

RESOLUTION 2026-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO EXECUTE CONSULTANT SERVICE AGREEMENTS WITH (1) WBA CONSULTING & INVESTIGATIONS FOR ADMINISTRATIVE REVIEWS OF HIGH LIABILITY CRITICAL INCIDENTS; AND (2) R. GIORDANO CONSULTING & INVESTIGATIONS FOR INTERNAL AFFAIRS INVESTIGATIONS, FOR A PERIOD OF THREE YEARS FROM JULY 1, 2026 THROUGH JUNE 30, 2029, AT A COST NOT TO EXCEED \$225,000 FOR EACH AGREEMENT OVER THE THREE-YEAR TERM

WHEREAS, Improve Public Safety is an adopted policy item under the FY 2025-27 City Council Priority Work plan, effective April 7, 2025;

WHEREAS, the Police Department's use of an independent third-party investigator(s) for Internal Affairs investigations and the administrative review of major critical incidents is intended to promote transparency, impartiality, and public confidence in the integrity of the investigative process;

WHEREAS, internal investigations and high-liability incidents - such as officer-involved shootings, in-custody deaths, serious uses of force, allegations of misconduct, and other critical events - often involve significant legal, operational, and community considerations;

WHEREAS, utilization of a third-party investigator helps ensure that these matters are reviewed objectively, and removed from any actual or perceived conflicts of interest that may arise when investigations are conducted internally;

WHEREAS, the Police Department has utilized services with Brian Addington of WBA Consulting & Investigations for the past four years. The current contract, which was approved via Resolution 2023-072, is set to expire on June 30, 2026;

WHEREAS, Mr. Addington is a retired Police Chief from a local agency in Contra Costa County, and possesses more than 25 years of law enforcement experience; his primary scope of service is for administrative reviews of high-liability or major critical incidents;

WHEREAS, the Police Department has utilized services with Robert Giordano of R. Giordano Consulting & Investigations for the past five years. The current contract, which was approved via Resolution 2023-059, is set to expire on June 30, 2026;

WHEREAS, Mr. Giordano possesses more than 25 years of law enforcement experience; his primary scope of service is for internal affairs investigations regarding staff conduct;

WHEREAS, The Police Department recommends that the City enter into sole source contracts with Mr. Addington and Mr. Giordano, with annual costs not-to-exceed \$75,000 per fiscal year over each proposed three-year Agreement term, based on the following unique factors: intimate knowledge of the Police Department structure and staff; intimate

knowledge of the Police Department's policies & procedures; the Police Department's trust and confidence in Addington and Giordano's ability to objectively/thoroughly complete assigned reviews/investigations; both consultants are accessible 24-hours a day for one-on-one consultation; Giordano and Addington are both retired law enforcement executives with extensive experience as internal affairs investigators; Giordano and Addington's pay rate is competitive to similar consulting firms; and

WHEREAS, the City may dispense with competitive bidding requirements if the public interest is better served by doing so, as where competitive bidding would not produce an advantage. (*Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631; *Los Angeles Dredging Co. v. Long Beach* (1930) 210 Cal.348; Municipal Code sec. 3.16.110 (A)). The exception may be invoked where the product or service contracted for is of unique value and may not be obtained elsewhere, which is the case with WBA Consulting & Investigations (*Hodgeman v. City of San Diego* (1942) 53 Cal.App.2d 610, 618);

WHEREAS, no other firms have an intimate knowledge of the Police Department structure, staff, policies and procedures. The Police Department has established a professional relationship with Addington and Giordano, and trusts in their abilities to thoroughly and objectively review high-liability critical incidents and internal affairs investigations;

WHEREAS, the total cost of each proposed Agreement shall not exceed \$75,000 per fiscal year, or \$225,000 over each three-year Agreement term;

WHEREAS, the annual expense of each agreement will be allocated, budgeted, and funded through the Police Department's operating budget (Professional Services: 100-2110-43600);

WHEREAS, funding for each Agreement has been allocated within the Police Department's operating budget through FY 2027-28; and

WHEREAS, the continuation of services into the subsequent fiscal year will be contingent upon funding availability, as specified within the terms of each Agreement.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings; and

BE IT FURTHER RESOLVED that the City Council of the City of San Pablo City Council hereby authorizes the following:

1. The City Manager is authorized to execute consultant services agreements with WBA Consulting & Investigations for administrative reviews and R. Giordano Consulting & Investigations for internal affairs investigations, for a period of three years from July 1, 2026 through June 30, 2029, at a cost not to exceed \$225,000 over each three-year agreement term; and
2. The City Council further determines that the consultant services agreements are exempt from the bid process under Section 3.16.110(A) of the San Pablo

Municipal Code and waives the requirement for a separate formal bid process, as the WBA Consulting & Investigations and R. Giordano Consulting & Investigations services are a sole source procurement.

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ADOPTED this 15th day of June, 2026, by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Elizabeth Pabon-Alvarado, Mayor