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OAKLAND
2015 SEP 17 PM 12:59

Approved as to Form and Legality

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. 85824 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.

OCT 06 2015

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

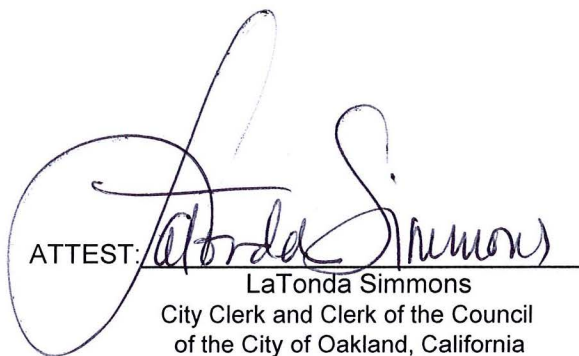
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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