

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION: (A) AUTHORIZING THE CITY ADMINISTRATOR TO: (1) ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ACCEPT AND APPROPRIATE FEMA FUNDS IN THE AMOUNT OF ONE MILLION TWO HUNDRED THIRTY EIGHT THOUSAND, EIGHT HUNDRED SEVENTY EIGHT DOLLARS (\$1,238,878) ANNUALLY FOR FISCAL YEARS (FY) 2021-2026, AND ADDITIONAL SUPPLEMENTAL ANNUAL FUNDING NOT TO EXCEED FIFTY PERCENT (50%) OF THE ORIGINAL GRANT AWARD PER YEAR, FOR A CUMULATIVE AMOUNT NOT TO EXCEED NINE MILLION TWO HUNDRED NINETY ONE THOUSAND, FIVE HUNDRED EIGHTY FIVE DOLLARS (\$9,291,585) TO FUND THE OAKLAND FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (US&R) CALIFORNIA TASK FORCE FOUR (CA-TF4); (2) EXPEND THE FEMA FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER CITY COUNCIL APPROVAL, INCLUDING FUNDING FOR TRAINING AND THE PURCHASE OF EQUIPMENT; (B) WAIVING THE CITY'S ADVERTISING AND COMPETITIVE BIDDING AND PURCHASING REQUIREMENTS FOR PROCUREMENT OF EQUIPMENT WHEN REQUIRED BY THE GRANT; (C) AUTHORIZING THE CITY ADMINISTRATOR TO APPROPRIATE REVENUE RECEIVED FROM TRAININGS PROVIDED BY US&R CA-TF4; (D) APPROVE A CONTRIBUTION FROM THE GENERAL PURPOSE FUND (GPF) IN AN AMOUNT ESTIMATED AT SIXTY THOUSAND, NINE HUNDRED AND TWENTY FOUR DOLLARS (\$60,924) ANNUALLY FOR FY 2021-2026 TO COVER DISALLOWED INTERNAL SERVICE FUND (ISF) CHARGES AFFILIATED WITH SAID GRANT

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

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

WHEREAS, CA-TF4 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), administers this grant; 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 two hundred thirty-eight thousand and eight hundred seventy-eight dollars (\$1,238,878) annually for fiscal years (FY) 2021-2026, and any additional supplemental funding up to fifty percent (50%) of the original grant award for the performance period starting October 1, 2021 through September 30, 2028, for a total authorized amount not to exceed nine million two hundred ninety one thousand, five hundred eighty five dollars (\$9,291,585) 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 |
| 1.00 FTE | Administrative Assistant I |
| 2.00 FTE | Student Trainees, PT; and |

WHEREAS, the preliminary spending plan approved by FEMA has allocated: four hundred twenty-one thousand nine hundred and fifty-six dollars (\$421,956) to administrative and management costs; four hundred forty-eight thousand and three hundred ninety-nine dollars (\$448,399) to training costs; one hundred seventy-six thousand and five hundred forty-four dollars (\$176,544) to equipment costs; and one hundred ninety-one thousand and nine hundred and seventy-nine dollars (\$191,979) to storage and maintenance costs; 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.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, as the Sponsoring Agency CA-TF4 does provide training, allowing agencies not a part of CA-TF4 to participate to ensure that they are prepared and well trained to respond to emergencies alongside and in support of CA-TF4; and

WHEREAS, CA-TF 4 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, 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 amount estimated at sixty thousand, nine hundred and twenty four dollars (\$60,924) annually to cover the Internal Service Fund (ISF) charges associated with this grant, and for the duration of the grant period because said charges are not payable by this grant;

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 is authorized to enter into a grant cooperative agreement with the Federal Emergency Management Agency (FEMA) for receipt of federal funds (FEMA grant funds), in the estimated amount of one million two hundred thirty-eight thousand and eight hundred seventy-eight dollars (\$1,238,878) annually for fiscal years (FY) 2021-2026, in the amount of six million one hundred ninety four thousand, three hundred ninety dollars (\$6,194,390) to meet continuing management, training and equipment needs of the Oakland Fire Department's Urban Search and Rescue Task Force US&R, CA-TF4; and, be it

FURTHER RESOLVED: that the City Administrator is authorized to accept supplemental funding not to exceed fifty percent (50%) of the original grant amount, for a total authorized grant award amount of nine million two hundred ninety one thousand, five hundred eight five dollars (\$9,291,585) to meet continuing management, training and equipment needs; and, be it

FURTHER RESOLVED: that the City Administrator is authorized to accept and appropriate said FEMA grant funds; and, be it

FURTHER RESOLVED: that the General Purpose Fund (GPF) will contribute an amount estimated at sixty thousand, nine hundred and twenty four dollars (\$60,924) annually for fiscal years 2021-2026 to cover the Internal Service Fund (ISF) charges associated with this grant period; 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 and/or servicing of equipment needed for CA-TF4 when such purchases and services are required by the FEMA grant to be selected from the GSA and other government procurement lists, and so waives such requirements; and, be it

FURTHER RESOLVED: that the City Council hereby authorizes the City Administrator 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 CA-TF4 from the GSA and/or other governmental purchasing schedules without return to Council; and, be it

FURTHER RESOLVED: that the Oakland Fire Department is authorized to appropriate fees charged and collected for trainings it hosts in its capacity as the CA-TF4 Sponsoring Agency; and, be it

FURTHER RESOLVED: revenue received from this grant, as well as reimbursement for training courses hosted by shall be deposited into FEMA Fund (2124), Special Operation Division (20815), Special Operation Program (PS18), in FEMA Grants Revenue Accounts (46129), 2021 US&R FEMA Grant Project (1005561), and Task (2124.PS18), and the revenue received from this grant, including reimbursement from training courses, will be deposited to the same Project, Task, Award; and, be it

FURTHER RESOLVED: the coding block for expenditure shall be 2021 US&R FEMA Grant Project (1005561), Task (2124.PS18), Special Operation Division (20815), in various Expenditure Type; and, be it

FURTHER RESOLVED: that all agreements 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,

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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