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City Attorney's Office

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OFFICE OF THE CITY CLERK
OAKLAND

2015 DEC 10 PM 1:25

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO (A) ENTER INTO A GRANT COOPERATIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ACCEPT AND APPROPRIATE FEDERAL FEMA FUNDS FOR THE PERIOD SEPTEMBER 30, 2015 TO SEPTEMBER 30, 2018, IN THE AMOUNT OF ONE MILLION TWO HUNDRED TWENTY NINE THOUSAND FIVE HUNDRED EIGHTY TWO DOLLARS (\$1,229,582) TO MEET CONTINUING MANAGEMENT, TRAINING AND EQUIPMENT NEEDS OF THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (US&R) TASK FORCE (US&R TASK FORCE) AND (B) TO EXPEND THE FEMA FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER COUNCIL APPROVAL, INCLUDING FUNDING FOR TRAINING AND THE PURCHASE OF EQUIPMENT FROM THE GENERAL SERVICES ADMINISTRATION (GSA) AND OTHER GOVERNMENT PRICING SCHEDULES; (2) WAIVING THE CITY'S ADVERTISING, COMPETITIVE BIDDING AND PURCHASING REQUIREMENTS FOR THE PROCUREMENT OF EQUIPMENT WHEN REQUIRED BY THE GRANT TERMS; AND (3) APPROVING TRAVEL FOR CITY PERSONNEL THAT PROVIDE SERVICES UNDER THE FEMA COOPERATIVE AGREEMENT ON SHORT NOTICE WITHOUT FURTHER COUNCIL AUTHORIZATION.

WHEREAS, the Oakland Fire Department is the Sponsoring Agency for California Task Force Four (CATF-4), an US&R Task Force, which includes members of 16 Local Participating Fire Agencies including: Alameda Fire Department, Alameda County Fire Department, Berkeley Fire Department, Central Fire Authority of Sonoma County, Contra Costa County Fire Protection District, Fremont Fire Department, Hayward Fire Department, Livermore Pleasanton Fire Department, Marin County Fire Department, Monterey County Regional Fire District, 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, CATF-4 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 FEMA, a component of the Department of Homeland Security (DHS), is the federal management agency; and

WHEREAS, FEMA supports all 28 US&R teams with federal cooperative agreements; and

WHEREAS, CATF-4 is eligible to apply for a FEMA preparedness cooperative agreement program grant in the amount of one million two hundred twenty nine thousand five hundred eighty two dollars (\$1,229,582) 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 |
| .50 FTE | Logistics Manager, PT |
| 1.00 FTE | Student Trainees, PT |

WHEREAS, the coding block is 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, including reimbursement from training courses, will be deposited to same fund, organization, project, program and the FEMA Grants Revenue account (46130); and

WHEREAS, this FEMA Program Grant requires the City to provide training to members of CATF-4, 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 Section 2.04.050.1.5 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 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, 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 with the procurement lists of the GSA and other related government pricing schedules; and

WHEREAS, the City requires the Fire Chief and City Administrator to obtain Council approval for the payment of travel expenses for Fire Department personnel in advance, and this FEMA program grant requires the City to send Oakland Fire Department firefighters and other personnel from other jurisdictions to do FEMA required business, training or response activities on short notice; and

WHEREAS, CATF-4 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 FEMA to accept and appropriate federal funds (FEMA grant funds) for the Oakland Fire Department for the period September 30, 2015 to September 30, 2018, in the amount not to exceed one million two hundred twenty nine thousand five hundred eighty two dollars (\$1,229,582) to meet continuing management, training and equipment needs of the Fire Department's US&R Task Force; and

FURTHER RESOLVED: that the City Administrator or her designee is authorized to expend the FEMA grant funds in accordance with the preliminary spending plan without further Council approval, including funding for training and the purchase of equipment as required by the GSA and other government pricing schedules to support the US&R Task Force's response capability as required by FEMA; and

FURTHER RESOLVED: that, pursuant to Oakland Municipal Code Title 2, Chapter 2.04, Section 2.04.050.1.5 and reasons stated in the agenda report accompanying this Resolution and above, 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 California Task Force Four US&R team; 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 US&R team from the GSA and/or other Governmental Purchasing Schedules without return to Council; and, be it

FURTHER RESOLVED: that the City Council finds that pursuant to Oakland Municipal Code Section 2.04.050.1.5, 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 the California Task Force Four US&R team training 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, 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, _____, 2015

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