

City Attorney

OFFICE OF THE CITY CLERK
OAKLAND CITY COUNCIL

2007 APR 24 10 32 AM
RESOLUTION No. 80541 C.M.S.

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH LAW ENFORCEMENT AGENCIES FOR ALLIED TRAFFIC ENFORCEMENT OPERATIONS AND OTHER LAW ENFORCEMENT SERVICES NEEDED TO SUPPORT ROUTINE AND EMERGENCY POLICE FUNCTIONS AND OPERATIONS IN AN AMOUNT WITHIN THE CITY ADMINISTRATOR'S PURCHASING AUTHORITY ON BEHALF OF THE POLICE DEPARTMENT, PROVIDED THAT THE FUNDING SOURCE FOR SUCH AGREEMENTS IS FEDERAL, STATE OR LOCAL GRANT FUNDS ACCEPTED AND APPROPRIATED BY THE CITY COUNCIL

WHEREAS, the Police Department routinely conducts traffic enforcement operations which are designed to offset incidents of reckless driving and exhibitions of speed perpetrated by unlicensed and impaired drivers that plague the City of Oakland and the greater San Francisco Bay Area; and

WHEREAS, the Police Department also conducts sobriety checkpoint operations which are designed to reduce the number of persons injured or killed in alcohol-involved crashes; and

WHEREAS, traffic enforcement, sobriety checkpoint, and other law enforcement operations are often implemented on a collaborative basis between the Oakland Police Department, the California Highway Patrol, other regional law enforcement agencies, and the State of California; and

WHEREAS, the Police Department periodically requires assistance from other law enforcement agencies to conduct routine and emergency functions and operations necessary for police work such as forensic analysis, latent print comparisons, and other identification services; and

WHEREAS, in many instances funds are available to reimburse other law enforcement agencies for such services from federal, state and local grants funds accepted by the City Council; and

WHEREAS, the Police Department requests a waiver of the competitive request for proposal/ qualifications process to facilitate such grant-funded agreements with other regional law enforcement agencies for allied traffic enforcement operations and other law enforcement services needed to support routine and emergency functions and operations of the Oakland Police Department; and

WHEREAS, the City Administrator can submit an annual report identifying all agreements entered into pursuant to this resolution so that the City Council may track the number and types of such grant-funded law enforcement assistance agreements the Police Department uses each year; and

WHEREAS, the City Council finds that the services provided pursuant to said agreements authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that said agreements shall not result in a loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the competitive request for proposal/ qualifications process for agreements with grant-funded allied law enforcement agencies for periodic traffic enforcement and other law enforcement services, as needed; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, or her designee, to enter into grant-funded agreements with law enforcement agencies for allied traffic enforcement operations and any other law enforcement services needed to support routine and emergency functions and operations of the Oakland Police Department in an amount within the City Administrator's purchasing authority, provided that the funding source for reimbursement of such is federal, state or local grants funds that have been accepted and appropriated by the City Council; and, be it

FURTHER RESOLVED: That the City Administrator shall provide the City Council an annual report identifying all of the agreements entered into pursuant to this Resolution; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is further authorized to execute all agreements and other documents necessary in connection with said agreements and complete any negotiations, certifications and documentation required to accept, modify, extend, or amend the agreements provided no additional funds beyond the City Administrator's signing authority will be allocated without prior City Council approval; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreements as to form and legality and copies of said agreements shall be filed on the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 1 2007 , 20

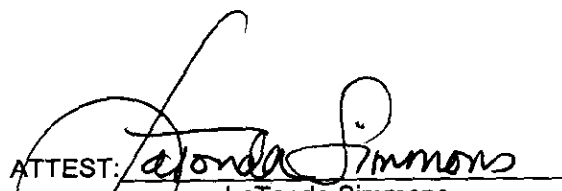
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, 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