

CITY OF OAKLAND

AGENDA REPORT

OFFICE OF THE CITY CLERK
3/29/06 10:15

2006 MAR 29 PM 6:59

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: April 11, 2006

Re: **A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Funds in an Amount Not to Exceed One Hundred Seventy-Seven Thousand Six Hundred Dollars (\$177,600) from the Port of Oakland, Board of Port Commissioners, to the Police Department for the Purchase of a Marine Patrol Vessel and Communications Equipment For Use by the Marine Unit for Law Enforcement and Port Security of Oakland Waterways and Authorizing the Department to Enter into a Memorandum of Understanding with the Port of Oakland from November 1, 2005 to October 31, 2008 for Implementation of this Initiative**

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate funds in an amount not to exceed \$177,600 from the Port of Oakland, Board of Port Commissioners, to the Police Department's Marine Unit. Funds will be used to purchase a marine patrol vessel and security communications equipment. The resolution includes a provision that upon approval and acceptance of the funds, the Port of Oakland shall issue a Memorandum of Understanding for implementation of the initiative. The proposed program term is November 1, 2005 to October 31, 2008.

FISCAL IMPACT

It is anticipated that the Department will receive funds in an amount not to exceed \$177,600 to purchase a marine patrol vessel and security communications equipment for the Police Department's Marine Unit. Revenues and appropriations will be allocated in the General Fund: 1010, Special Operations Division Org.: 105610, Special Operations Division Program: PS13, in a Project Account to be determined. The program will be managed by the Marine Unit Division Commander.

Upon acquisition of the new marine vessel, the Department will sell both of its currently owned police boats; generating estimated revenue of \$30,000, per vessel. Said revenue will be used to offset routine maintenance expenses associated with the new police marine vessel. The approximate cost of one new marine patrol vessel is \$142,000. As a condition of acceptance of the \$177,600 in Port of Oakland funds, the Port has also agreed to reimburse the Department throughout the term of the agreement, \$15,000 annually for the cost of fuel.

Item: _____
Public Safety Comte.
April 11, 2006

BACKGROUND

For the past 11 years, the Oakland Police Department has patrolled the City of Oakland waterfront and the Port of Oakland with two small, 20 year old boats that require extensive maintenance of both vessels and engines. Both boats were acquired through donations to the Department; one by the U.S. Coast Guard, and the other by East Bay Regional Parks Police Department in May 2004 (Resolution No. 78586 C.M.S., dated June 1, 2004).

KEY ISSUES AND IMPACTS

Primary law enforcement responsibilities for waterways within City of Oakland boundaries, including the Estuary and portions of the San Francisco Bay, rest with the Oakland Police Department. Responsibilities include the investigation of maritime and small boat collisions, as well as the enforcement of various laws relating to the safe operation of recreational boats in and around the numerous commercial vessels that use the same waterways. Additionally, the Department is responsible for the overall homeland security of the waters surrounding the maritime operations of the Port of Oakland.

The Police Department has shared obligations with the U.S. Coast Guard to maintain security in an exclusionary zone in the aforesaid waters (in particular the shallow waters adjacent to the Oakland International Airport), as adopted in Ordinance No. 12608 C.M.S., dated June 15, 2004. The Oakland Police Department is the primary emergency response agency for waterborne incidents at the airport.

PROJECT DESCRIPTION

The cost for boat maintenance, minor repairs, and outfitting is absorbed by the Oakland Police Department Strategic Area Command. Acceptance of this grant will allow the Department to replace at least one older vessel with at least one new vessel at a cost that exceeds the Division's baseline budget.

SUSTAINABLE OPPORTUNITIES

Economic

The proposed grant funds will help the City maintain the safety and security of two vital economic entities – the Port of Oakland and the Oakland International Airport. Whenever possible, all equipment will be purchased locally.

Item: _____
Public Safety Comte.
April 11, 2006

Environmental

The continued ability to readily identify pollution incidents and enforce laws relating to the pollution of the City's waterways will improve the water quality of the Oakland Estuary and the San Francisco Bay.

Social Equity

Services provided will assist the community through improved police services.


DISABILITY AND SENIOR CITIZEN ACCESS

There are no ADA or senior citizen access issues contained in this report.

RECOMMENDATION

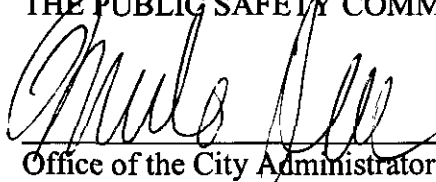
The Oakland Police Department recommends that the City Council approve the proposed resolution authorizing the City Administrator to enter into a Memorandum of Understanding with the Port of Oakland to accept funds in the amount of \$177,600 and appropriate said funds to the Police Department, Special Operations Division Marine Unit.

Respectfully submitted,


Wayne G. Tucker
Chief of Police

Prepared by: Sergeant Gary L. Tolleson
Special Operations Section
Bureau of Field Operations

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Item: _____
Public Safety Comte.
April 11, 2006

DRAFT

OAKLAND CITY COUNCIL

City Attorney
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____ C.M.S. 2006 MAR 29 PM 6:59

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE FUNDS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-SEVEN THOUSAND SIX HUNDRED DOLLARS (\$177,600) FROM THE PORT OF OAKLAND, BOARD OF PORT COMMISSIONERS, TO THE POLICE DEPARTMENT FOR THE PURCHASE OF A MARINE PATROL VESSEL AND COMMUNICATIONS EQUIPMENT FOR USE BY THE MARINE UNIT FOR LAW ENFORCEMENT AND PORT SECURITY OF OAKLAND WATERWAYS AND AUTHORIZING THE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE PORT OF OAKLAND FROM NOVEMBER 1, 2005 TO OCTOBER 31, 2008 FOR IMPLEMENTATION OF THIS INITIATIVE

WHEREAS, the Marine Unit of the Oakland Police Department is the City’s designated regulator of waterway security in and around the City of Oakland including the Estuary and Oakland International Airport waterside; and

WHEREAS, members of the Marine Unit currently patrol City of Oakland waterways with two small boats that are 20 years old and require extensive maintenance of both vessels and engines; and

WHEREAS, the Port of Oakland has agreed to provide funds in the amount of \$177,600 to the City of Oakland for use by the Oakland Police Department Marine Unit to purchase a new marine patrol vessel and communications equipment; and

WHEREAS, the City Council previously authorized acceptance of similar funds by Resolution No. 79374 C.M.S., dated July 19, 2005; and

WHEREAS, upon purchase of the new police marine vessel the Oakland Police Department will sell one or both of the small police boats currently used by the Department for an estimated \$30,000 - \$60,000 which will be applied toward future maintenance expenses of the new marine vessel; now, therefore be it

RESOLVED: That the City Council does hereby authorize the City Administrator or her designee to enter into a Memorandum of Understanding with the Port of Oakland and accept \$177,600 and appropriate said funds to the Police Department’s Special Operations Section, Marine Unit; and be it

FURTHER RESOLVED: That the monies shall be maintained in Oakland Police Department General Fund (1010), Special Operations Organization Code (105610), Account Project to be determined, and Program Code (PS13); and be it

FURTHER RESOLVED: That revenues generated from the sale of the small police boat(s) currently used by the Department will be deposited into the Oakland Police Department General Fund (1010), Special Operations Organization Code (105610), Special Operations Division Program Code (PS13), and Account Project to be determined; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the award.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: **DRAFT**

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California