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OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


Oakland City Attorney's Office

~~20~~ OAKLAND CITY COUNCIL

RESOLUTION No. 82907 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPROPRIATE INSURANCE CLAIM RECOVERY MONIES IN THE AMOUNT OF ONE HUNDRED THIRTY THREE THOUSAND, SEVEN HUNDRED NINETY FOUR DOLLARS AND EIGHTY NINE CENTS (\$133,794.89) RECEIVED FOR DAMAGE TO PUBLIC WORKS AGENCY REFUSE PACKER EQUIPMENT NO. 4297 TO BE USED FOR REPLACEMENT OF THE EQUIPMENT AND PAYMENT IN FULL OF THE BALANCE REMAINING ON THE LEASE

WHEREAS, the City Council authorized an Equipment Master Lease-Purchase Agreement in May 2002 (Resolution No. 77101) under which the Public Works Agency purchased a refuse packer (Equipment No. 4297);

WHEREAS, in November 12, 2008 a fire destroyed the refuse packer (Equipment No. 4297) and the City of Oakland received insurance claim recoveries of \$133,794.89 for fire-damaged equipment; and

WHEREAS, the City of Oakland's insurance carrier provides monies for the replacement of lost or damaged vehicles; and

WHEREAS, the City is obligated under the 2002 Equipment Master Lease-Purchase Agreement to pay SunTrust the balance of the lease which is \$34,287.86, and to replace the damaged equipment purchased under the lease; and

WHEREAS, the City has received a quote in the amount of \$99,507.03 for the replacement of the damaged equipment with a like-use refuse packer vehicle; and

WHEREAS, Oakland Charter Section 806 provides that all monies received by the City shall be deposited in the City Treasury, and no monies shall be disbursed from the treasury without the approval of the City Administrator or of another officer duly authorized by the City Administrator; and

WHEREAS, Oakland Charter Section 806 further provides that no expenditure of City funds shall be made except for the purposes and in the manner specified by an appropriation of the Council; now, therefore, be it

RESOLVED: That the Council authorizes the City Administrator to authorize and appropriate a transfer from General Purpose Fund (1010), Fund Balance to Equipment Fund (4100) and appropriate revenue and expenditures in Equipment Services Administration Org (30541), Operation Transfer In-Other (49212) and expenditures Vehicle Replacement Account (57612), Project 2002 Lease Purchase (C218810), Fleet Management and Maintenance Program (IN01) in the amount of \$133,794.89; and be it

FURTHER RESOLVED: That the funds will be used to pay off the balance of 2002 Equipment Master Lease-Purchase Agreement and for the acquisition of a like-use refuse packer replacement vehicle to replace fire-damaged equipment purchased under the lease (Equipment No. 4297), provided that the funds are properly supported by accounting evidence; and be it

FURTHER RESOLVED: That the surplus of the recoveries in the amount of \$36,630.86 remain in Fund Balance where it presently resides.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 20 2010

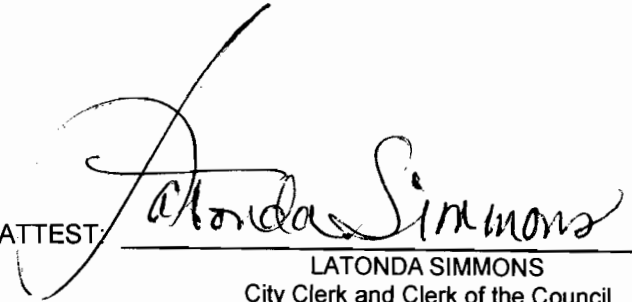
PASSED BY THE FOLLOWING VOTE:

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