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*Arnold Soto*  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION No. 84640 C.M.S.

Introduced by Councilmember \_\_\_\_\_

### RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) ENTER INTO A GRANT COOPERATIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ACCEPT AND APPROPRIATE FUNDS (FEMA FUNDS) FOR THE OAKLAND FIRE DEPARTMENT FOR THE PERIOD OCTOBER 1, 2013 TO MARCH 31, 2015, IN AN AMOUNT NOT TO EXCEED ONE MILLION ONE HUNDRED SIXTY SEVEN THOUSAND ONE HUNDRED FIFTY FOUR DOLLARS (\$1,167,154) TO MEET CONTINUING MANAGEMENT, TRAINING AND EQUIPMENT NEEDS OF THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (US&R) TASK FORCE (US&R TASK FORCE); AND
- 2) EXPEND THE FEMA FUNDS IN ACCORDNANCE 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 AND OTHER GOVERNMENT PRICING SCHEDULES TO SUPPORT THE US&R TASK FORCE'S RESPONSE CAPABILITY AS DIRECTED BY FEMA; AND
- 3) WAIVE THE CITY'S ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZE PROCUREMENT OF EQUIPMENT FROM THE FEDERAL GENERAL SERVICES ADMINISTRATION AGENCY AND OR OTHER GOVERNMENT PRICING SCHEDULES FOR EXPENSES FUNDED BY THE FEMA GRANT; AND
- 4) APPROVE TRAVEL FOR CITY PERSONNEL THAT PROVIDE SERVICES UNDER THE FEMA COOPERATIVE AGREEMENT PROGRAM ON SHORT NOTICE WITHOUT FURTHER COUNCIL AUTHORIZATION.

WHEREAS, the Oakland Fire Department is the Sponsoring Agency for California Task Force 4 (CA-TF4), an Urban Search and Rescue (US&R) Task Force, which includes members of 15 Local Participating Fire Agencies including: Alameda Fire Department, Alameda County Fire Department, Berkeley Fire Department, Monterey County Regional Fire District, Contra Costa County Fire Protection District, Fremont Fire Department, Livermore Pleasanton Fire Department, Moraga-Orinda Fire District, Marin

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

**WHEREAS**, California Task Force 4 is one of 8 California and 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 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 one hundred sixty seven thousand one hundred fifty four dollars (\$1,167,154) 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
.50 FTE	Logistics Manager, PT
1.00 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 will be deposited to same fund, organization, project, program and the FEMA Grants Revenue account (46130); 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 in a fully reimbursed and cost neutral manner; and

**WHEREAS**, Oakland Municipal Code Section 2.04.050.1.5 permits the City Council to waive its advertising and bidding 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. At all other times City of Oakland advertising and bidding requirements will be followed to purchase equipment; and

**WHEREAS**, staff recommends that it is in the best interests of the City to waive the City's advertising and bidding 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 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**, California Task Force 4 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 Federal Emergency Management Agency (FEMA) to accept and appropriate federal funds (FEMA grant funds) for the Oakland Fire Department for the period October 1, 2013 to March 31, 2015, in the amount not to exceed one million one hundred sixty seven thousand one hundred fifty four dollars (\$1,167,154) to meet continuing management, training and equipment needs of the Fire Department's Urban Search and Rescue task force (US&R task force); 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 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 Section 2.04.050.1.5, for the 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 the City's advertising and competitive bidding requirements for the purchase of equipment needed for the California Task Force 4 US&R team training when such purchases are required by FEMA to be selected from the General Services Administration and other government procurement lists, and so waives the 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.

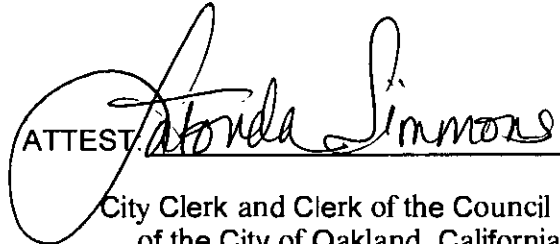
IN COUNCIL, OAKLAND, CALIFORNIA, 00T - 1 2013, 2013

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, KAPLAN, KALBB, MCELHANEY, ~~REID~~, SCHAFF and  
PRESIDENT KERNIGHAN -7

NOES -  
ABSENT -  
ABSTENTION -

Excused - Reid - 1

ATTEST   
City Clerk and Clerk of the Council  
of the City of Oakland, California