

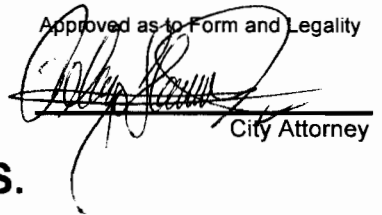
FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. 82208 C.M.S.

2009 JUL -2 PM 7:07

Approved as to Form and Legality


City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT CURRENT FUNDS IN THE AMOUNT OF AT LEAST TWO HUNDRED NINETY-EIGHT THOUSAND NINE HUNDRED TWENTY-SIX DOLLARS AND SEVENTY-FIVE CENTS (\$298,926.75), AND FUTURE FUNDS COLLECTED ANNUALLY PURSUANT TO GOVERNMENT CODE 76104.6 (PROPOSITION 69), FROM THE COUNTY OF ALAMEDA, AND APPROPRIATE SAID FUNDS TO THE OAKLAND POLICE DEPARTMENT FOR USE BY THE CRIMINALISTICS DIVISION FOR STATUTORILY ALLOWABLE FORENSIC DNA PROGRAM RELATED PURPOSES

WHEREAS, in November 2004, statewide Proposition 69, entitled "The DNA Fingerprint, Unsolved Crime and Innocence Protection Act" was adopted and immediately implemented; and

WHEREAS, since the passage of Proposition 69, funds have accumulated pursuant to Government Code Section 76104.6, which empowers county governments to levy a penalty of one dollar for every ten dollars, or part of ten dollars, upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses, including all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code; and

WHEREAS, said monies (plus interest) are collected in a fund established by the County Board of Supervisors called "The DNA Identification Fund" which, as of as of the end of calendar year 2008, totaled \$1,426,753; and

WHEREAS, the City of Oakland is entitled to a portion of said funds in the amount of at least \$298,926.75, as well as future funds collected annually pursuant to Proposition 69 for use on statutorily allowable forensic DNA projects; and

WHEREAS, the City of Oakland is pursuing with the County of Alameda, a reapportionment of the DNA Identification Fund monies allocated up to the end of calendar year 2008 (and all subsequent allocations,) and acceptance of \$298,926.75 is not intended as final acceptance of that allocation; and

WHEREAS, upon approval of this resolution, said funds shall be deposited into State of California Fund: 2159, Criminalistics Organization Code: 102610, Revenues and Receipts Account: 48727, and project to be determined; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator to accept current DNA Identification Fund monies in the amount of at least \$298,926.75 for the time period ending in the calendar year 2008, and future funds collected annually pursuant to Government Code 76104.6

(Prop 69), and appropriate said funds to the Oakland Police Department Criminalistics Division for use on statutorily allowable forensic DNA program related projects, without return to Council; and be it

FURTHER RESOLVED: That said funds shall be deposited into deposited into State of California Fund: 2159, Criminalistics Organization Code: 102610, Revenues and Receipts Account: 48727, and project to be determined, for use on statutorily allowable forensic DNA projects by the Oakland Police Department Criminalistics Division.

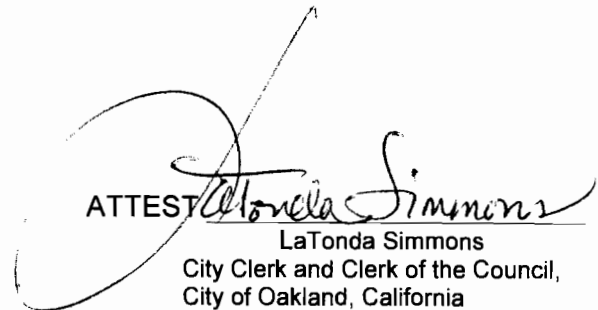
IN COUNCIL, OAKLAND, CALIFORNIA, JUL 21 2009, 20

PASSED BY THE FOLLOWING VOTE: 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,
City of Oakland, California