

2019 OCT 31 PM 1:06

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 87936 - C.M.S.

RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE TO: (A) ENTER INTO AN AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR RECEIPT OF 2019 URBAN SEARCH AND RESCUE (US&R) GRANT FUNDS IN THE AMOUNT OF ONE MILLION TWO HUNDRED THIRTY-FIVE THOUSAND AND ONE HUNDRED FOUR DOLLARS (\$1,235,104) AND SUPPLEMENTAL FUNDING NOT TO EXCEED FIFTY PERCENT (50%) OF SAID AMOUNT, FOR OPERATIONAL COSTS AND EQUIPMENT PURCHASE FOR THE FIRE DEPARTMENT'S US&R TASK FORCE (US&R TASK FORCE); (B) EXPEND SAID GRANT FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER COUNCIL APPROVAL; (2) ACCEPTING AND APPROPRIATING SAID FEMA GRANT FOR US&R TASK FORCE; (3) WAIVING THE CITY'S PURCHASING REQUIREMENTS FOR PROCUREMENT OF US&R TASK FORCE EQUIPMENT WHEN REQUIRED BY SAID GRANT; AND (4) AUTHORIZING USE OF THE GENERAL PURPOSE FUND TO COVER THE COST OF INTERNAL SERVICE FUND CHARGES AFFILIATED WITH SAID GRANT

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 thirty-five thousand and one hundred four dollars (\$1,235,104) 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
0.6 FTE	Student Trainees, PT; and

WHEREAS, the preliminary spending plan approved by FEMA has allocated: four hundred sixty-one thousand and forty-five dollars (\$461,045) to administrative and management costs; two hundred twenty two thousand and two hundred thirty-seven dollars (\$222,237) to training costs; two hundred twenty six thousand and seven hundred twenty-two dollars (\$226,722) to equipment costs; and three hundred twenty five thousand and one hundred dollars (\$325,100) to storage and maintenance costs; and

WHEREAS, this FEMA Program Grant requires the City of Oakland (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 (OMC) 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, pursuant to OMC Section 2.04.050.I.5, 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 grant requirements regarding procurement lists of the General Services Administration and other related government pricing schedules; 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; and

WHEREAS, it is the determination of the grantor that the payment of Internal Service Fund (ISF) charges are not reimbursable by the grant; and

WHEREAS, the Fire Department is requesting that Council authorize the use of funding from the General Purpose Fund to cover the cost of internal service funds charges affiliated with the 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, 2019 to August 31, 2022, in the amount not to exceed one million two hundred thirty-five thousand and one hundred four dollars (\$1,235,104) and supplemental funding not to exceed fifty percent (50%) of said amount, 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 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 use of General Purpose Funds to cover the cost of internal service fund charges affiliated with the FEMA grant is authorized; and be it

FURTHER RESOLVED: that 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 (1004647), Task (2124.PS18) & Award (23539), 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: 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:

NOV 19 2019

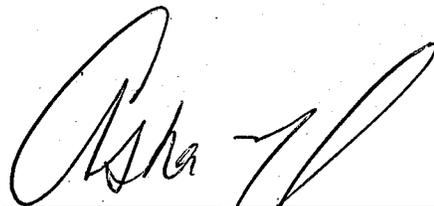
AYES – BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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