


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY PRESIDENT PRO TEMPORE SHENG THAO

**RESOLUTION TERMINATING ITEM 10 OF THE CITY
ADMINISTRATOR'S MARCH 23, 2020 EMERGENCY ORDER THAT
SUSPENDED INTEREST PENALTIES FOR FAILURE TO MAKE
TIMELY PAYMENTS IN ACCORDANCE WITH OAKLAND
MUNICIPAL CODE CHAPTER 2.06**

WHEREAS, local contractors and grant recipients perform valuable work and provide invaluable services in the City of Oakland and to Oaklanders; and

WHEREAS, local contractors and grant recipients rely on compensation from the City of Oakland to perform their work that benefits Oaklanders; and

WHEREAS, the City of Oakland established policies and procedures that assure local contractors and grant recipients and all subcontractors working on City of Oakland purchase contracts or grant agreements receive prompt payment or disbursement of grant funds, ; and

WHEREAS, section 2.06.060 of the Oakland Municipal Code provides for an interest penalty for the failure to make timely payments in accordance with Chapter 2.06 (Prompt Payment) of the Oakland Municipal Code; and

WHEREAS, on March 23, 2020 the Interim City Administrator Steven Falk issued an Emergency Order due to the spread of the COVID-19 virus which suspended, among other things, the provisions of the Oakland Municipal Code section 2.06.060; and

WHEREAS, the suspension of section 2.06.060 has affected community benefits organizations and nonprofit organizations by delaying their compensation from the City for contracts and services rendered; and

WHEREAS, the restoration of the Prompt Payment Ordinance will restore local confidence in the City of Oakland and expedite the payment of organizations fulfilling contracts and grant agreements; now, therefore, be it

RESOLVED: That the City Council terminates item 10 of the Interim City Administrator's March 23, 2020 Emergency Order that suspended, for the duration of the

emergency, interest penalties for failure to make timely payments in accordance with Oakland Municipal Code chapter 2.06.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

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