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Approved as to Form and Legality
Elia J.
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 86490 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE TO: A) ENTER INTO A GRANT COOPERATIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ACCEPT AND APPROPRIATE FEDERAL (FEMA) FUNDS FOR THE PERIOD SEPTEMBER 1, 2016 TO AUGUST 31, 2019, IN THE AMOUNT OF ONE MILLION TWO HUNDRED SIXTY NINE THOUSAND FIVE HUNDRED EIGHTY TWO DOLLARS (\$1,269,582) TO MEET CONTINUING MANAGEMENT, TRAINING AND EQUIPMENT NEEDS OF THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (US&R) TASK FORCE; B) EXPEND THE FEMA FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER COUNCIL APPROVAL, INCLUDING THE PURCHASE OF EQUIPMENT FROM THE GENERAL SERVICES ADMINISTRATION AND OTHER GOVERNMENT REQUIRED PRICING SCHEDULES; C) WAIVING THE CITY'S ADVERTISING AND COMPETITIVE BIDDING AND PURCHASING REQUIREMENTS FOR PROCUREMENT OF EQUIPMENT WHEN REQUIRED BY THE GRANTOR; D) APPROVE TRAVEL FOR CITY PERSONNEL FOR THE FEMA COOPERATIVE AGREEMENT PROGRAM ON SHORT NOTICE; E) APPROVE A CONTRIBUTION FROM THE GENERAL PURPOSE FUND (GPF) IN AN AMOUNT EQUIVALENT TO THE INFORMATION TECHNOLOGY DEPARTMENT (ITD) -INTERNAL SERVICE FUND (ISF) CHARGES AFFILIATED WITH SAID GRANT, ESTIMATED AT SIX THOUSAND SEVEN HUNDRED AND FOUR DOLLARS (\$6,704.00) FOR FISCAL YEAR 2016-17, AND TO PROVIDE A CONTRIBUTION EQUIVALENT TO THE ITD-ISF CHARGE FOR THE DURATION OF THE GRANT PERIOD

WHEREAS, the Oakland Fire Department is the Sponsoring Agency for California Task Force Four (CA-TF4), an Urban Search and Rescue (US&R) Task Force, which includes members of sixteen (16) Local Participating Fire Agencies including: Alameda Fire Department, Alameda County Fire Department, Berkeley Fire Department, Central Fire Authority of Sonoma County, Contra Costa County Fire Protection District, Fremont Fire Department, Hayward Fire Department, Livermore Pleasanton Fire Department, Marin County Fire Department, Monterey County Regional Fire District, Moraga-Orinda Fire

District, Novato Fire Protection District, Parks Reserve Forces, Salinas Fire Department, San Ramon Valley Fire Protection District, Santa Rosa Fire Department; and

WHEREAS, CA-TF4 is one of eight (8) California and twenty-eight (28) national US&R teams trained and equipped to respond to natural disasters and weapons of mass destruction (WMD) events; and

WHEREAS, the Federal Emergency Management Agency (FEMA), a component of the Department of Homeland Security (DHS), is the federal management agency; and

WHEREAS, FEMA supports all twenty-eight (28) US&R teams with federal cooperative agreements; and

WHEREAS, CA-TF4 is eligible to apply for a FEMA preparedness cooperative agreement program grant in the amount of one million two hundred twenty nine thousand five hundred eighty two dollars (\$1,269,582) for disaster response and operational readiness, preparedness training, personnel and equipment; and

WHEREAS, FEMA has approved this funding to support the following positions:

1.00 FTE	Program Coordinator
1.00 FTE	Warehouse Specialist
1.50 FTE	Student Trainees, PT

WHEREAS, the coding block is Federal Emergency Management Agency (FEMA) Fund (2124), Special Operation Division (20815), Special Operation Program (PS18), in various accounts and a project to be determined, and the revenue received from this grant, including reimbursement from training courses, will be deposited to same fund, organization, project, program and the FEMA Grants Revenue account (46129); and

WHEREAS, this FEMA Program Grant requires the City to provide training to members of CA-TF4, respond as requested to Local, State and National Incidents, and to procure and store equipment as directed by FEMA; and

WHEREAS, Oakland Municipal Code Section 2.04.050.I.5 permits the City Council to waive the City's advertising, bidding, and purchasing requirements upon a finding that it is in the best interests of the City to do so; and

WHEREAS, when necessary this FEMA program grant requires the City to purchase equipment from various General Service Administration Agency (GSA) and/or other Governmental Purchasing Schedules in order to maintain consistency in training and equipment among the jurisdictions participating in the state and national US&R Teams; and

WHEREAS, staff recommends that it is in the best interests of the City to waive the City's advertising, bidding, and purchasing requirements for the purchase of equipment with the FEMA grant funds so that the City can receive the full FEMA grant funding

amount and be in compliance with the procurement lists of the General Services Administration and other related government pricing schedules; and

WHEREAS, the City requires the Fire Chief and City Administrator to obtain Council approval for the payment of travel expenses for Fire Department personnel in advance, and this FEMA program grant requires the City to send Oakland Fire Department firefighters and other personnel from other jurisdictions to do FEMA required business, training or response activities on short notice; and

WHEREAS, CA-TF4 is not based in a facility owned, managed or maintained by the City of Oakland, does not utilize City owned vehicles or fleet services, but instead uses facilities, vehicles and other resources that are owned or leased by the federal government; and

WHEREAS, the only City resources utilized by the CA-TF4 pertain to information technology; and

WHEREAS, it is the determination of the grantor that the payment of Information Technology Department (ITD)-Internal Service Fund (ISF) charges are not reimbursable by the grant; and

WHEREAS, the Fire Department is requesting a contribution from the General Purpose Fund to offset the cost of the Department's ITD-ISF charges, estimated to be six thousand seven hundred and four dollars (\$6,704.00) for FY 2016-17, and to provide a contribution equivalent to the ITD-ISF charge for the duration of the grant period because said charges are not payable by this grant; and

WHEREAS, CA-TF4 is available to the City of Oakland in the event of an attack within the City or surrounding communities or occurrence of a local natural disaster; now, therefore, be it

RESOLVED, that the City Administrator or her designee is authorized to enter into a grant cooperative agreement with the FEMA to accept and appropriate federal funds (FEMA grant funds) for the Oakland Fire Department for the period September 1, 2016 to August 31, 2019, in the amount not to exceed one million two hundred sixty nine thousand five hundred eighty two dollars (\$1,269,582) to meet continuing management, training and equipment needs of the Fire Department's US&R Task Force; and

FURTHER RESOLVED, that the City Administrator or her designee is authorized to accept and appropriate said FY 2016 US&R Grant funds up to one million two hundred sixty nine thousand five hundred eighty two dollars (\$1,269,582) into FEMA Fund (2124), Special Operation Division (20815), Special Operation Program (PS18), in various accounts and a project to be determined; and be it

FURTHER RESOLVED, that a contribution from the GPF in an amount equivalent to the project's ITD-ISF charges shall be appropriated into FEMA Fund (2124), Special Operations Division (20815), Information Technology Account (56111), a project

number to be determined, Special Operation Program, estimated in the amount of six thousand seven hundred and four dollars (\$6,704.00) for FY 2016-17, and that a contribution from the GPF equivalent to the ITD-ISF charges shall be appropriated into the FEMA Fund (2124), Special Operations Division (20815), Information Technology Account (56111), a project number to be determined, Special Operation Program for the duration of the grant period; and be it

FURTHER RESOLVED, that the City administrator or her designee is authorized to expend the FEMA grant funds in accordance with the preliminary spending plan without further council approval, including funding for training and the purchase of equipment as required by the General Services Administration (GSA) and other government pricing schedules to support the US&R task force's response capability as required by FEMA; and, be it

FURTHER RESOLVED, that, pursuant to Oakland Municipal Code Title 2, Chapter 2.04, Section 2.04.050.I.5 and reasons stated in the agenda report accompanying this Resolution and above, the City Council hereby finds that it is in the best interests of the City to waive Oakland's competitive bidding requirements for the purchase of equipment needed for the CA-TF4 US&R team; and, be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator or her designee to expend the FEMA grant funds in accordance with the preliminary spending plan, including funding for training and the purchase of equipment needed for the US&R team from the General Service Administration Agency (GSA) and/or other Governmental Purchasing Schedules without return to Council; and, be it

FURTHER RESOLVED, that the City Council finds that pursuant to Oakland Municipal Code Section 2.04.050.I.5, for the reasons stated above and in the agenda report accompanying this resolution, that it is in the best interests of the City to waive the advertising and bidding requirements for the purchase of equipment needed for the CA-TF4 US&R team training when such purchases and services are required by FEMA to be selected from the General Services Administration and other government procurement lists, and so waives such requirements; and, be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator, for timeliness and security reasons, to authorize City personnel participating in the FEMA cooperative agreement program to travel on short notice per FEMA directives without return to Council; and, be it

FURTHER RESOLVED, that all contracts issued hereunder shall be reviewed and approved by the office of the City Attorney for form and legality and copies shall be placed on file in the Office of the City Clerk.

PASSED BY THE FOLLOWING VOTE:

NOV 29 2016

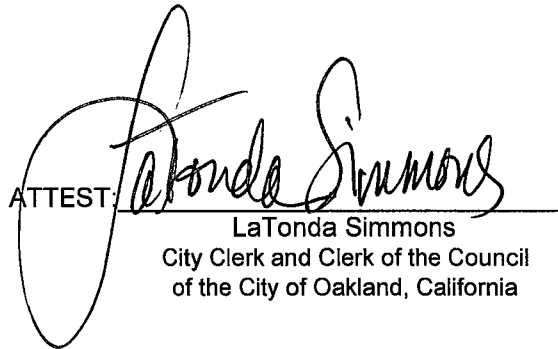
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY -8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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