

Agenda Report

December 16, 2024

TO: Honorable Mayor and City Council

FROM: City Council Ad Hoc Committee on IPA Selection (Councilmembers Hampton (Chair), Jones, Lyon and Masuda)

SUBJECT: AUTHORIZE THE CITY ATTORNEY TO EXECUTE A CONTRACT WITH OIR GROUP LLC FOR INDEPENDENT POLICE AUDITOR SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$175,000

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the action proposed herein is not a "project" subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b); and
2. Authorize the City Attorney to enter into a contract, as the result of the competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with OIR Group LLC for independent police auditor services in an amount not to exceed \$175,000 for a period of one year. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

ADVISORY COMMISSION /CITY COUNCIL COMMITTEE RECOMMENDATION:

The City Council Ad Hoc Committee for the selection of the Independent Police Auditor (IPA), which includes Councilmembers Hampton, Jones, Lyon, and Masuda, unanimously recommends that OIR Group LLC, led by Teresa Magula, be selected as the IPA. The Community Police Oversight Commission (CPOC) IPA Selection Ad Hoc Committee, comprised of Chair Jones, Vice Chair Argento, and Commissioners Ibáñez and Verrett, also endorsed this recommendation.

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, and recommending changes to Pasadena Police Department (PPD) policies, procedures, or officer training. To perform these duties, the ordinance provides the IPA with "unimpeded access" to various PPD personnel records, and the authority to subpoena records (with the exception of personnel records), and witnesses (with the exception of City employees).

The City's current IPA, Richard Rosenthal, PhD, informed the City in June 2024 that he intends to retire in January 2025, and recommended selecting the next IPA with time for transition with information sharing from Dr. Rosenthal. In September 2024, a Request for Proposals for Independent Police Auditor was issued. A total of 12 proposals were received from the following entities or persons: AP Triton, Bartlett James, Guidepost Solutions LLC, Independent Workplace Solutions, IntegrAssure LLC, Law Office of Robert Grant III, Law Offices of John Alden, OIR Group LLC, Oppenheimer Investigations Group LLP, Pivot Consulting Group, Police Executive Research Forum, and West Coast Police Integrity Advisors.

A panel comprised of City Manager and City Attorney staff, as well as outgoing IPA Richard Rosenthal, PhD, reviewed and scored each proposal on ability, related experience, pricing, local Pasadena business, and small or micro-business.

Following review of the written proposals, the top eight proposers were interviewed by the Commission Ad Hoc Committee on IPA Selection. The Commission's Ad Hoc Committee then referred three proposers from the top eight to the City Council IPA Ad Hoc Committee for interview (IntegrAssure LLC, Law Offices of John Alden, and OIR Group). Following these interviews, both the City Council and CPOC Ad Hoc Committees recommend southern California based OIR Group LLC. Both Ad Hoc Committees were impressed with lead representative Teresa Magula and OIR Group LLC's experience, ability, and commitment to this role.

OIR Group LLC has provided oversight services to public entities since 2001, which, among other experience, includes reviews of three critical incidents in Pasadena. Teresa Magula is the proposed lead for the IPA position on behalf of OIR Group LLC. Ms. Magula is a former Special Investigator for the Los Angeles Police Department's Office of Inspector General, which investigates misconduct allegations and uses of force. Ms. Magula also works with the U.S. and California Departments of Justice as a monitor and subject-matter expert on use of force and accountability systems. She has conducted operational and policy reviews of various law enforcement agencies and is the lead Independent Police Auditor for the cities of Eureka, Santa Cruz, and Las Cruces (New Mexico).

Julie Ruhlin and Stephen Connolly would provide primary assistance to Ms. Magula for this assignment. Ms. Ruhlin served as Deputy Chief for the Office of Independent Review in Los Angeles County from 2011 to 2014. She currently serves as the project manager for the Office of Correction and Law Enforcement Monitoring in Santa Clara

County and leads OIR Group LLC's efforts to serve as the Inspector General for the Santa Cruz County Sheriff's Office. Mr. Connolly is an attorney and served as an original member of the Los Angeles County's Office of Independent Review where he monitored hundreds of internal investigations and disciplinary determinations involving the Los Angeles County Sheriff's Department. He also served as the first Executive Director of the Orange County Office of Independent Review from 2008 to 2016. Currently, Mr. Connolly is serving as one of the Independent Police Auditors in the cities of Palo Alto, Santa Rosa, Modesto, Anaheim, and Davis.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's Strategic Planning Goal of ensuring public safety.


ENVIRONMENTAL ANALYSIS:

CEQA excludes, from environmental review, actions that are not "projects" as defined by CEQA Guidelines Section 21065 and within the meaning of Section 15378(b). Sections 21065 and 15378(b) define a project as an action which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Section 15378 excludes from the definition of "project" organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. The actions proposed herein, authorizing the City Attorney to enter into a contract for independent police auditor services, is an administrative activity that will not result in direct or indirect physical changes in the environment, and therefore is not a "project" as defined by CEQA. Since the action is not a project subject to CEQA, no environmental document is required.

FISCAL IMPACT:

Approval of the recommended action will not increase the City Attorney/City Prosecutor's Fiscal Year 2025 Operating Budget, as funds are still available for the remainder of the current fiscal year. The remaining funding needs will be discussed as part of the Fiscal Year 2026 Operating Budget related to the Community Police Oversight Commission.

Respectfully submitted,

By 


TYRON HAMPTON
Councilmember
Chair, City Council Ad Hoc Committee
on IPA Selection

Prepared by:



Arnold F. Lee
Acting Chief Assistant City Attorney

Concurred by:



MIGUEL MÁRQUEZ
City Manager

Attachment: (1)

Attachment A – OIR Group LLC Proposal for Independent Police Auditor