



Memorandum

TO: City Clerk  
FROM: Office of Emergency Services  
DATE: January 11, 2010

SUBJECT: AMENDMENT TO THE AGREEMENT FOR PARTICIPATION IN THE  
ALAMEDA COUNTY OPERATIONAL AREA EMERGENCY  
MANAGEMENT ORGANIZATION

Please see attached original signed Amendment to the Agreement for participation in the Alameda County Operational Area Emergency Management Organization for your file.

RENEE A. DOMINGO  
Director of Emergency Services and  
Homeland Security

Cc: Donna Hom with attachments  
Cathey Eide with attachments  
File

Attachment: Agreement

RECEIVED  
2010 JAN 13 PM 2:13  
OAKLAND FIRE DEPT  
ADMINISTRATION

# ALAMEDA COUNTY BOARD OF SUPERVISORS

## \*\* MINUTE ORDER \*\*

The following was action taken by the Board of Supervisors on December 1, 2009

Approved as Recommended  Other

Unanimous  Carson  Haggerty  Miley  Steele  Lai-Bitker  - 5  
Vote Key: N=No; A=Abstain; X=Excused

Documents accompanying this matter:

- Resolution(s) \_\_\_\_\_
- Ordinance(s) \_\_\_\_\_
- Contract(s): \_\_\_\_\_

File No. 25528  
Item No. 34

Copies sent to:

Susan Bunting

Special Notes:



I certify that the foregoing is a correct copy of a Minute Order adopted by the Board of Supervisors, Alameda County, State of California.

ATTEST:

Crystal Hishida Graff, Clerk of the Board  
Board of Supervisors

By: R. Bailey  
Deputy



Coroner - Public Administrator - Marshal  
Director of Emergency Services

AGENDA: 34 December 01, 2009

November 10, 2009

Honorable Board of Supervisors  
County Administration Building  
1221 Oak Street, Room 536  
Oakland, CA 94612

Dear Board Members:

**SUBJECT: APPROVE AN AMENDMENT TO THE AGREEMENT FOR PARTICIPATION  
IN THE ALAMEDA COUNTY OPERATIONAL AREA EMERGENCY  
MANAGEMENT ORGANIZATION**

**RECOMMENDATION:**

It is requested that your Honorable Board approve and authorize the Sheriff to sign Amendment 1 to the Agreement between Alameda County and the City of Oakland for Participation in the Alameda County Operational Area Emergency Management Organization.

**DISCUSSION / SUMMARY:**

Under the State of California's Standardized Emergency Management System (SEMS), the Operational Area is the primary level of coordination for response activities following an emergency or disaster. SEMS is a management system that provides an organizational framework whose requirements promote effective disaster management and cooperation between governments. This framework requires the creation of a public agency partnership called an Operational Area Emergency Management Organization.

On January 24, 1995, your Board approved the original partnership agreement which designated the Sheriff's Office of Homeland Security and Emergency Services as the lead Operational Area Agency responsible for the planning, coordination of response, recovery and mitigation activities related to County-wide emergencies and disasters. The Operational Area Agency serves as the primary coordination point for emergency management's communication between Federal, State and local agencies, develops emergency operation plans and conducts training and outreach programs related to emergency preparedness in Alameda County.

Honorable Board of Supervisors  
November 10, 2009  
Page 2

On February 15, 2005, your Board approved a ten (10) year extension to provide for the continued partnership between the County, cities, special districts and other public benefit non-profit organizations to coordinate preparedness procedures and guidelines for the County Operational Area Emergency Management Organization.

The City of Oakland found it necessary to revise the indemnification clause to include subcontractors and volunteers. This amendment has been approved by County Counsel and Risk Management.

FINANCING:

This action will not increase net County costs in FY 2009-2010 or in future years.

Regards,

Gregory J. Ahern  
Sheriff-Coroner



*FM*  
cc: County Administrator, QIC 20102  
County Counsel, QIC 20104  
Risk Manager, QIC 28505

GJA/SJH:sjh

AMENDMENT NUMBER      TO THE AGREEMENT WITH  
ALAMEDA COUNTY FOR PARTICIPATION IN THE ALAMEDA COUNTY  
OPERATIONAL AREA EMERGENCY MANAGEMENT ORGANIZATION

This Amendment No. 1 dated June 3, 2009 amends the original agreement dated February 15, 2005 by and between the City of Oakland, a municipal corporation (hereinafter "City"), and the County of Alameda (hereinafter "Contractor").

Section 10 of the original agreement is amended as follows:

10. INDEMNIFICATION AND HOLD HARMLESS

The parties further agree to indemnify and hold the other party harmless and waive all claims as outlined below:

Specifically, City agrees to indemnify, to defend at its sole expense, to save and hold harmless County, its officers, agents, and employees from any and all liability in addition to any and all losses, claims, actions, lawsuits, damages, judgments of any kind whatsoever arising out of the negligent acts, omissions or intentional misconduct of City or City's employees, agents, subcontractors or volunteers in performance of services rendered pursuant to this Agreement.

Specifically, County agrees to indemnify, to defend at its sole expense, to save and hold harmless City, its officers, agents, employees from any and all liability in addition to any and all losses, claims, actions, lawsuits, damages, judgments of any kind whatsoever arising out of the negligent acts, omissions or intentional misconduct of County or County employees, agents, subcontractors or volunteers in performance of services rendered pursuant to this Agreement.

All other terms and conditions of the original agreement, except for those modified by this Amendment Number 1, shall remain unchanged and in full force and effect.

CITY OF OAKLAND,  
a municipal corporation

[Signature]  
City Administrator's Office      Date

[Signature]      7-7-09  
Department Head      Date

Resolution No. 79704

Approved for form and legality:

[Signature]      6/20/09  
City Attorney's Office      Date

COUNTY OF ALAMEDA,

[Signature]      12/18/09  
Signature      Date

GREGORY J. HALL  
Print Name

Sheriff-Coroner  
Title

Approved as to form: Richard E. Winnie  
County Counsel, the County of Alameda:

[Signature]      6/3/09  
Deputy County Counsel      Date