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OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 16 AM 11:06

CITY OF OAKLAND
AGENDA REPORT

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Oakland Fire Department
DATE: April 28, 2009

RE: **A Resolution Authorizing The City Administrator To: 1) Apply For, Accept And Appropriate A Cooperative Agreement From The Federal Emergency Management Agency (FEMA) For The Period May 01, 2009 To August 31, 2010 In The Amount Of One Million One Thousand Nine Hundred Ten Dollars (\$1,001,910) To Meet Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (USAR) Team, 2) Enter Into A Cooperative Agreement With The Federal Emergency Management Agency (FEMA) For The Grant Period To comply With The Terms Of The Grant, 3) Waive The City's Competitive Bidding Requirements And Authorize Procurement Of Equipment From The General Services Administration Agency And Or Other Government Pricing Schedules, And 4) Award Equipment Contracts Without Return To Council; And, 5) Approve Travel For City Personnel Participating In The FEMA Cooperative Agreement Program On Short Notice Without Return To Council**

SUMMARY

The Federal Emergency Management Agency (FEMA) has been the funding source for 28 National Urban Search and Rescue (USAR) teams since the program's inception in 1990. During this period, the Oakland Fire Department has sponsored one of these teams, California Task Force 4 (CATF-4). The annual cooperative agreement award has gradually increased over time to the current level of \$1,001,910 for the coming 16 months. This amount will cover projected expenses for the acquisition, storage and maintenance of team equipment as well as training, personnel and administrative costs associated with the program. The cooperative agreement period runs from May 1, 2009 through August 31, 2010. No matching funds are required.

FISCAL IMPACT

This Administrative Preparedness cooperative agreement of \$1,001,910 is to staff, equip, train and support CATF-4 for disaster work, in accordance with FEMA cooperative agreement guidelines. The coding block is Federal Emergency Management Agency (FEMA) Fund (2124),

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Special Operation Division (20815), Special Operation Program (PS18), in various accounts and a project to be determined. The revenue received from this grant will be deposited to same fund, organization, project, program and the FEMA Grants Revenue Account (46130).

The first year maintenance costs on all new equipment will primarily be covered by warranties. The on-going costs of maintaining and replacing any equipment purchased under this cooperative agreement fund will either be covered by subsequent cooperative agreements or the equipment will be returned to FEMA. This spending plan has been approved by FEMA.

This funding supports the following positions

1.00 FTE	Assistant Chief of Fire Department as the Program Manager
.50 FTE	Logistic Manager, PT
1.00 FTE	Management Intern, PT

A detailed breakdown of the FEMA approved budget is as follows:

Personnel, management and medical screening	\$419,058
Pre-existing contract for warehouse rental and cache maintenance (storage for cache)	205,771
New equipment/supplies acquisition (including purchasing fee, if any)	198,465
Training delivery (as required by FEMA, including travel expenses)	<u>178,616</u>
Total:	\$1,001,910

The Department requests permission to modify the City's travel authorization requirements to allow for the short notification (i.e., a few days) given by FEMA for travel, which is fully reimbursed from cooperative agreement funds.

For security reasons, FEMA requests that OFD not disclose specific details with regard to the amount and types of equipment purchased.

The cooperative agreement is subject to the requirements of the Single Audit Act of 1996, generally accepted governmental audit standards (GAGAS) and Office of Management and Budget's (OMB) circular A-133, Audits of State, Local Governments and Nonprofit Institutions.

BACKGROUND

Since the World Trade Center disaster on September 11, 2001, Congress has taken the National USAR program and funded it to a higher level. The 28 teams have broadened their mission

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capabilities from the handling of natural disasters (i.e., flood, earthquakes, etc.) to include weapons of mass destruction (WMD) and terrorist incidents. In the past CATF-4 has sent overhead personnel and/or responded with rescue teams to: Texas for Hurricane Gustav and Ike, Miami for Hurricane Wilma, Houston for Hurricane Rita, New Orleans, LA and Biloxi, MS for Hurricane Katrina, West Texas for the Challenger Shuttle disaster, New York City, NY for the World Trade Center Bombing, Oklahoma City, OK for the Federal Building bombing, and Northridge California for its earthquake.

KEY ISSUES AND IMPACTS

Unless Oakland's USAR team continues to equip and train as per FEMA guidelines they will not be a part of FEMA's national system and will lose federal government funding. As all USAR teams are first and foremost a local asset, it would limit staff's ability to respond to WMD and/or natural disaster incidents in Oakland or other local jurisdictions.

CATF-4 has been authorized by FEMA to allocate cooperative agreement money in the following manner:

Personnel (overtime includes overhead)	\$419,058
This money covers the projected cost of one full time program manager, one full time office assistant and additional part time help as needed to manage the team and meet FEMA requirements.	
Pre-existing contract for warehouse rental and cache maintenance (storage for cache management including personnel and overhead costs)	\$205,771
New equipment/supplies acquisition and maintenance	\$198,465
This is for the reimbursable cost of equipment and supplies as required by FEMA	
Training Delivery and Travel (as required by FEMA) (personnel and overhead costs are included)	\$178,616
Travel specifics become known less than 30 days prior to events. This amount is based on past history and expectations. Team members attend FEMA training and working groups that require travel. FEMA specifies particular training that must be delivered to either the entire 210 member team, or members in specific job classifications.	

PROJECT DESCRIPTION

The purpose of the FEMA USAR Preparedness Cooperative agreement is to allow each National Urban Search and Rescue Task Force the opportunity to raise its standard and condition of operational readiness as an available FEMA, State, Regional and local resource.

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There is a great deal of equipment to be purchased to bring the cache up to a full compliment. The current value of the entire cache is in excess of \$4 million. The Task Force will use all means possible to purchase this equipment from local vendors. On occasion FEMA cooperative agreement guidelines allow/require using government pricing schedules so it is also recommended that the City Administrator be authorized to make these purchases when necessary using the federal competitive bid process and without returning to Council.

SUSTAINABLE OPPORTUNITIES

Economic:

CATF-4 provides opportunities to local vendors and merchants. Whenever possible, and unless otherwise directed by FEMA agreements, cooperative agreement monies are spent locally.

Environmental:

The Task Force recycles waste products and uses environmentally safe practices in the handling of the various materials used.

Social Equity:

CATF-4 is one of eight teams in California and one of 28 USAR Teams nationwide. The Oakland USAR Team will be used as a local asset in the event of a local natural disaster, accident or terrorist attack. If the team is needed in Oakland or surrounding communities, it will respond to local needs first. CATF-4 would be taken out of consideration for national deployment if needed locally.

Disability and Senior Citizen Access:

With this continued funding the Task Force will be better prepared to respond to the City of Oakland's needs in a time of emergency. Many lives will be saved due to the rapid response with sophisticated equipment to detect and extricate victims, especially to those people who would have difficulty to "self rescue" in times of disaster.

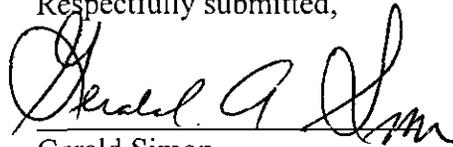
RECOMMENDATION AND RATIONALE

Staff recommends that the City Administrator be authorized to apply for, accept and appropriate a cooperative agreement from the Federal Emergency Management Agency for the period May 01, 2009 to August 31, 2010 in the amount of one million thirty thousand one hundred seventy nine dollars (\$1,001,910) to meet the continued expenses of the Oakland Fire Department's Urban Search and Rescue Team as they equip and train to respond to natural disasters or weapons of mass destruction.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



Gerald Simon
Interim Fire Chief

Prepared by: Mark Hoffmann
Assistant Chief

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



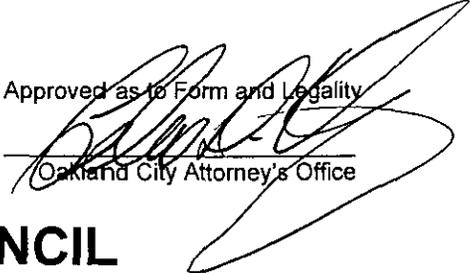
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Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) APPLY FOR, ACCEPT AND APPROPRIATE A COOPERATIVE AGREEMENT PROGRAM GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE PERIOD MAY 01, 2009 TO AUGUST 31, 2010 IN THE AMOUNT OF ONE MILLION ONE THOUSAND NINE HUNDRED TEN DOLLARS (\$1,001,910) FOR CONTINUING MANAGEMENT, TRAINING AND EQUIPMENT NEEDS OF THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (USAR) TEAM, 2) ENTER INTO A COOPERATIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE GRANT PERIOD TO COMPLY WITH THE TERMS OF THE GRANT, 3) WAIVE THE CITY'S COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZE PROCUREMENT OF EQUIPMENT FROM THE GENERAL SERVICES ADMINISTRATION AGENCY AND OR OTHER GOVERNMENT PRICING SCHEDULES, AND 4) AWARD EQUIPMENT CONTRACTS WITHOUT RETURN TO COUNCIL; AND, 5) APPROVE TRAVEL FOR CITY PERSONNEL PARTICIPATING IN THE FEMA COOPERATIVE AGREEMENT PROGRAM ON SHORT NOTICE WITHOUT RETURN TO COUNCIL

WHEREAS, the Oakland Fire Department is the Sponsoring Agency for California Task Force 4 (CA TF4) an Urban Search and Rescue (USAR) team; and

WHEREAS, CA TF4 is one of 8 California and 28 national USAR teams trained to respond to possible weapons of mass destruction (WMD) events as well as natural disasters; 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 USAR teams with federal cooperative agreements; and

WHEREAS, CA TF4 is eligible to apply for an preparedness cooperative agreement program grant in the amount of one million one thousand nine hundred ten dollars (\$1,001,910) for WMD response and operational readiness, preparedness, and equipment; and

WHEREAS, FEMA has approved this funding to support the following positions:

1.00 FTE	Assistant Chief of Fire Department as the Program Manager
.50 FTE	Logistic Manager, PT
1.00 FTE	Management Intern, PT

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, the terms and conditions of this FEMA cooperative agreement program grant require the City to procure equipment needed for the program from various Government purchasing schedules and to travel per FEMA directives on short notice; and

WHEREAS, this task force is available to the City of Oakland in the event of an attack within the City or surrounding communities; now, therefore, be it

RESOLVED: That the Oakland City Council, hereby authorizes the City Administrator to apply for, accept and appropriate a cooperative agreement program grant from the FEMA for the period May 01, 2009 to August 31, 2010 in the amount of one million one thousand nine hundred ten dollars (\$1,001,910) for the continued expenses of the Oakland Fire Department's Urban Search and Rescue Team as they equip and train to respond to natural disasters or WMD incidents; and, be it

FURTHER RESOLVED: That, pursuant to Oakland Municipal Code Title 2, Chapter 2.04, Section 2.04.050.1.5, the City Council hereby finds that it is in the best interests of the City to waive Oakland's competitive bidding requirements for the purchase of equipment needed for the USAR team training and preparedness because the cooperative agreement is contingent on procurement of said equipment from the General Service Administration Agency (GSA) and/or other Governmental Purchasing Schedules; and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, for timeliness and security reasons, to procure cooperative agreement program-funded equipment needed for the USAR team without return to Council; and, be it

FURTHER RESOLVED: That the City Council hereby 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 contracts 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.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

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