

AGENDA ITEM NO. 1 A  
COUNCIL MEETING 01/14/2010  
APPROVED BY \_\_\_\_\_

DEPARTMENT DIRECTOR   
CITY MANAGER \_\_\_\_\_

January 14, 2010

FROM: JERRY P. DYER, Chief of Police  
Police Department

BY: TOM LABAND, Lieutenant  
Training Bureau

SUBJECT: A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO AUTHORIZE THE CHIEF OF THE FRESNO POLICE DEPARTMENT OR DESIGNEE TO EXECUTE CERTAIN AGREEMENTS RELATED TO THE OPERATION OF THE FRESNO POLICE DEPARTMENT TRAINING CENTER

### RECOMMENDATIONS

It is recommended that the City Council adopt the resolution authorizing the Chief of Police (or his designee) to enter into agreements, approved as to form by the City Attorney's Office, related to the operation of the Fresno Police Department Training Center (FPDTC) with various course presenters, criminal justice agencies, equipment suppliers, construction contractors and other service providers for maintenance services, etc., for which competitive bidding is not required by the City of Fresno Charter.

### EXECUTIVE SUMMARY

The FPDTC will be a regional training center and, as such, will be offering classes to outside agencies within our region. Many of these classes will be hosted by the Fresno Police Department, but actually presented by an outside vendor. It will be necessary for the Chief of Police (or his designee) to be able to enter into agreements with these outside presenters. Additionally, there will be other criminal justice agencies that will rent or lease space at the facility, and user agreements and contracts will be required.

### BACKGROUND

One of the functions of the FPDTC will be to provide training resources to other criminal justice agencies. These resources might include long-term leases of office space at the firearms range, and short-term rental of classrooms, firearms ranges, the tactical training house, sniper tower, driving course, etc. It is anticipated that there will be numerous outside agencies requesting use of the facility on an irregular basis. To properly manage and administer these resources, contracts and user agreements between the City and these outside agencies will be required. These contracts and user agreements would have prior approval as to form from the City Attorney's Office, but prior Council approval for each and every contract and user agreement would be administratively inefficient.

Many of the classes presented at the FPDTC will be provided by the Fresno Police Department training staff. However, there are classes that will be provided by outside presenters, and the FPDTC will be the host of these classes, providing a venue and other resources. These classes will occur on an irregular basis and will

be presented by various training presenters. Contracts between the City and these presenters are customary and it would be administratively inefficient to seek Council approval prior to the execution of each contract.

The operation of the FPDTC will require maintenance and construction service contracts. Council approval for each and every contract would be administratively inefficient.

The attached resolution will provide for the efficient management and operation of the FPDRTC.

**FISCAL IMPACT**

There is no fiscal impact associated with this request.

JPD:tl  
12/09/09

Attachment: Resolution

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO AUTHORIZE THE CHIEF OF THE FRESNO POLICE DEPARTMENT OR DESIGNEE TO EXECUTE CERTAIN AGREEMENTS RELATED TO THE OPERATION OF THE FRESNO POLICE DEPARTMENT TRAINING CENTER.

WHEREAS, in the course of the City's business and operation of the Fresno Police Department Regional Training Center ("Facility"), the Fresno Police Department will find it necessary to enter into (i) service agreements, involving the expenditure of City moneys of less than or equal to \$50,000 during any one-year period of the agreement, with maintenance providers for service at or for the Facility or with educational institutions or instructors for course presentations at the Facility; (ii) cooperative or license agreements, or leases, with other criminal justice agencies for their use of the Facility or lease of office or storage space at the Facility; and (iii) contracts with vendors or contractors for equipment, supplies, materials and minor repair or public works construction for or at the Facility; and

WHEREAS, pursuant to Fresno Municipal Code section 4-107(d), Council may authorize by resolution a City official or employee to contract for services, equipment, materials, supplies or public works construction for which competitive bidding is not required by the Charter of the City of Fresno; and

WHEREAS, the adoption of this resolution to authorize the Fresno Police Chief or designee to execute such agreements related to the Facility will expedite the process, minimize delays and streamline the operations of the Facility; and

WHEREAS, except as provided herein, agreements for services and contracts with vendors or contractors for equipment, supplies, materials and minor repair or public works construction will be subject to the respective and applicable City procurement requirements in Articles 1, 4 and 5 of Chapter 4 of the Fresno Municipal Code; and

WHEREAS, entry into any agreement is subject to compliance with all applicable laws and regulations; and

WHEREAS, such agreements must be approved as to form by the City Attorney's Office and returned to City by the other party with evidence of execution authority and insurance, and then executed by proper authority for the City; and

WHEREAS, Council finds it is in the best interest of the City to adopt this resolution authorizing the Chief of the Fresno Police Department or designee to enter into agreements of such nature where monies have been appropriated and the Facility operations funded through the adopted fiscal budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

Except for contracts for which competitive bidding is required by the Charter of the City of Fresno, the Chief of the Fresno Police Department or designee thereof is hereby authorized to enter into various agreements, of the nature described herein, with criminal justice agencies, educators, vendors and contractors related to the operation of the Fresno Police Department Regional Training Center where the agreement has been approved as to form by the City Attorney's Office and for which an appropriation has been made.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, California at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2009

Mayor Approval/No Return: \_\_\_\_\_, 2009

Mayor Veto: \_\_\_\_\_, 2009

Council Override Vote: \_\_\_\_\_, 2009

REBECCA E. KLISCH  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY: *Nancy A. Algier* 11-18-09  
Nancy A. Algier Date  
Senior Deputy