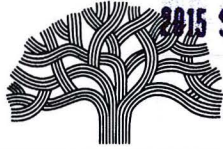


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2015 SEP 17 PM 12: 59

CITY OF OAKLAND

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Teresa Deloach Reed
Fire Chief

SUBJECT: Mutual Aid Emergency Response
Reimbursement Agreement

DATE: September 14, 2015

City Administrator
Approval

Date

9/16/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends City Council approval of:

A Resolution Authorizing The City Administrator To: 1) Seek Reimbursement For "Portal-To-Portal" Activities From State And Federal Agencies For Funds Expended By The Oakland Fire Department (OFD) While Participating In Mutual Aid Incidents And Emergencies; And 2) Accept And Appropriate Funds Received From State And Federal Agencies For Actual Emergency Firefighting, Rescue, Hazardous Materials Response, Recovery Actions, And Support Activities Carried Out By The Oakland Fire Department.

OUTCOME

Approval of this resolution confirms OFD personnel are compensated on a portal-to-portal basis for all time assigned to an emergency incident and will authorize the City Administrator to seek reimbursements from state and federal government entities for the Oakland Fire Department's participation in emergency response and support activities associated with State Mutual Aid.

BACKGROUND/LEGISLATIVE HISTORY

The Oakland Fire Department responds to mutual aid fires in the State of California as part of the California Master Mutual Aid Agreement. The City receives reimbursement from the California Office of Emergency Services (Cal OES) for personnel and indirect costs as outlined in the California Fire Assistance Salary Survey.

The 2015 Annual Fire Reimbursement Training Seminar (hosted by Cal OES) announced that participating agencies (cities) are now required to adopt a City Council resolution authorizing acceptance of funding reimbursements for portal-to-portal participation in mutual aid activities. The California Governor's Office of Emergency Services (Cal OES) eliminated portal-to-portal

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reimbursement unless participating agencies provide an existing Memorandum of Understanding or governing body resolution confirming their personnel are to be compensated on a portal-to-portal basis for all time assigned to an emergency incident.

This resolution will be used in the continuation of previous and current City of Oakland portal-to-portal reimbursement practices as guided by the California Fire Assistance Agreement (CFAA)

On February 7, 2006, Council adopted a similar Resolution No. 79705 C.M.S., which authorized the City Administrator to accept and appropriate funds from State and Federal agencies for Oakland Fire Department emergency rescue and support activities.

ANALYSIS

The Oakland Fire Department submits a current salary survey to the Cal OES Rescue Division which is used to determine reimbursement rates for each sworn firefighting classification, on an annual basis. The salary survey calculates the average hourly rate for all sworn personnel.

The Department submits for reimbursement from Cal OES for all Fire Management Assistance Grant (FMAG) approved fires when the Department is called for mutual aid. In addition to the reimbursement for personnel costs, the Department is reimbursed for fire apparatus use and other indirect costs.

The State's Office of Emergency Services revised the California Fire Assistance Agreement language to eliminate portal-to-portal reimbursement, effective January 1, 2015, to participating agencies (cities) without possession of a Memorandum of Understanding or governing body resolution confirming its personnel are compensated on a portal-to-portal basis for all time assigned to an emergency incident. As a result of this requirement, staff is seeking Council approval of this resolution.

COORDINATION

The Controller's Bureau and the Office of the City Attorney were consulted in the preparation of this report and resolution.

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the OFD on behalf of the City Administrator to seek reimbursement of funds associated with a mutual aid emergency response including travel time and rest periods (portal-to-portal).

Reimbursements shall be deposited into Revenue accounts for personnel costs; Fund 1010, Account 46229, Org, 20411, Program PS17. Expenditure accounts for personnel costs; Fund 1010, Account 51214, Org, 20411, Program PS17. Revenue accounts for administrative costs; Fund 1010, Account 45746, Org, 20511, Program PS15. Expenditure accounts for administrative costs; Fund 1010, Account 51911, Org, 20511, Program PS15.

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SUSTAINABLE OPPORTUNITIES

Economic: Approval of this resolution will ensure the City of Oakland is reimbursed for full participation in mutual aid activities, thereby having no fiscal impact on the General Fund.

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

Social Equity: Participating in mutual aid responses will benefit members of the regional community by providing emergency resources when needed during natural disasters and other emergency situations.

For questions concerning this report, please contact Deputy Chief Darin White at (510) 238-4052.

Respectfully submitted,



Teresa Deloach Reed
Fire Chief

Prepared by:
Darin White
Deputy Chief
Bureau of Field Operations

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OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) SEEK REIMBURSEMENT FOR “PORTAL-TO-PORTAL” ACTIVITIES FROM STATE AND FEDERAL AGENCIES FOR FUNDS EXPENDED BY THE OAKLAND FIRE DEPARTMENT WHILE PARTICIPATING IN MUTUAL AID INCIDENTS AND EMERGENCIES; AND 2) ACCEPT AND APPROPRIATE FUNDS RECEIVED FROM STATE AND FEDERAL AGENCIES FOR ACTUAL EMERGENCY FIREFIGHTING, RESCUE, HAZARDOUS MATERIALS RESPONSE, RECOVERY ACTIONS, AND SUPPORT ACTIVITIES CARRIED OUT BY THE OAKLAND FIRE DEPARTMENT

WHEREAS, the Oakland Fire Department (OFD) periodically provides assistance in incidents which require emergency firefighting, rescue, hazardous materials response, recovery actions and support activities approved by the State of California and Federal Agencies such as earthquakes, terrorist attack incidents, wildland conflagrations, hurricanes, and other natural or man-made catastrophes; and

WHEREAS, the Oakland Fire Department is a public agency located in the County of Alameda, State of California, and

WHEREAS, the City incurs costs for supplies, materials, equipment and consultant services that are eligible for reimbursement by State and Federal Agencies; and

WHEREAS, the City has in its employ, fire department response personnel including, but not limited to: Fire Chief, Deputy Chiefs, Battalion Chiefs, Captains of Fire, Lieutenants of Fire, Engineers of Fire, Firefighter-Paramedics and Firefighter; and

WHEREAS, the costs of salaries, supplies, materials, equipment and consulting services are above and beyond the City’s adopted budget and with federal and state reimbursements, the net cost of emergency firefighting, rescue, hazardous materials response, recovery action and support activities to the City of Oakland is zero;

WHEREAS, the City will compensate its employees portal-to-portal while in the course of their employment and away from their official duty station and assigned to a state or federal level emergency incident, in support of an emergency incident, or pre-position for emergency response; and

WHEREAS, the aforementioned emergency firefighting, rescue, hazardous materials response, recovery actions and support activities are not foreseeable when preparing the two-year budget, and the emergency actions require financial support to incur expenditures or deposit reimbursements, and

WHEREAS, OFD needs advance City Council authorization for the City Administrator or her designee to accept and appropriate funds from the State of California and Federal Agencies for reimbursable costs of emergency response actions, and

WHEREAS, this Resolution would authorize the City Administrator or her designee to accept and appropriate funds from State and/or Federal Agencies for emergency response activities, therefore there would be no fiscal impact on the City; now therefore, be it

RESOLVED, That the City Administrator is authorized to seek reimbursement for “Portal-to-Portal” activities from state and federal entities for City funds expended by the Oakland Fire Department while participating in mutual aid incidents and emergencies; and be it

FURTHER RESOLVED, That funding for personnel will be compensated (“Portal-to-Portal”) beginning at the time of dispatch to the return jurisdiction when apparatus, equipment and personnel are in service and available for agency response; and be it

FURTHER RESOLVED, That reimbursements shall be deposited into Revenue Accounts for personnel costs; Fund 1010, Account 46229, Org, 20411, Program PS17. Expenditure accounts for personnel costs; Fund 1010, Account 51214, Org, 20411, Program PS17. Revenue accounts for administrative costs; Fund 1010, Account 45746, Org, 20511, Program PS15. Expenditure accounts for administrative costs; Fund 1010, Account 51911, Org, 20511, Program PS15; and be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator or her designees to accept and appropriate State and Federal funds from the State of California and federal agencies for actual emergency firefighting, rescue, hazardous materials response, recovery actions and support activities carried out by the Oakland Fire Department.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LaTonda Simmons
 City Clerk and Clerk of the Council
 of the City of Oakland, California