

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2019 JAN 10 PM 4:21

Approved as to Form and Legality

*Armando Solt*  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION No. 87503 C.M.S.

**RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE TO: (A) ENTER INTO A GRANT COOPERATIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR RECEIPT OF FUNDS FOR THE PERIOD SEPTEMBER 1, 2018 TO AUGUST 31, 2021, IN THE AMOUNT OF ONE MILLION TWO HUNDRED THIRTY-SEVEN THOUSAND AND NINE HUNDRED NINETY DOLLARS (\$1,237,990); (B) ACCEPT AND APPROPRIATE SAID FEMA FUNDS FOR THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (US&R) TASK FORCE (US&R TASK FORCE); (C) TO HOST THE US&R MEDICAL TEAM TRAINING IN JUNE 2019; (D) EXPEND THE FEMA FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER COUNCIL APPROVAL, INCLUDING FUNDING FOR TRAINING AND THE PURCHASE OF EQUIPMENT FROM THE GENERAL SERVICES ADMINISTRATION AND OTHER GOVERNMENT PRICING SCHEDULES; (2) WAIVING THE CITY'S ADVERTISING AND COMPETITIVE BIDDING AND PURCHASING REQUIREMENTS FOR PROCUREMENT OF EQUIPMENT WHEN REQUIRED BY THE GRANT FUNDS; (3) APPROVE TRAVEL FOR CITY PERSONNEL ON SHORT NOTICE WITHOUT FURTHER COUNCIL AUTHORIZATION; AND (4) 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, FOR FISCAL YEAR 2018-2019, 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 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, Central Fire Authority of Sonoma County, 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 Ramon Valley Fire Protection District, Santa Rosa 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-seven thousand and nine hundred ninety dollars (\$1,237,990) 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
0.60 FTE	Administrative Assistant I
1.50 FTE	Student Trainees, PT; and

**WHEREAS**, the preliminary spending plan approved by FEMA has allocated: seven hundred twenty-four thousand and fifty-two dollars (\$724,052) to administrative and management costs; Ninety-five thousand and one hundred sixty-eight dollars (\$95,168) to training costs; one hundred fifteen thousand and two hundred forty-six dollars (\$115,246) to equipment costs; and three hundred three thousand and five hundred twenty-four dollars (\$303,524) 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**, 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**, 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**, costs from these trainings are not currently being captured by the City from CA-TF4 supporting agencies, and as a result, trainings for outside agencies is being subsidized by the City of Oakland General Purpose Fund (Fund 1010); 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**, 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 for FY 2018-19, 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 Federal Emergency Management Agency (FEMA)

for receipt of federal funds (FEMA grant funds) for the period September 1, 2018 to August 31, 2021, in the amount not to exceed one million two hundred thirty-seven thousand and nine hundred ninety dollars (\$1,237,990) to meet continuing management, training and equipment needs of the Oakland 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 accept and appropriate said FEMA grant funds; and, be it

**FURTHER RESOLVED:** that the General Purpose Fund (GPF) will contribute an amount equivalent to the project's ITD-ISF charges to offset those costs for the duration of the 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 of equipment needed for CA-TF4 when such purchases and services are required by FEMA 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 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 CA-TF4 from the GSA and/or other governmental purchasing schedules without return to Council; and, be it

**FURTHER RESOLVED:** that the City Council hereby authorizes the City Administrator, for timeliness and security reasons, to approve 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 the Oakland Fire Department is authorized to charge and collect fees from trainings that 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), Project (1003886), Task (2124.PS18) & Award (23292), 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 FEMA 2018 US&R Grant Project (1003887), Task (2124.PS18), Award (23293), 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.

**PASSED BY THE FOLLOWING VOTE:**

**JAN 22 2019**

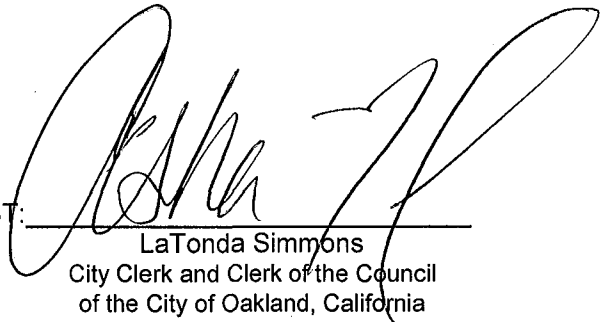
AYES – BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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