



 City Attorney
OFFICE OF THE CITY CLERK
OAKLAND**OAKLAND CITY COUNCIL**2007 APR 12 PM 5:29 **RESOLUTION No. 80542 C.M.S.**

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE, ON BEHALF OF THE CITY OF OAKLAND TO 1) ACCEPT AND APPROPRIATE REIMBURSEMENT FUNDS OF UP TO FIFTEEN THOUSAND DOLLARS (\$15,000) ANNUALLY, FROM THE PORT OF OAKLAND TO THE OAKLAND POLICE DEPARTMENT MARINE UNIT FOR THE COST OF FUEL FOR MARINE VESSELS USED TO PATROL THE WATERWAYS IN AND AROUND THE CITY OF OAKLAND AS DESCRIBED IN THE MEMORANDUM OF UNDERSTANDING WITH THE PORT OF OAKLAND AND, 2) DEPOSIT ALL FUNDS RECEIVED FROM THE SALE OF TWO OLDER POLICE BOATS, AND OTHER DONATED MONIES IN A SEPARATE PROJECT TO BE DETERMINED, TO OFF-SET THE MAINTENANCE AND EQUIPMENT COSTS OF NEW POLICE MARINE VESSELS

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, the Port of Oakland provided funds in the amount of \$177,600 to the City of Oakland for the Oakland Police Department Marine Unit to purchase two new marine patrol vessels and communications equipment; 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 Police Department has purchased a new police marine vessel, and believes that it is in the best interest of the City of Oakland for the Police Department Special Operations Section to sell the older police boat(s) currently used by the Department for an estimated total of \$30,000 - \$60,000 (fair market value to above); and

WHEREAS, the revenues received from the sale of the older police boat(s) shall be applied toward future maintenance and equipment expenses of the new marine vessel; and

WHEREAS, the Port of Oakland will also reimburse the City of Oakland up to \$15,000 annually for the cost of fuel to operate the new marine vessel throughout the term of the agreement (November 1, 2005 to October 31, 2008), as outlined in the Memorandum of Understanding between the Port of Oakland and the Oakland Police Department; and

WHEREAS, the Department shall submit to the Port of Oakland reasonable documentary evidence of the actual cost of such fuel as used by marine patrol vessels; and

WHEREAS, the City Council previously authorized acceptance of similar funds by Resolution No. 79374 C.M.S., dated July 19, 2005: Now, therefore be it

RESOLVED: That the City Council does hereby authorize the City Administrator or her designee on behalf of the City of Oakland to accept and appropriate up to \$15,000 annually from the Port of Oakland to the Oakland Police Department Special Operations Section for fuel used to operate marine vessels; and be it

FURTHER RESOLVED: That the funds received from the Port of Oakland for fuel reimbursement shall be maintained in Oakland Police Department's newly created Marine Vessel Fuel Project of the Oakland Police Department General Fund (1010), Special Operations Section Organization (101343), Project (to be determined), and Program (PS13); and be it

FURTHER RESOLVED: That the City Council hereby finds that it is in the best interest of the City of Oakland for the Oakland Police Department Special Operations Section to sell the older police boat(s) at, or above fair market value; and be it

FURTHER RESOLVED: That revenues generated from the sale of the older police boat(s) not currently used by the Department, will be deposited into newly created Marine Vessel Maintenance Project in the Oakland Police Department General Fund (1010), Special Operations Section Organization (101343), Project (to be determined), Program (PS13); and be it

FURTHER RESOLVED: That revenues received through donations may also be accepted into the newly created Marine Vessel Maintenance Project in the Oakland Police Department General Fund (1010), Special Operations Section Organization (101343), Project (to be determined), Program (PS13), and may be used for marine vessel equipment, fuel, operations, and maintenance expenditures; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator or her designee as agent of the City to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the fuel reimbursement Memorandum of Understanding; and be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Administrator or her designee, is hereby authorized to accept and appropriate the same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 1 2007 , 20


PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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