

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 MAY 14 PM 4:33

Approved as to Form and Legality


City Attorney

OAKLAND CITY COUNCIL
RESOLUTION No. 82048 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO ACCEPT AND APPROPRIATE TWO GRANTS FOR OIL SPILL RESPONSE EQUIPMENT IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS \$25,000 EACH, TOTALING FIFTY THOUSAND DOLLARS (\$50,000.00) IN GRANT FUNDING FOR REIMBURSEMENT FROM THE CALIFORNIA DEPARTMENT OF FISH AND GAME, OFFICE OF OIL SPILL PREVENTION AND RESPONSE, TO PURCHASE OIL SPILL RESPONSE EQUIPMENT AND TRAINING TO PROVIDE THE CITY OF OAKLAND THE ENHANCED CAPABILITY TO IMMEDIATELY RESPOND AND DEAL WITH THE IMMEDIATE NEEDS OF AN OIL SPILL AND PROTECT OUR ECOLOGICALLY SENSITIVE SITES AND LOCAL RESOURCES, AND WAIVING THE CITY'S BID AND REQUEST FOR PROPOSAL PROCESSES FOR THE PURCHASE OF SAID EQUIPMENT AND TRAINING

WHEREAS, The State of California Department of Fish and Game (DFG), Office of Oil Spill Prevention and Response (OSPR) has awarded the City of Oakland two (2) equipment and training grants in the amount of \$25,000 each for a total grant of \$50,000 in grant funding to obtain reimbursement for the purchase of oil spill response equipment and training; and

WHEREAS, The City of Oakland has been awarded these grants based upon the threat and magnitude of an oil spill in marine waters with proximity to ecologically sensitive sites; and

WHEREAS, The City of Oakland has first responders that will have the ability to deploy spill response equipment; and

WHEREAS, The City must purchase equipment and training from a pre-identified, state-approved vendor, Global Diving and Salvage as a condition of the grant; and

WHEREAS, Oakland Municipal Code Section 2.04.020 authorizes the City Administrator to purchase equipment up to \$250,000 and services up to \$150,000 without Council review, but Oakland Charter Section 808(a) and Oakland Municipal Code sections 2.04.050.1 and 2.04.051.B requires Council waiver of bidding and request for proposal processes; and

WHEREAS, the City's purchasing fee is estimated at 1% of the purchase amount and there are no other costs or fees associated with the acceptance of this grant; and

WHEREAS, Acceptance of funding for this response equipment and training from the DFG will enhance the local response capability allowing for immediate response to the City of Oakland's and Alameda County's prioritized ecologically and economically sensitive sites; now, therefore, be it

RESOLVED: That the Oakland City Council by adoption of this resolution hereby authorizes the City Administrator or his designee to accept and appropriate two grants for oil spill response equipment in the amount of twenty-five thousand dollars \$25,000 each totaling fifty thousand dollars (\$50,000.00) in total grant funding for reimbursement from the California Department of Fish And Game, Office of Oil Spill Prevention for the purchase oil spill response equipment and training to provide the City of Oakland the enhanced capability to immediately respond and deal with the immediate needs of an oil spill and protect our local resources; and, be it

FURTHER RESOLVED: That the purchasing fees estimated at 1% of the purchase cost will be covered by the grant; and, be it

FURTHER RESOLVED: That the Oakland City Council finds that it is in the City's best interests to waive the City's competitive bid process to procure equipment and training to be purchased with said grant funds, and so waives bidding and request for proposal requirements pursuant to Oakland Municipal Code Sections 2.04.050.I.5 and 2.04.051.B; and

FURTHER RESOLVED: That upon receipt, revenue will be applied to State of California Fund 2159, Org. 20711, Revenue Account 46229 and expenditures will be applied to Fund 2159, Org. 20711, and accounts 51000 and 52919 which include salaries, benefits and supplies; and be it

FURTHER RESOLVED: That the City Attorney's Office will approve the grant agreement as to form and legality and a copy of such will be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 2 2009

PASSED BY THE FOLLOWING VOTE:

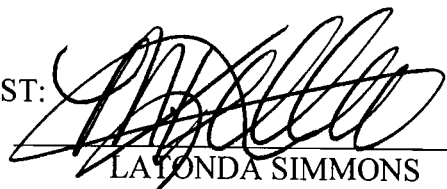
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, ~~REID~~, AND PRESIDENT BRUNNER - 7

NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California