

# OAKLAND CITY COUNCIL

RESOLUTION NO. 78899 C. M. S.

*B. R. R. R.*  
FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2004 OCT 28 PM 4:08

**Resolution Authorizing the City Administrator to Renew and Execute a Contract with Francisco & Associates for a Two-Year Amount Not to Exceed \$122,000 to Perform District Engineering Services For the Landscaping and Lighting Assessment District, the Wildfire Prevention Assessment District, the Emergency Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 2004 (Measure Q), and the Rockridge Library Community Facilities District of 1992, for Fiscal Years 2005-06 and 2006-07**

WHEREAS, the City Council and local voters approved the Landscaping and Lighting Assessment District in 1989, the Wildfire Prevention Assessment District in 2004, the Emergency Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 2004 (Measure Q), and the Rockridge Community Facilities District ("Districts"); and

WHEREAS, a professional engineer must be retained for the above Assessment Districts to delineate the parcels included within the boundaries, to determine the land uses and assessment rates for each parcel in order to develop the Assessment Roll annually for the County Assessor, and assist with any informational requests required by the City relating to the Districts; and

WHEREAS, it is in the City's best interest to continue to utilize a consulting assessment engineer who can provide a perspective based on impartial engineering judgment, who can represent an interest not associated with the City or the affected property owner, and who possesses expertise not currently resident within the existing City staff; and

WHEREAS, Francisco & Associates, Inc. has done a commendable job as the District Engineer for the Districts over the past four fiscal years and was determined a finalist of a competitive selection process following the issuance of a Request for Proposals (RFP); and

WHEREAS, Francisco & Associates, Inc. can provide the requisite data in the shortest amount of time and at the least cost, given its familiarity with the City of Oakland and the data; and

WHEREAS, Francisco & Associates, Inc. was the only candidate to

have met the City's minimum participation requirement for Small/Small Local Business Enterprises; and

WHEREAS, Francisco & Associates, Inc. met the other performance requirements outlined in the Request for Proposals notice issued by the City in summer 2004; and

WHEREAS, Francisco & Associates, Inc. is agreeable to a contract under the terms and conditions agreeable to the City; and

WHEREAS, engineering services are required immediately to develop the Fiscal Year 2005-2006 Annual Engineer's Reports for the Landscaping and Lighting Assessment District and for the Wildfire Prevention and Assessment District, prepare data for the Alameda County FY 2005-06 Assessment Roll, and respond to requests relative to the other named Districts and Special Tax Levies; and

WHEREAS, the City Council finds that the service is professional, scientific or technical, is temporary in nature, and shall not result in the loss of salary or employment by any person having permanent status in the competitive service;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oakland that the City desires to continue with the preparation and acts necessary for the Districts and Special Tax Levies; and be it further

RESOLVED that the City Administrator is authorized as follows:

1. Renew and execute a contract with Francisco & Associates, Inc. for FY 2005-06 and FY 2006-07, for mandated district engineering services in an amount not-to-exceed \$122,000.
2. Designate Francisco & Associates, Inc. as the Engineer of Work for the Landscaping and Lighting Assessment District (LLAD), the Wildfire Prevention Assessment District, the Emergency Medical Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 2004 (Measure Q), and the Rockridge Community Facilities District for FY 2005-06 and FY 2006-07.
3. Determine a contract period of January 1, 2005 through December 31, 2006.
4. Direct Francisco & Associates, Inc. to file an annual report for the Landscaping and Lighting Assessment District with the City Clerk in accordance with the provisions of the Landscaping and Lighting Act of 1972, specifically Section 22622 of the California Streets and Highways Code.

5. Direct Francisco & Associates, Inc. to file an annual report for the Wildfire Prevention Assessment District with the City Clerk in accordance with the provisions of Section 50078 of the California Government Code, per the Oakland Fire Suppression, Prevention and Preparedness District Ordinance (2003).

And be it further

RESOLVED that funding for the contract will come from the following sources:

Landscaping and Lighting Assessment District (Fund 2310):	\$41,785
Wildfire Prevention Assessment District (Fund 2320):	25,893
Measure M - Emergency Medical Services Retention Act (Fund 2412):	8,358
Measure N - Paramedic Services Act (Fund 2250):	8,358
Measure Q - Library Services Retention and Enhancement Act (Fund 2240):	31,339
Rockridge Library Community Facilities District (Fund 5130):	6,267
<b>Total:</b>	<b>\$122,000</b>

, with the three percent contract compliance fee, which equals \$3,660, split proportionally among the district, and be it further

RESOLVED that Francisco & Associates, Inc. is hereby directed to file an annual report for the Landscaping and Lighting Assessment District with the City Clerk in accordance with the provisions of the Landscaping and Lighting Act of 1972, specifically Section 22622 of the California Streets and Highways Code; and be it further

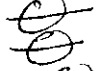



RESOLVED that Francisco & Associates, Inc. is hereby directed to file an annual report for the Wildfire Prevention Assessment District with the City Clerk in accordance with the provisions of Section 50078 of the California Government Code, per the Oakland Fire Suppression, Prevention and Preparedness District Ordinance (2003), and be it further

RESOLVED that the City Attorney will review the contract as to form and legality, and a copy of such executed contract will be placed on file at the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA

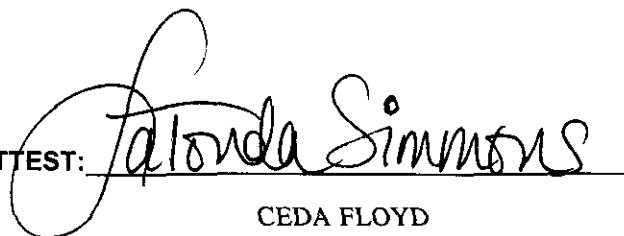
PASSED BY THE FOLLOWING VOTE:

BRUNNER, ~~BROOKS~~, CHANG, DE LA FUENTE, NADEL, QUAN, REID, WAN - 7

AYES---   
NOES---   
ABSENT---   
ABSTENTION--- 

Excused - Brooks -

ATTEST:



CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California