



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE TO: (A) ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR RECEIPT OF FUNDS FOR THE PERIOD SEPTEMBER 1, 2020 TO AUGUST 31, 2023, IN THE AMOUNT OF ONE MILLION TWO HUNDRED SIXTY-SIX THOUSAND AND SIX HUNDRED THIRTY-ONE DOLLARS (\$1,266,631); (B) ACCEPT AND APPROPRIATE SAID FEMA FUNDS FOR THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE TASK FORCE; (C) EXPEND THE FEMA FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN AND GOVERNMENT PRICING SCHEDULES WITHOUT FURTHER COUNCIL APPROVAL, (2) WAIVING THE CITY'S ADVERTISING AND COMPETITIVE BIDDING AND PURCHASING REQUIREMENTS

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, Sonoma County 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 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 sixty-six thousand and six hundred thirty-one dollars (\$1,266,631) 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
1.50 FTE	Student Trainees, PT; and

WHEREAS, the preliminary spending plan approved by FEMA has allocated: four hundred nineteen thousand and nine dollars (\$419,009) to administrative and management costs; two hundred seventy-five thousand and one hundred eighty-nine dollars (\$275,189) to training costs; one hundred seventy-five thousand and three hundred ninety-four dollars (\$175,394) to equipment costs; and three hundred ninety-seven thousand and thirty-nine dollars (\$397,039) 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, 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 or private entities; 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 2020-21 and FY 2021 - 2022, 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 his 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, 2020 to August 31, 2023, in the amount not to exceed one million two hundred sixty-six thousand and six hundred thirty-one dollars (\$1,266,631) 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 his 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 Information Technology Department – Internal Service Fund (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 his 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), 2020 US&R Grant Project (1004649), Task (2124.PS18) & Award (23540), 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 2020 US&R Grant Project (1004649), Task (2124.PS18), Award (23540), 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:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

ASHA REED
Acting City Clerk and Clerk of the Council
of the City of Oakland, California