly rate of \$250, with an estimated annual not to exceed amount of \$87,300.

ENVIRONMENTAL ANALYSIS:

The proposed contract is exempt from CEQA per section 15061(b)(3), the General Rule. The General Rule can be applied when it can be seen with certainty that the activity will not have a significant effect on the environment. The proposed action is for a contract for the Independent Police Auditor, which will not result in any physical changes to the environment.

FISCAL IMPACT:

Approval of the recommended action will increase the City Attorney/City Prosecutor's Fiscal Year 2021 Operating budget by \$83,700 in account 10112000-811400. It is anticipated that less than \$20,000 will be spent during the current fiscal year, and the remainder in FY 2022.

Respectfully submitted,


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City Attorney

Prepared by:


JAVAN N. RAD
Chief Assistant City Attorney

ATTACHMENT: OIR Group Proposal for Independent Police Auditor