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OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND

AGENDA REPORT

2009 NOV 19 PM 5:08

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Gerald A. Simon, Fire Chief
DATE: December 1, 2009

RE: **Report And Resolution Authorizing The City Administrator To Apply For Grant Funds Of Up To One Million Dollars (\$1,000,000) From The U.S. Department Of Homeland Security's Staffing For Adequate Fire And Emergency Response Program (SAFER) Under The American Recovery And Reinvestment Act Of 2009 ("Federal Stimulus Package") To Support New Or Rehired Firefighter Positions For A Period Of Two Years**

SUMMARY

The Department of Homeland Security's (DHS) Staffing For Adequate Fire And Emergency Response Program (SAFER) Under The American Recovery And Reinvestment Act Of 2009 (ARRA), provides funding for the salary and benefits of firefighters in eligible agencies. This year the application period is November 16, 2009 through December 18, 2009. There is \$210 million appropriated to the program. It is anticipated that there will be between 4,000-5,000 applications submitted and approximately 200 awarded. As a result of the ARRA and the Supplemental Appropriation Act, 2000, the conditions for awarding the grant for the hiring of firefighters activity is significantly different than in prior years.

Staff recommends that the City Council authorize the City Administrator to apply for grant funds of up to \$1 million from the SAFER Program to support new or rehired firefighter positions for a period of two years.

FISCAL IMPACT

The grant application will be for up to \$1 million to support firefighter positions. The annual salary for a firefighter is \$91,502 and benefit is \$70,704--with one position costing a total of \$162,206.

BACKGROUND

Historically, Oakland has not applied for the SAFER program because guidelines required us to add new firefighter positions or rehire laid-off employees, neither of which was appropriate for our situation at the time. While there is no guarantee that we will receive grant funds, our current economic situation and the recent layoff of firefighters are strong indicators that we would be able to develop a highly competitive grant application. Key terms of the grant include:

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- There is no cost-share requirement.
- There are no annual salary limits.
- There is no retention commitment if you are rehiring laid off firefighters and a one year commitment for hiring new firefighters.
- The performance period is two years.
- Only firefighters hired **after** the award date may be funded by a SAFER grant.
- There is no limit to the number of positions eligible for funding in an application. However, Department of Homeland Security has found that applicants have more difficulty justifying large requests for new hires than smaller requests.

KEY ISSUES AND IMPACTS

During the FY 2009-11 budget development process the City faced a deficit of approximately \$100 million in the General Purpose Fund (GPF). As part of the budget balancing measures, each labor union took concessions to close the gap between the projected revenue and the expenditure appropriation. The International Association of Firefighter (IAFF) Local 55 agreed that all suppression sworn personnel will work a 56- hour week instead of 52 hours per week. The 56-hour work week schedule was implemented on July 29, 2009. The result of this change was a reduction in days off for existing staff, which decreased the amount of overtime and number of personnel required to meet minimum staffing mandates. Because of the change of schedule, the City decided to lay off the 11 Firefighter Trainees on May 20, 2009. The trainees were scheduled to graduate on June 2, 2009.

Over the past four months, Oakland Fire Department (OFD) executive staff has continued to review staffing levels and costs. It has been determined that to maximize its emergency response capabilities, at least three firefighters (3) for each shift should be hired to fill vacant positions.

PROGRAM DESCRIPTION

The City of Oakland must provide minimum emergency response personnel in the Fire Department as mandated by Measure Y and the Memorandum of Understanding between the City and Local 55. Currently, there are 25 fire engines and 7 trucks that must be staffed in order to comply with these requirements.

This grant program provides funding that is necessary to staff essential firefighter positions and enables the City to be in compliance with the requirements of Measure Y and the Local 55 MOU.

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SUSTAINABLE OPPORTUNITIES

Economic: If awarded, the grant provides up to \$1 million to support the hiring or rehiring of firefighters.

Environmental: There are no environmental opportunities associated with this report.

Social Equity: There are no social equity issues associated with this report.

DISABILITY AND SENIOR CITIZEN ACCESS

All emergency response services and equipment provided by the Fire Department comply with ADA requirements.

RECOMMENDATION(S) AND RATIONALE

Adequate staffing for Fire Operations is essential to the City's ability to provide quality emergency response services to the Oakland community. Moreover, minimum staffing levels are requirements of Measure Y and the Local 55 MOU. In light of the City's current economic situation, it is in the best interest of the City to seek alternative funding for essential services.

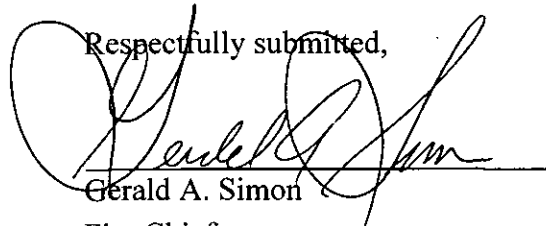
Therefore, staff recommends that Council authorize the City Administrator to apply for grant funds of up to one million dollars (\$1,000,000) from the U.S. Department of Homeland Security's Staffing for Adequate Fire and Emergency Response Program (SAFER) under the American Recovery and Reinvestment Act of 2009 ("Federal Stimulus Package") to support new or rehired firefighter positions for a period of two years.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council authorize the City Administrator to apply for grant funds of up to one million dollars (\$1,000,000) from the U.S. Department of Homeland Security's Staffing for Adequate Fire and Emergency Response Program (SAFER) under the American Recovery and Reinvestment Act of 2009 ("Federal Stimulus Package") to support new or rehired firefighter positions for a period of two years.

Respectfully submitted,



Gerald A. Simon
Fire Chief

Prepared by:
Nina S. Morris, Assistant to the Director
Office of the Fire Chief

APPROVED AND FORWARDED TO THE
PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

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FILED
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OAKLAND

DRAFT

APPROVED AS TO FORM AND LEGALITY

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OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR GRANT FUNDS OF UP TO ONE MILLION DOLLARS (\$1,000,000) FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY'S STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE PROGRAM (SAFER) UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 ("FEDERAL STIMULUS PACKAGE") TO SUPPORT NEW OR REHIRED FIREFIGHTER POSITIONS FOR A PERIOD OF TWO YEARS

WHEREAS, it is anticipated that the U.S. Government will award grant funds in the amount of approximately \$787 million dollars from the American Recovery and Reinvestment Act of 2009 (Federal Government's "Stimulus Package") to state and local governments to stimulate the economy by creating and preserving jobs, and

WHEREAS, the City of Oakland may be eligible to receive a portion of the grants funds; and

WHEREAS, due the urgent economic conditions, the federal government is releasing information on an ongoing basis regarding application deadlines and the criteria for funding and the types of programs, projects that will qualify for the funding and the Mayor, City Administrator and the City Council wish to be in the best posture (1) to be apprised of and updated regarding developments regarding the Stimulus Package and the City's options and (2) to prepare and complete and revise as necessary timely grant applications and (3) to obtain the maximum amount of grant funds for which the City of Oakland may be eligible; and

WHEREAS, the City learned that funds are available from the U.S. Department Of Homeland Security's Staffing for Adequate Fire and Emergency Response (SAFER) program and the City wishes to apply for a grant from the Stimulus Package for said purpose; now therefore be it

RESOLVED: that the City Council hereby authorizes the City Administrator or his designee to apply for, accept and appropriate up to \$1,000,000 in grant funds from the American Recovery and Investment Act of 2009 (Federal "Stimulus Package") in order to support the hiring of new or rehired firefighter positions for a period of two years; and be it

FURTHER RESOLVED: that the City Council hereby authorizes the City Administrator to conduct negotiations, execute documents, and take any other action with respect to the grant and projects consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: that prior to execution, all contracts and agreements shall be reviewed and approved for form and legality by the Office of the City Attorney and a final copy shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
 PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION

ATTEST: _____

LaTonda Simmons

City Clerk and Clerk of the Council

Of the City of Oakland, California