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OAKLAND  
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Approved as to Form and Legality

  
Oakland City Attorney's Office

# OAKLAND CITY COUNCIL

85273

RESOLUTION No. \_\_\_\_\_ C.M.S.

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

**RESOLUTION: 1) AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE TO (A) ENTER INTO A GRANT COOPERATIVE AGREEMENT TO ACCEPT AND APPROPRIATE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FUNDS FOR THE PERIOD OF SEPTEMBER 1, 2014 TO FEBRUARY 29, 2016, IN THE AMOUNT OF ONE MILLION TWO HUNDRED FIFTY EIGHT THOUSAND ONE HUNDRED THIRTY ONE DOLLARS (\$1,258,131) TO MEET CONTINUING MANAGEMENT, TRAINING AND EQUIPMENT NEEDS OF THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (US&R) TASK FORCE; AND (B) EXPEND FEMA GRANT FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER CITY COUNCIL APPROVAL, INCLUDING THE PURCHASE OF US&R EQUIPMENT FROM THE GENERAL SERVICES ADMINISTRATION (GSA) AND OTHER GOVERNMENT PRICING SCHEDULES; AND 2) WAIVING THE CITY'S ADVERTISING AND BIDDING REQUIREMENTS FOR THE PURCHASE OF THE US&R EQUIPMENT WHEN NECESSARY UNDER GRANT GUIDELINES; AND; 3) APPROVING TRAVEL FOR CITY PERSONNEL WHO PROVIDE SERVICES UNDER THE FEMA GRANT AND COOPERATIVE AGREEMENT OF 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 17 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, Hayward Fire Department, Livermore Pleasanton Fire Department, Moraga-Orinda Fire District, Marin County Fire Department, Novato Fire Protection District, Parks Reserve Forces, Salinas Fire Department, San Ramon Valley Fire Protection District, Santa Rosa Fire Department, Windsor Fire Protection District, and Seaside Fire Department; and

**WHEREAS**, California Task Force 4 (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), 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 two hundred fifty eight thousand one hundred thirty one dollars (\$1,258,131) for disaster response and operational readiness, preparedness training, personnel and equipment; and

**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**, regulatory instructions issued by Office of Management and Budget (OMB) Circular A-102\_25(G) require the City to record program revenue using the deductive method; 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 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. Whenever possible, City of Oakland purchasing methodology is used to purchase equipment; 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; now, therefore, be it

**RESOLVED:** that the City Administrator or 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 September 1, 2014 to February 28, 2016, in the amount not to

exceed one million two hundred fifty eight thousand one hundred thirty one dollars (\$1,258,131) 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 his 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 the FEMA grant; and be it

**FURTHER RESOLVED:** That 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 equipment needed for the California Task Force 4 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 the requirements; and, be it

**FURTHER RESOLVED:** That the City Council 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 agreements authorized 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, NOV 18 2014

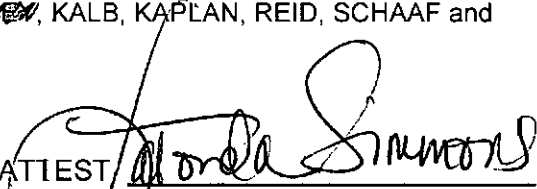
**PASSED BY THE FOLLOWING VOTE:**

**AYES** - BROOKS, GALLO, ~~GIBSON, McElhanev~~, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 7

**NOES** - 0

**ABSENT** - Gibson McElhanev - 1

**ABSTENTION** - 0

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