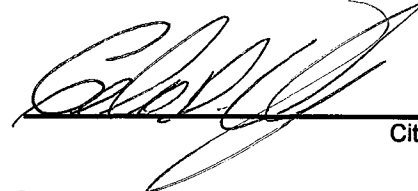


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OFFICE OF THE CITY CLERK
OAKLAND

2018 NOV -2 AM 11:46



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 87375 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO: 1) EXECUTE AN AGREEMENT WITH ALAMEDA COUNTY FOR THE CITY'S PARTICIPATION IN THE SHERIFF'S OFFICE WORK ALTERNATIVE PROGRAM (SWAP) THROUGH THE OAKLAND PUBLIC WORKS DEPARTMENT (OPW) FOR A TERM OF FIVE (5) YEARS, WITH THREE (3) TWO (2) YEAR OPTIONS TO EXTEND WITHOUT RETURNING TO COUNCIL, AND 2) ADD INDIVIDUALS PARTICIPATING IN THE SWAP TO THE CITY'S SELF-ADMINISTERED AND EXCESS WORKERS' COMPENSATION PROGRAMS

WHEREAS, Penal Code sections 4024.2 and 4024.3 provide that the Alameda County Board of Supervisors may authorize Alameda County Sheriff's Office (ACSO) to offer a voluntary work release program to eligible persons in lieu of confinement or fine; and

WHEREAS, the Alameda County Board of Supervisors has authorized such a program; and

WHEREAS, ACSO administers SWAP and the eligible individuals who have been referred to the program; and

WHEREAS, the City of Oakland wishes to participate in the program by receiving, directing, and supervising SWAP participants who will assist the City in trash and litter pickup, debris and weed removal and with illegal dumping cleanup; and

WHEREAS, ACSO requires that partner agencies indemnify, defend, and hold the County of Alameda harmless and assume liability for Oakland SWAP participants and cover and enroll SWAP participants in that agency's workers' compensation program; therefore, be it

RESOLVED: That the City Administrator or designee is authorized to execute an agreement for a term of five (5) years with the County of Alameda for the City 's participation in the ASCO's SWAP through the Oakland Public Works Department, with three (3) two (2) year options to extend the term of the Agreement, without returning to Council; and be it

FURTHER RESOLVED: That the City of Oakland will add no further restrictions or limitations in requirements for eligible individuals, as identified by ACSO, to participate in the SWAP; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to enroll SWAP participants performing work for the City, who are not normally covered by the City's workers' compensation program, in the City's self-administered and excess workers' compensation programs.

OCT 16 2018

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - ~~7~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN,
AND PRESIDENT REID - 7

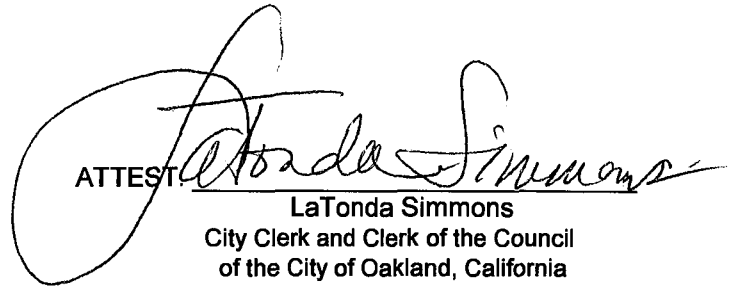
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST



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