

C-9

October 24, 2023

Honorable Mayor and City Council
City of Long Beach
California

RECOMMENDATION:

Recommendation to adopt a resolution authorizing the City Manager, or designee, to execute a contract, and any necessary documents including any necessary subsequent amendments, with the California State Sheriffs' Association (CSSA), of Sacramento, CA, for the utilization of the CSSA's cloud-based Racial Identity and Profiling Act application solution, in a total annual amount not to exceed \$10,000, and a one-time cost of \$8,000, for a period of one year, with the option to renew for five additional one-year periods, at the discretion of the City Manager. (Citywide)

DISCUSSION

City Council approval is requested to enter into a contract with the California State Sheriffs' Association (CSSA) to utilize the agency's cloud-based Racial Identity and Profiling Act (RIPA) application solution. RIPA was formed as part of Assembly Bill 953 (Weber, 2016), and as a result, in 2018, law enforcement agencies are required to collect stop data and report the information to the Department of Justice. CSSA provided a free, on-premises solution, to California agencies that the Long Beach Police Department (LBPd) has utilized since the inception of the RIPA mandate. In 2023, CSSA moved away from supporting an on-premises solution to a cloud-based solution utilizing Microsoft Azure, which allows for automatic updates for the application to be in line with the newest State regulations.

The State RIPA stop data requirements are being expanded on January 1, 2024, and the current on-premises solution will not include these additional requirements. Furthermore, the Technology and Innovation Department does not have the current internal capacity to update the program to be in line with State regulations. Therefore, it is recommended to collaborate with CSSA for use of their newly implemented cloud-based solution. An agreement with CSSA will ensure LBPd remains in compliance with changing State regulations.

City Charter Section 1801 requires that contracts for City purchases be awarded to the lowest responsive bidder after a competitive bid process but allows for awards without a competitive bid process when authorized by a Resolution adopted by the City Council.

This matter was reviewed by Deputy City Attorney Arturo D. Sanchez on September 9, 2023, Purchasing Agent Michelle Wilson on September 18, 2023, and by Budget Analysis Officer Greg Sorensen on September 21, 2023.

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TIMING CONSIDERATIONS

City Council action to adopt a Resolution and award a contract concurrently is requested on October 24, 2023, to ensure the contract is in place expeditiously.

LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party, participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

FISCAL IMPACT

The total annual amount of the contract will not exceed \$10,000 annually, with the option to renew for five additional one-year periods. The onboarding one-time cost of the application is estimated to be \$8,000 and the annual cloud services are estimated to cost \$10,000. Sufficient appropriation is currently budgeted in the General Fund Group in the Police Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



WALLY HEBEISH
CHIEF OF POLICE

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENT - RESOLUTION

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT AND ANY NECESSARY SUBSEQUENT AMENDMENTS WITH THE CALIFORNIA STATE SHERIFFS' ASSOCIATION (CSSA) FOR THE UTILIZATION OF THE CSSA'S CLOUD-BASED RACIAL IDENTITY AND PROFILING ACT APPLICATION SOLUTION, IN A TOTAL ANNUAL AMOUNT NOT TO EXCEED \$10,000, AND A ONE-TIME COST OF \$8,000, FOR A PERIOD OF ONE YEAR, WITH THE OPTION TO RENEW FOR FIVE (5) ADDITIONAL ONE-YEAR PERIODS, AT THE DISCRETION OF THE CITY MANAGER

WHEREAS, City Council approval is requested to enter into a contract with the California State Sheriffs' Association ("CSSA") to utilize the agency's cloud-based Racial Identity and Profiling Act ("RIPA") application solution; and

WHEREAS, RIPA was formed as part of Assembly Bill 953 (Weber, 2016), and as a result, in 2018, law enforcement agencies are required to collect stop data and report the information to the Department of Justice;

WHEREAS, CSSA provided a free, on-premises solution, to California agencies that the Long Beach Police Department (LBPD) has utilized since the inception of the RIPA mandate; and

WHEREAS, In 2023, CSSA moved away from supporting an on-premises solution to a cloud-based solution utilizing Microsoft Azure, which allows for automatic updates for the application to be in line with the newest state regulations; and

WHEREAS, The State RIPA stop data requirements are being expanded on

1 January 1st, 2024, and the current on-premises solution will not include these additional
2 requirements; and

3 WHEREAS, the Technology and Innovation Department does not have the
4 current internal capacity to update the program to be in line with State regulations, and
5 therefore, it is recommended to collaborate with CSSA for use of their newly implemented
6 cloud-based solution; and

7 WHEREAS, An agreement with CSSA will ensure LBPD remains in
8 compliance with changing State regulations; and

9 WHEREAS, City Charter Section 1801 requires that contract for City
10 purchases be awarded to the lowest responsive bidder after a competitive bid process, but
11 allows for awards without a competitive bid process when authorized by a Resolution
12 adopted by the City Council;

13 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
14 follows:

15 Section 1. The above recitals are true and correct and are incorporated
16 herein by this reference.

17 Section 2. The City Manager or designee is hereby authorized to enter an
18 agreement with the California State Sheriffs' Association (CSSA) of Sacramento,
19 California, for the utilization of the CSSA's cloud-based Racial Identity and Profiling Act
20 application solution, in a total annual amount not to exceed Ten Thousand Dollars
21 (\$10,000), and a one-time cost of Eight Thousand Dollars (\$8,000), for a period of one
22 year, with the option to renew for five (5) additional one-year periods, at the discretion of
23 the City Manager.

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LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Long Beach City Councilmember, the Mayor, and Commissioner ("City Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$250 within the previous twelve months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a City Officer that has received such a contribution to disclose the contribution on the record of the proceeding.

City Officers are listed at the following sites:

- The Mayor and Councilmembers - <https://www.longbeach.gov/officials/>
- Harbor Commissioners - <https://polb.com/commission>
- Water Commissioners - <https://lbwater.org/about-us/current-water-commissioners/>
- Planning Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Parks and Recreation Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Board of Examiners, Appeals, and Condemnation - <https://www.longbeach.gov/mayor/action/commissions/>
- Cultural Heritage Commission - <https://www.longbeach.gov/mayor/action/commissions/>
- Long Beach Community Investment Company - <https://www.longbeach.gov/lbds/hn/lbcic/>

Proposers are responsible for accessing these links to review the names prior to answering the following questions.

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any City Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

9/18/2023

Date

Erica Falchetti

Signature of authorized individual

Erica Falchetti / Director, Public Sector

Type or write name of authorized individual

Insight Public Sector, Inc.

Type or write name of company

COLB Levine Act Disclosure Statement

Final Audit Report

2023-09-18

Created:	2023-09-18
By:	AMANDA LUEDY (AMANDA.LUEDY@INSIGHT.COM)
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