



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A MEMORANDUM OF AGREEMENT (“MOA”) BETWEEN THE CITY OF OAKLAND AND THE COUNTY OF SANTA CRUZ PERTAINING TO ASSISTANCE PROVIDED BY THE OAKLAND POLICE DEPARTMENT (OPD) TO THE COUNTY OF SANTA CRUZ UNDER THE LAW ENFORCEMENT MUTUAL AID PLAN IN REGARD TO THE AUGUST 2020 CZU FIRE

WHEREAS, on August 17, 2020, the Northern California (“CZU Fire”), caused wide-ranging damage specifically to the Counties of Santa Cruz and San Mateo, killing at least one person, burning thousands of acres, causing mass evacuations, and destroying thousands of homes and numerous power poles, public safety communications and telephone lines; and

WHEREAS, on August 18, 2020, the Governor of the State of California proclaimed a State of Emergency to include Santa Cruz County and declared eligibility for Fire Management Assistance Grant and other relief programs; and

WHEREAS, on August 19, 2020, based on the significant threats posed by the CZU Fire, the Santa Cruz County Director of Emergency Services proclaimed the existence of a local emergency, which the Santa Cruz County Board of Supervisors ratified during its special meeting on August 25, 2020 via Resolution No. 185-2020; and

WHEREAS, the Law Enforcement Mutual Aid Plan is issued and revised under the authority of Sections 8550, 8569, 8615 through 8619, and 8668 of the California Government Code, the California Emergency Plan, and the Master Mutual Aid Agreement; and

WHEREAS, the Law Enforcement Mutual Aid Plan delineates the current state policy concerning Emergency Management Mutual Aid and describes the standard procedures used to acquire law enforcement mutual aid resources and the method to ensure coordination of law enforcement mutual aid planning and readiness; and

WHEREAS, the Sheriff of the County of Santa Cruz requested the mutual aid assistance of City of Oakland, pursuant to the Law Enforcement Mutual Aid Plan to support law enforcement services in connection with the CZU Fire; and

WHEREAS, City of Oakland provided mutual aid assistance consisting of law

enforcement personnel, equipment, and materials from August 20, 2020 through August 29, 2020, to assist with law enforcement services in connection with the CZU Fire; and

WHEREAS, the County of Santa Cruz is prepared to reimburse the City of Oakland for these personnel costs, but requires an MOA which outlines how OPD is expected to document all of its mutual aid assistance costs related to the CZU Fire, as defined in the attachments to the proposed MOA; and

WHEREAS, Article V, Section 504(1) of the Oakland City Charter requires that the City Council approve all intergovernmental relationships and contracts; now, therefore be it

RESOLVED: that the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to execute, modify, extend and/or amend an MOA between the City of Oakland and the County of Santa Cruz; and be it

FURTHER RESOLVED: that this MOA will constitute the entire agreement between the City of Oakland and the County of Santa Cruz for the purpose of providing law enforcement personnel, related equipment, and/or related materials pertaining to the CZU Fire, and supersedes all prior negotiations, representations, or agreements, whether written or oral; and be it

FURTHER RESOLVED: that funds paid by the County of Santa Cruz to OPD for this mutual aid reimbursement shall be appropriated to Project TBD; Org 107710; and expense account is 51214 (Sworn: Overtime); and be it

FURTHER RESOLVED: That in accordance with Article IV, Section 401(6) of the City Charter, the MOA authorized by this resolution shall be approved by as to form and legality before execution, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO, AND PRESIDENT FORTUNATO-BAS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

ASHA REED

Acting City Clerk and Acting Clerk of the Council
of the City of Oakland, California