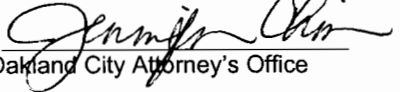


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 MAY 27 AM 10:26

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 82836 C.M.S.

Introduced by Councilmember _____

A RESOLUTION AUTHORIZING THE ADOPTION OF THE MASS CARE AND SHELTER PLAN FUNCTIONAL NEEDS ANNEX TO BE ADDED TO THE CITY OF OAKLAND'S NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) / STANDARDIZED EMERGENCY MANAGEMENT SYSTEM (SEMS) EMERGENCY PLAN, TO PREPARE FOR AND PROVIDE TEMPORARY MASS CARE AND SHELTER TO PEOPLE WITH DISABILITIES AS PART OF THE SETTLEMENT AGREEMENT IN THE CASE OF CALIFORNIA FOUNDATION FOR INDEPENDENT LIVING CENTERS, ET AL. V. CITY OF OAKLAND ET AL., U.S. DISTRICT COURT ACTION NO. C 07-04608 EDL

WHEREAS, the potential for a major catastrophe due to natural or human-caused disaster causes all government entities within Alameda County to be prepared and to share resources and information among themselves as well as with the State of California in order to protect public welfare; and

WHEREAS, the Oakland City Council supports proactive actions as they relate to emergency management practices to ensure effective and efficient emergency mitigation, prevention, preparedness, response, and recovery for the City of Oakland and the Bay Area Region; and

WHEREAS, the 2000 U.S. Census reports that 84,452 Oakland residents, representing more than 21% percent of the population, have disabilities and over ten percent of the population is age 65 or over; and

WHEREAS, Title II of the Americans with Disabilities Act (ADA) mandates that public entities, such as the City of Oakland, operate in such a way that its programs, activities and services, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities; and

WHEREAS, on February 2, 2010, the City Council adopted a resolution (No. 82510 C.M.S.) authorizing the City Attorney to settle the case of California Foundation for Independent Living Centers (CFILC) v. City of Oakland, et al (U.S. District Court Action No. C 07-04608 EDL) and directing the Office of Emergency Services to adopt a Mass Care and Shelter Plan Functional Needs Annex; and

WHEREAS, the Annex is Exhibit A to the settlement of CFILC v. Oakland and implementation of the Annex is an essential part of implementing and maintaining the settlement; and

WHEREAS, the Annex incorporates emerging requirements and practices in the field of emergency preparedness for people with disabilities and provides guidance for staff to meet ADA Title II requirements in emergency planning and response activities; and

WHEREAS, funds in the amount of one hundred thousand dollars (\$100,000.00) are available under the Fiscal Year 2010-11 ADA Accommodations Capital Reserve Fund budget (1.5200.94020.C274310.YS10) for structural improvements to City-owned buildings and facilities and in the amount of fifty thousand dollars (\$50,000.00) under the Fiscal Years 2010-11, 2011-12, and 2013-14 ADA Programs Division General Fund operating budgets (1.1010.02511.P386310.YS10) for equipment, materials and training purchases scheduled under the Annex; and therefore be it

RESOLVED, That the City of Oakland City Council hereby adopts the Mass Care and Shelter Functional Needs Annex as a component of the City of Oakland's Mass Care and Shelter Annex, Emergency Support Function #6, formerly known as Annex G of the City of Oakland NIMS/SEMS Emergency Plan.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 15 2010

PASSED BY THE FOLLOWING VOTE:

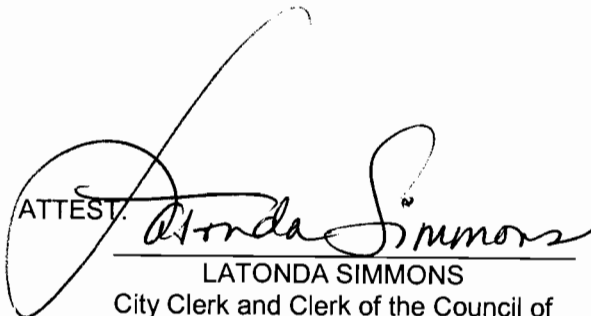
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST.


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