



 City Attorney

 FILED
 OFFICE OF THE CITY CLERK
 OAKLAND

2015 APR -1 AM 12:51

OAKLAND CITY COUNCIL
RESOLUTION No. 85531 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO: 1) ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ALAMEDA COUNTY OPERATIONAL AREA TO ADMINISTER AND MAINTAIN THE LOCAL OIL SPILL CONTINGENCY PLAN (LOSCP) FOR THE ALAMEDA COUNTY OPERATIONAL AREA; AND 2) ACCEPT AND APPROPRIATE UP TO THIRTY-FIVE THOUSAND DOLLARS (\$35,000) ANNUALLY IN GRANT FUNDS FOR THE NEXT FIVE YEARS FOR A TOTAL AMOUNT OF ONE HUNDRED AND SEVENTY FIVE THOUSAND DOLLARS (\$175,000), THROUGH JULY 1, 2020 OR WHENEVER SAID AMOUNT OF GRANT FUNDS IS EXHAUSTED, WHICHEVER OCCURS LAST, FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) OFFICE OF SPILL PREVENTION AND RESPONSE (OSPR)

WHEREAS, the Alameda County Operational Area (“ACOA”) is “[a]n intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area.” See Section 8559(b) of the California Government Code; and

WHEREAS, Section 8574.7(b) of the California Government Code requires a State marine response element that specifies the regional and local planning element that shall provide the framework for the involvement of regional and local agencies in the State effort to respond to a marine oil spill; and

WHEREAS, for the ACOA, that regional and local planning element is referred to interchangeably as the Alameda County Local Marine Spill Contingency Plan or the Alameda County Local Oil Spill Contingency Plan (“LOSCP”); and

WHEREAS, the City of Oakland (“City”) and the County of Alameda (“County”) are participating members of the ACOA; and

WHEREAS, since the mid-1990s the City, on behalf of the ACOA has been responsible for administering the LOSCP pursuant to a grant award from the California Department of Fish and Wildlife, Office of Spill Prevention and Response (“OSPR”); and

WHEREAS, pursuant to Section 852.60.4(d) of the California Code of Regulations, OSPR is required to enter into a memorandum of understanding with local governments for the purposes of ensuring a unified and coordinated effort between state and local government agencies through appropriate mutual aid in the event of an oil spill incident; and

WHEREAS, staff understands that the the County of Alameda, on behalf of the ACOA, intends to enter into a separate memorandum of understanding entitled “Memorandum of Understanding Relating to Spill Incident Command and Management Between the State of California Department of Fish and Wildlife, Office of Spill Prevention and Response and the County of Alameda” (County – OSPR MOU); and

WHEREAS, on September 30, 2014, OSPR approved the updated LOSCP; and

WHEREAS, the County and City seek to enter into a memorandum of understanding in order for the City to act on behalf of the ACOA to fulfill the ACOA’s responsibilities as outlined in Section V “Spill Response Preparedness” of the LOSCP; now, therefore be it

RESOLVED: That the City Administrator or his designee, on behalf of the City of Oakland is authorized to enter into a Memorandum of Agreement with the Alameda County Operational Area allowing for the provision of services required to administer and maintain the Local Oil Spill Contingency Plan (LOSCP) for the Alameda County Operational Area; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to accept and appropriate up to thirty-five thousand dollars (\$35,000) annually in grant funds for the next five years for a total amount of one hundred and seventy five thousand dollars (\$175,000), through July 1, 2020 or whenever said amount of grant funds are exhausted, whichever occurs last, from the California Department of Fish and Wildlife (CDFW) Office of Spill Prevention and Response (OSPR); and be it

FURTHER RESOLVED: That grant funds will be appropriated to Homeland Security Fund (2150), Emergency Management Services Division (EMSD) Homeland Security Organization (20711), Account (46229), Homeland Security/Emergency Management Services Division Program (PS21), and Project to be determined; and be it

FURTHER RESOLVED: That all contracts authorized hereunder shall be approved for form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 21 2015, 20

PASSED BY THE FOLLOWING VOTE:


AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REED~~, and PRESIDENT GIBSON MCELHANEY. — 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

— Excused - Reed - 1

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

California