

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*A. McCawley*  
City Attorney

2010 SEP 16 PM 4:43

RESOLUTION No. 83005 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE ON BEHALF OF THE CITY OF OAKLAND TO 1) ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED NINETY-ONE THOUSAND THREE HUNDRED AND FIVE DOLLARS (\$491,305) FROM THE STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY TO THE OAKLAND POLICE DEPARTMENT FOR THE FISCAL YEAR 2011 IMPLEMENTATION OF THE VEHICLE OCCUPANCY PROTECTION AND BICYCLE SAFETY PROGRAM, AND 2) WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS FOR THE PURCHASE OF SERVICES ASSOCIATED WITH THE PROGRAM FROM THE EAST BAY COMMUNITY RECOVERY PROJECT IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000), THE OAKLAND POLICE ACTIVITIES LEAGUE IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000), AND THE ALAMEDA COUNTY PUBLIC HEALTH DEPARTMENT - COMMUNITY HEALTH ACADEMY, IN AN AMOUNT NOT TO EXCEED TWENTY-NINE THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS (\$29,385)**

**WHEREAS**, it is anticipated that the Police Department shall be awarded grant funds in an amount not to exceed \$491,305 from the State of California, Office of Traffic Safety for the fiscal year 2011 implementation of the Vehicle Occupancy Protection and Bicycle Traffic Safety program; and

**WHEREAS**, the Vehicle Occupancy Protection and Bicycle Traffic Safety program is geared toward focusing public attention on seatbelt and bicycle safety information; and

**WHEREAS**, the Police Department requests a waiver of the competitive request for proposal/qualifications process to facilitate entering into professional services agreements with the East Bay Community Recovery Project in an amount not to exceed \$50,000; the Oakland Police Activities League in an amount not to exceed \$30,000, and the Alameda County Public Health Department - Community Health Academy in an amount not to exceed \$29,385 for the enactment of services associated with the initiative; and

**WHEREAS**, the City Council finds that the services provided pursuant to said agreements with the East Bay Community Recovery Project, the Oakland Police Activities League, and the Alameda County Public Health Department - Community Health Academy are of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS,** the City Council finds that said agreements shall not result in a loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS,** the grant does not cover Central Services Overhead charges in the amount of \$29,764 (based on a calculation rate of 13.64% for salary and wages of \$218,211), and the Department requests a waiver of said charges; now therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to accept and appropriate grant funds in an amount not to exceed \$491,305 from the State of California, Office of Traffic Safety and to increase revenues and appropriate said budget to the Police Department; and be it

**FURTHER RESOLVED:** That the grant monies shall be maintained in the State of California Grant Fund: 2999, Traffic Administration Division Org.: 107510; Traffic Program: PS14, in a Project to be determined; and be it

**FURTHER RESOLVED:** That pursuant to Oakland Municipal Code section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the competitive request for proposal/qualifications process for the proposed agreements between the Police Department and the Oakland Police Activities League, the Community Health Academy, and the East Bay Community Recovery Project, relative to the delivery of vehicle occupancy and bicycle safety services, and authorizes the City Administrator, or his designee, to enter into said agreements; and, be it

**FURTHER RESOLVED:** That the City Central Services Overhead costs of \$29,764 (13.64%) are hereby waived; and be it

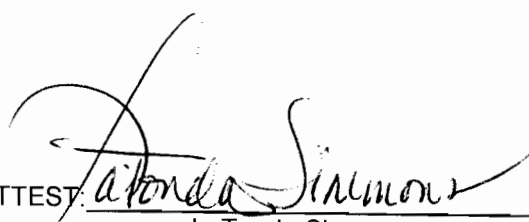
**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator as agent of the City, to conduct all negotiations and related actions and to sign all applications and agreements that may be necessary for the completion of the aforementioned grant, and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreements as to form and legality and copies of said agreements shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 5 2010, 20    

**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