



# AGENDA REPORT

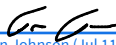
**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Damon Covington  
Fire Chief

**SUBJECT:** CAL OES Agreement for Hazard  
Mitigation Grant Funds

**DATE:** June 24, 2024

City Administrator Approval

  
Jestin Johnson (Jul 11, 2024 16:01 PDT)

Date: Jul 11, 2024

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution (1) Authorizing The City Administrator To (A) Enter Into An Agreement With The California Governor's Office Of Emergency Services (CalOES) For Receipt Of Hazard Mitigation Grant Funds In An Amount Up To Two Hundred Five Thousand, Two Hundred Forty-Nine Dollars (\$205,249); (B) Accept And Appropriate Said Grant Funds For The Fire Department, Emergency Management Services Division; (C) Expend Grant Funds In Accordance With Hazard Mitigation Grant Program And Prepare CA Match Grant Requirements Provided The City's Hiring And Contracting Requirements And Program/Policies Are Followed And Without Further Council Approval; And (2) Waiving The City's Advertising And Competitive Bidding And Purchasing Requirement When Required by the Grant Program Terms**

## **EXECUTIVE SUMMARY**

Passage of the proposed resolution will (1) authorize the City Administrator to (A) enter into an agreement with CalOES for receipt of Hazard Mitigation Grant Funds in an amount up to two hundred five thousand two hundred and forty-nine dollars (\$205,249); (B) accept and appropriate said grant funds for the Fire Department, Emergency Management Services Division; (C) expend grant funds in accordance with Hazard Mitigation Grant Program and Prepare CA Match grant requirements provided the City's hiring and contracting requirements and program/policies are followed and without further Council approval; and (2) waive the City's advertising and competitive bidding and purchasing requirement when required by the grant program terms.

CalOES has awarded the City grant funding of up to \$205,249 (FY 2024 Hazard Mitigation Grant) through two funding sources: (1) \$156,370.50 in pass through funding from the Federal Emergency Management Agency (FEMA) from their Hazard Mitigation funding and (2) \$48,878.50 in State matching funds from the Prepare California program. The FY 2024 Hazard Mitigation Grant performance period is from March 20, 2024, to March 20, 2027, with a requirement that the Prepare California portion of the funds be expended by March 31, 2026.

Public Safety Committee  
July 23, 2024

The acceptance of the FY 2024 Hazard Mitigation Grant will provide the resources necessary to develop the 2026 Local Hazard Mitigation Plan (LHMP). Grant funds will be allocated to consultant services, staffing, and other costs.

The 2026 LHMP will update the 2021 LHMP and is required to access certain Federal and State disaster recovery funding sources, including Federal Hazard Mitigation Grant Assistance funds.

### **REASON FOR URGENCY**

The current LHMP expires July 14, 2026, leaving only 24-months to complete the update before the City becomes ineligible for certain Federal and State recovery funds in the event of a disaster.

The 2026 LHMP requires extensive community engagement and the integration of equity measures, processes that require substantial time and effort. Given the tight timeline for this project and the additional time required to issue a Request for Proposal (RFP) and secure a consultant within the City's procurement process, swift action is imperative. Delays could jeopardize our ability to complete the LHMP on time, putting our community at risk. Therefore, immediate and decisive action on this item is essential.

### **BACKGROUND / LEGISLATIVE HISTORY**

Preparation of the 2026 LHMP continues the hazard mitigation planning process that has been in place in the City of Oakland since the early 1970s, with the adoption of the first Seismic and Safety Elements to the City's General Plan. This is the fourth update to the City of Oakland's initial 2006 hazard mitigation plan (previously updated in 2011, 2016, and 2021). The 2026 LHMP will cover a five-year period between 2026 and 2031.

An updated 2026 LHMP adopted by the General Plan will be needed to maintain AB 2140 eligibility, a step required to access certain State recovery cost share funds. On September 26, 2023, the City Council approved the adoption of the Safety Element of the General Plan (Safety Element), which references the LHMP as providing supplemental information for the Safety Element. The State of California has issued an AB2140 compliance letter indicating that the City is eligible to be considered as a potential candidate for additional recovery funding following a disaster. This eligibility expires with the expiration of the current 2021 LHMP on July 14, 2026.

Staff have submitted a FY 24 Hazard Mitigation Grant proposal which has been awarded \$205,249 from Federal and State funds administered by CalOES. Acceptance of these funds would allow the City to produce the 2026 LHMP. The performance period of the grant is March 20, 2024, to March 20, 2027, with a requirement that the State matching funds portion (\$48,878.50) must be expended prior to March 31, 2026.

### **ANALYSIS AND POLICY ALTERNATIVES**

Staff have submitted a FY 24 Hazard Mitigation Grant proposal which has been awarded \$205,249 from Federal and State funds administered by CalOES. These funds will be used to procure a consultant and fund staffing and other costs. Please refer to **Attachment A** for the Grant Amendment Acceptance Packet from CalOES. The table below describes the timeline for LHMP activities.

Table 1.0: Timeline for LHMP Activities (shaded cells indicate years with activity)

LHMP Activities	2024	2025	2026
Planning			
Development of Equity Strategy			
Community and Stakeholder Engagement			
Hazard Identification			
Risk Assessment			
Mitigation Strategy			
Drafting of the Plan			
Plan Adoption			

The development of the LHMP will include the following components:

**Planning:** Development of an inter-departmental LHMP Steering Committee and Planning Team, procurement of a consultant, and review of the current 2021 LHMP.

**Equity strategy:** Development of strategies to build equity in the 2026 LHMP and the process to develop it. This will be a collaboration between the consultant and staff from various City departments.

**Community and Stakeholder Engagement:** Community engagement, with a focus on vulnerable communities, will occur throughout the development of the LHMP, using a strategy to be developed in collaboration with the consultant.

**Hazard Identification:** Definition of the planning area, cataloguing historical events, developing a capability assessment, and reviewing information related to the National Flood Insurance Program.

**Risk Assessment:** Development of a hazard profile, identification of vulnerable populations, and the development of in-depth profiles for natural hazards and minor profiles for non-natural hazards.

**Mitigation Strategy:** Establishing goals with community and stakeholder input, developing mitigation actions and prioritizing mitigation actions. It is anticipated that goals and mitigation actions will include new items and items carried over from the 2021 LHMP.

**Drafting of the Plan:** The final draft will incorporate formal edits from CalOES and/or FEMA. The final draft must be approved by FEMA in order for the City to maintain eligibility for certain FEMA recovery funds.

**Plan Adoption:** The final plan will be presented to the Oakland Safety Committee and then will be presented to the City Council. If approved, the corresponding resolution will be provided to FEMA.

The creation of the 2026 LHMP will allow the City to update its assessment of hazards with current community input gathered through a robust community engagement process. It will allow the City to continue to build upon prior work to promote equity and considerations of climate change. An updated LHMP is required to access certain Hazard Mitigation disaster recovery funds available through FEMA and the State.

If Council does not approve the Resolution, City staff will not receive \$205,249 in funding from CalOES to produce the 2026 LHMP. Staffing and consultant costs will not be supported for this project. This might result in a delayed update to the LHMP, which would impact the City's eligibility for certain disaster recovery funding available through FEMA and the State. Resources would be minimal to support robust community engagement, collect the best available data related to equity, and produce a 2026 LHMP that best reflects hazards and their impacts on vulnerable communities.

The City should waive City advertising, and competitive bidding and purchasing requirements for procurement when required by the grant program terms. FY 24 Hazard Mitigation Grant requirements, which utilize Federal purchasing requirements, do not allow for preference for local vendors. As per Federal Procurement Standards, the non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference.

The proposed measure advances these Citywide Priorities: 1) **Holistic Community Safety** by developing a comprehensive plan designed to help the City understand and plan for its specific risks for natural and selected human-caused disasters, including measures to mitigate the effects of disasters, 2) **Housing, Economic, and Cultural Security** by meeting a requirement allowing the City to access certain recovery funds after a disaster and by planning for disasters, which can be very costly, mitigating risk to the economy and community resiliency; housing may also be included if such an action is prioritized through the LHMP process (housing is included in the 2021 LHMP), 3) **Vibrant, Sustainable Infrastructure** by assessing the risks of natural and selected human-caused disasters on critical infrastructure and developing mitigation measures preventing or reducing damage in a disaster, and 4) **Responsive, Trustworthy Government**, by including equity measures and a robust community engagement plan designed to reach vulnerable communities and individuals in an accessible manner.

### **FISCAL IMPACT**

Approval of the proposed resolution will authorize the acceptance and appropriation of FY 2024 Hazard Mitigation grant funds in the amount of \$205,249.

FY 2024 Hazard Mitigation Funds will be deposited into Grant Fund(s) to be determined (TBD), Emergency Management Services Division Organization (20711), Project to be determined (TBD).

### **PUBLIC OUTREACH / INTEREST**

Approval of the proposed resolution will authorize the acceptance and appropriation of FY 2024 Hazard Mitigation grant funds in the amount of \$205,249. These funds will be used to engage with a consultant to collaboratively develop a robust and equitable community engagement strategy focusing on vulnerable communities. Multiple methods of engagement will be used, including online and in-person opportunities to provide feedback.

### **COORDINATION**

The development of the 2026 LHMP will involve the creation of an inter-departmental LHMP Steering Committee. Anticipated membership includes, but is not limited to, staff from the following: Fire, Police, Race and Equity, ADA Programs Division, Office of Sustainability and Resilience, Building and Planning, Public Works, Human Services, Housing and Community Development, Parks, Recreation and Youth Development, Information and Technology and others. A smaller subset of this interdepartmental group will form a planning team, which will assist with the development and implementation of the plan. Anticipated membership for this team includes, but is not limited to, staff from Planning and Building, Public Works, Fire – Emergency Management Services Division (EMSD) and the City Administrator’s Office. Staff from EMSD, the Department of Race and Equity, ADA Programs, and other departments will evaluate the equity-based criteria and scope of work for consultant selection and will work on equity strategy on an ongoing basis.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The development of the 2026 LHMP will allow the City to develop prioritized mitigation actions to address potential damages from disasters. Disasters are costly. As an example, as stated in the 2021 LHMP, the Oakland Hills Fire of 1991 incurred an estimated over \$1.5 billion in losses for the community.

**Environmental:** Adoption of the 2026 LHMP, and funding and completing its mitigation measures, will aid in mitigating potential damage to natural resources from safety hazards and disasters. The 2026 LHMP will include consideration of climate change, including sea level rise and severe weather events. The mission of the 2021 LHMP includes language protection of the environment from identified natural and manmade hazards. It is anticipated that the 2026 LHMP mission will have similar wording.


**Race & Equity:** Staff will seek to make impacts on disparities during disasters, building equity into the process to develop a 2026 LHMP. Vulnerable communities will be identified and will be engaged to provide input. The best available equity data will be collected and incorporated into the document. This data will be archived for future planning purposes.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt a Resolution (1) Authorizing The City Administrator To (A) Enter Into An Agreement with the California Governor's Office Of Emergency Services (CalOES) For Receipt Of Hazard Mitigation Grant Funds In An Amount Up To Two Hundred Five Thousand, Two Hundred Forty-Nine Dollars (\$205,249); (B) Accept And Appropriate Said Grant Funds For The Fire Department, Emergency Management Services Division; (C) Expend Grant Funds In Accordance With Hazard Mitigation Grant Program And Prepare CA Match Grant Requirements Provided The City's Hiring And Contracting Requirements And Program/Policies Are Followed And Without Further Council Approval; And (2) Waiving The City's Advertising And Competitive Bidding And Purchasing Requirement When Required by the Grant Program Terms

For questions regarding this report, please contact Jessica Feil, Emergency Services Manager, at (510) 238-6067.

Respectfully submitted,



DAMON COVINGTON  
Fire Chief

Reviewed by:  
Jessica Feil, Emergency Services Manager

Prepared by:  
Veronika Cole, Emergency Planning Coord.  
Emergency Management Services Division

Attachments (1):

A: Grant Amendment Acceptance Packet from CalOES