

OAKLAND CITY COUNCIL

Resolution No. 79705 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE FUNDS FROM STATE AND FEDERAL AGENCIES FOR OAKLAND FIRE DEPARTMENT EMERGENCY RESCUE AND RECOVERY ACTIONS AND SUPPORT ACTIVITIES, AND WAIVING OAKLAND'S COMPETITIVE REQUEST FOR PROPOSAL OR QUALIFICATIONS PROCESSES FOR EMERGENCY CONSULTANT SERVICES FOR SUCH CONTRACTS WITHIN THE CITY ADMINISTRATOR'S AUTHORITY WHICH IS \$150,000.00

WHEREAS, the Oakland Fire Department (OFD) periodically engages in actual emergency rescue and recovery actions and support activities approved by the State of California and federal agencies such as the 1994 Northridge Earthquake, September 11, 2001 Terror Attack Incident, October 2003 San Diego Fire, August 2004 Bear Incident, August 2004 French Incident, September 2004 Geysers Incident, August 2005 Hurricane Katrina and September 2005 Hurricane Rita; and

WHEREAS, the City incurs costs for supplies, materials, equipment and consultant services that are eligible for reimbursement by state and federal agencies; and

WHEREAS, those costs are above and beyond the City's adopted budget and with federal and state reimbursement the net cost of emergency rescue and recovery and support activities to the City of Oakland is zero; and

WHEREAS, City Charter Section 801 requires the Council to establish expenditures and make necessary appropriations for such expenditures as part of the budget process; and

WHEREAS, the aforementioned emergency rescue and recovery actions and support related activities are not foreseeable when preparing the two-year budget, and the emergency actions require quick turnaround financial support to incur expenditures or deposit reimbursements; and

WHEREAS, OFD needs advance City Council authorization for the City Administrator or his/her designees to accept and appropriate funds from the State of California and Federal agencies for reimbursable costs of emergency response actions; and

WHEREAS, this resolution would authorize the City Administrator or his/her designees to accept and appropriate funds from state and/or federal agencies for emergency response activities, therefore, there would be no fiscal impact on the City; and

WHEREAS: the City Council has waived competitive bidding requirements for the purchase of supplies, materials and equipment during any declared disaster that requires the activation of the City's Urban Search and Rescue Team (Resolution No. 70943 C.M.S., adopted April 26, 1994); and

WHEREAS: the City Administrator needs similar waiver of Oakland's competitive process for, and authorization to, execute agreements with consultants needed for emergency response actions; and

WHEREAS, the appropriation for expenditure amounts related to state- and federal-approved emergency rescue, recovery and support activities should be offset by the same amount of state and federal funding, and the fund, organization, account, project, and program codes would be determined by the appropriate State and/or Federal agency requirements and funding sources; now, therefore, be it

RESOLVED: that the City Council for the City of Oakland hereby authorizes the City Administrator or his/her designees to accept and appropriate state and/or federal funds from State of California and Federal agencies for actual emergency rescue and recovery actions and support activities carried out by the Oakland Fire Department; and be it

FURTHER RESOLVED: That, pursuant to O.M.C. section 2.04.051.B, the City Council finds and determines that it is in the City's best interests to waive Oakland's competitive requirement for consultants needed for emergency response actions and authorizes the City Administrator to execute contracts with such consultants in accord with federal and state competitive requirements, if any, without return to City Council; and be it

FURTHER RESOLVED: That all contracts executed hereunder will be approved for form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk and Oakland Fire Department.

IN COUNCIL, OAKLAND, CALIFORNIA, **FEB 07 2006**, 2006

PASSED BY THE FOLLOWING VOTE:

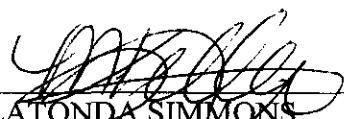
AYES – BRUNNER, BROOKS, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE - 8

NOES – 0

ABSENT – 0

ABSTENTION -- 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California