

REVISED

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 FEB 11 PM 12: 08

Resolution with additional language recommended by Finance Committee

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APPROVED AS TO FORM AND LEGALITY


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO _____ C.M.S

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO NEGOTIATE AND EXECUTE A MASTER LEASE AGREEMENT AND NECESSARY RELATED DOCUMENTS TO PROVIDE FUNDING TO REPLACE THE EXISTING RADIO FLEET AND UPGRADE THE AGING COMMUNICATION EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$27,000,000 AT AN INTEREST RATE NOT TO EXCEED 4.50% ON A TAX-EXEMPT BASIS AND 5.75% ON A TAXABLE BASIS FOR A TERM OF NOT MORE THAN 8 YEARS

WHEREAS, the current fleet of portable and mobile radio equipment currently in use by Oakland, Police, Fire and Department of Public Works users has been in service for more than seven years, while the useful life of this equipment averages seven to nine years, and

WHEREAS, staff has determined it is necessary to replace and deploy new radios and associated support infrastructure equipment to include various types of protective cases and straps, external microphones, various specialized audio accessories including earpieces and headset systems, batteries and charging stations, programming and alignment services and equipment including cables, software, and specialized radio test and alignment hardware, and

WHEREAS, as a result of budgetary constraints, the last 7 years of Information Technology Capital Improvement plan requests were never funded, leading to deferred maintenance and an urgent need to finance critical system upgrades that will continue to enhance City Services, and

WHEREAS, to provide the necessary financing to pay for the radio fleet replacement and due to the urgent need of the project, staff seeks approval for financing in advance of selecting the actual manufacturers for the equipment and infrastructure needs, and

WHEREAS, selection of a financial institution to provide funding will follow a competitive bidding process consistent with OMC sections 2 04 050 and 2 04 051, and

RESOLVED, that the City Council finds and determines the forgoing recitals to be true and correct and hereby adopts and incorporates them into this Resolution, and be it

FURTHER RESOLVED, that the City Administrator or designee is authorized following a competitive bidding process, to negotiate and execute with a selected financial institution selected through a competitive bidding process a Master Lease Agreement(s) and all documents necessary and related to financing in an amount not to exceed \$27,000,000 for a term of not more than 8 years and an interest rate not to exceed 4 50% tax exempt and/or 5 75%, taxable, to fund ongoing operations and maintenance agreements and hardware, information technology software, and professional service agreements to upgrade and enhance critical information systems, and be it

FURTHER RESOLVED, that this Radio Fleet Master Lease Financing Resolution shall in no way allow the City Administrator or his or her designee to enter into any contract to purchase or lease any radio and communications technology prior to further direction from the City Council regarding the particular selection of technology, which shall be informed by the City Council's to-be-determined decision regarding the City's P25 radio communication system and be it

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FURTHER RESOLVED, that the Office of the City Attorney will approve the contracts as to form and legality and copies will be on file in the Office of the City Clerk, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage

IN COUNCIL, OAKLAND, CALIFORNIA _____, 2014

PASSED BY THE FOLLOWING VOTE:

AYES BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and
 PRESIDENT KERNIGHAN

NOES

ABSENT

ABSTENTION

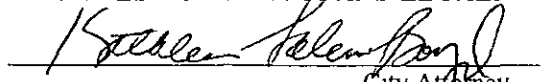
ATTEST _____
 LaTonda Simmons
 Clerk of the Council
 of the City of Oakland, California

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WHEREAS, the current fleet of portable and mobile radio equipment currently in use by Oakland, Police, Fire and Department of Public Works users has been in service for more than seven years, while the useful life of this equipment averages seven to nine years, and

WHEREAS, staff has determined it is necessary to replace and deploy new radios and associated support infrastructure equipment to include various types of protective cases and straps, external microphones, various specialized audio accessories including earpieces and headset systems, batteries and charging stations, programming and alignment services and equipment including cables, software, and specialized radio test and alignment hardware, and

WHEREAS, as a result of budgetary constraints, the last 7 years of Information Technology Capital Improvement plan requests were never funded, leading to deferred maintenance and an urgent need to finance critical system upgrades that will continue to enhance City Services, and

WHEREAS, to provide the necessary financing to pay for the radio fleet replacement and due to the urgent need of the project, staff seeks approval for financing in advance of selecting the actual manufacturers for the equipment and infrastructure needs, and

WHEREAS, selection of a financial institution to provide funding will follow a competitive bidding process consistent with OMC sections 2 04 050 and 2 04 051, and

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FURTHER RESOLVED, that this Radio Fleet Master Lease Financing Resolution shall in no way allow the City Administrator or his or her designee to enter into any contract to purchase or lease any radio and communications technology, prior to further direction from the City Council regarding the particular selection of technology, which shall be informed by the City Council's to-be-determined decision regarding the City's P25 radio communication system, and be it

FURTHER RESOLVED, that the Office of the City Attorney will approve the contracts as to form and legality and copies will be on file in the Office of the City Clerk, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage

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 PRESIDENT KERNIGHAN

NOES

ABSENT

ABSTENTION

ATTEST _____
 LaTonda Simmons
 Clerk of the Council
 of the City of Oakland, California