



Office of the Mayor

RECEIVED AT  
COUNCIL MEETING OF:

JUN 20 2017

OFFICE OF THE CITY CLERK  
CITY OF BERKELEY

## Motion, Item 1a:

**Create a City Council Subcommittee:** to review the City's involvement in Urban Shield, and to ultimately determine whether the City should continue to participate in Urban Shield and to present alternative programs that better reflect the values of Berkeley's citizens. The subcommittee will be comprised of four Councilmembers including the Mayor.

Refer to the Subcommittee all the proposed Subcommittee actions recommended by Councilmembers Davila/Harrison, Worthington, and the following tasks:

**Key tasks regarding Urban Shield will include, but not be limited to:**

- Reviewing Urban Shield scenarios in the past 3-5 years, as well as current and upcoming scenarios, and scoring procedures
- Attend and observe Urban Shield exercises
- Attend and observe Urban Shield vendor Expo
- Attend and review keynote speakers, workshop topics, and materials of past, current, and planned exercises and expos
- Observing or participating in Supervisor Carson's community task force on Urban Shield, reviewing of reports generated by this group.
- Researching other training opportunities that the Berkeley Police Department might participate in, either domestic or international, and consider whether BPD could work with police from other progressive cities to create specialized training
- Contacting other Northern California jurisdictions that do not participate in urban Shield exercises, to understand why they do not participate and how and where they obtain relevant training. These include, but are not limited to:
  - All Police Departments of Sonoma, Napa, and Marin Counties, except for the City of Novato
  - The City of Santa Cruz
  - The City of Palo Alto,
  - And many others
- Undertake any other research and investigation necessary to help inform the subcommittee about the nature of Urban Shield exercises and any possible elements that might go contrary to the City of Berkeley's values of community policing, nondiscrimination, and respect for human and civil rights.
- Report and recommend to Council regarding Urban Shield. The report and recommendations should answer questions including, but not limited to:
  - How does Urban Shield contribute to or detract from public safety and the safety of police and firefighters and other medical and law enforcement personnel?

- What are the benefits and costs of participation in Urban Shield? Are there any specific elements that are commendable or objectionable, given Berkeley's values and needs?
- Does Berkeley's participation in the program positively influence or enhance Urban Shield, and how might the city's positive impact be enhanced in the future, should Berkeley continue to participate?
- Does Berkeley's participation support or run contrary to Berkeley's values or interests, and how or why might the city's involvement be continued, enhanced, limited or ended if this is the case?
- What other training opportunities are available for the Berkeley Police Department and other first responders?
- Develop plan for alternative trainings and for a potential partial or full withdrawal from Urban Shield in the future + *move*

RESOLUTION NO. ~~##,###-NS~~ OFFICE OF THE CITY CLERK  
CITY OF BERKELEY  
RESOLUTION ESTABLISHING THE TERMS AND CONDITIONS OF THE CITY OF  
BERKELEY'S COOPERATION WITH UASI PROGRAMS AND ACTIVITIES

WHEREAS the City of Berkeley ("Berkeley") has entered into The Agreement Between the City and County of San Francisco And The City Of Berkeley For the Distribution of FY 2016 UASI Grant Funds, dated November 1, 2016 ("The Agreement"), a copy of which is attached; and

WHEREAS Section 10.13 of The Agreement, Cooperation with UASI Programs and Activities, sets terms for the City of Berkeley's cooperation with UASI programs and activities; and

WHEREAS Subsection (a) of Section 10.13 states that Berkeley agrees to participate in UASI programs and activities "subject to reasonable terms and conditions"; and

WHEREAS the City of Berkeley wishes to clarify the "terms and conditions" under which the City of Berkeley will participate in UASI programs and activities.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the terms and conditions as referenced in Section 10.13(a) of The Agreement Between the City and County of San Francisco And The City Of Berkeley For The Distribution Of FY 2016 UASI Grant Funds, dated November 1, 2016 are as follows:

(1) The City of Berkeley ("Berkeley") retains authority to determine the UASI-sponsored programs and activities Berkeley will participate in; and

(2) The equipment acquired with funds furnished by the above referenced Agreement (the Specially Equipped Panel Van) shall be used only in UASI-sponsored exercises that Berkeley chooses to participate in, and in such instances shall only be used by Berkeley personnel, according to Berkeley's policies and protocols, under Berkeley's exclusive command and control.

**Exhibits**

A: Agreement with the City & County of San Francisco for the Distribution of UASI Grant Funds dated November 1, 2016

## RESOLUTION NO: ##,### N.S.

PURCHASE ORDER: THE ARMORED GROUP FOR ONE SPECIALLY EQUIPPED PANEL  
VAN

WHEREAS, one Specially Equipped Panel Van is needed by the Berkeley Police Department to protect officers and community members from gunfire; and

WHEREAS, this van is factored into the California Disaster and Civil Defense Statewide Mutual Aid System; and

WHEREAS, Charter section 67.2 allows the City to purchase goods without undergoing a competitive bid process if the City is using pricing obtained by another public entity through a competitive process; and

WHEREAS, the Federal General Services Administration Cooperative Purchasing Agreements are available for purchasing by state and local governments; and

WHEREAS, GSA released a bid solicitation in 2006 which was nationally advertised for open competition; and

WHEREAS, the bid responses were reviewed by GSA Contracting Officers who determined The Armored Group's bid pricing to be fair and reasonable and awarded GSA Contract No. GS-07F-9375S; and

WHEREAS, City of Berkeley Equipment Maintenance Division, Police Department and Finance-General Services reviewed the specifications and determined the GSA contract meets the needs of the Equipment Maintenance and Police Department; and

WHEREAS, the cost for one Specially Equipped Panel Van will not exceed \$205,373 and funds will be available in FY 2017 UASI Regional Fund and Asset Forfeiture Fund.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that pursuant to GSA bid procedures and specifications, the City Manager is hereby authorized under Charter section 67.2 to purchase one new Specially Equipped Panel Van from The Armored Group, in an amount not to exceed \$205,373; and

BE IT FURTHER RESOLVED because of the unusual nature of this piece of equipment, and the potential that when deployed in certain ways it may be perceived to limit or chill free speech and/or assembly, and because it was purchased for specific scenarios it should only be used in those instances when it is clearly called for; and

BE IT FURTHER AND FINALLY RESOLVED, that the City Council will adopt a policy for use of the Specially Equipped Panel Van prior to its being deployed in any capacity by the City of Berkeley. The policy will be developed by the Mayor, in consultation with the Chief of Police and reviewed by the PRC, and will be approved by the City Council.