



City Attorney

OAKLAND CITY COUNCIL**RESOLUTION No. _____ C.M.S.**

RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: (A) ENTER INTO AN AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO FOR RECEIPT OF FEDERAL FISCAL YEAR 2020 URBAN AREA SECURITY INITIATIVE (FY 2020 UASI) GRANT FUNDS IN AN AMOUNT UP TO ONE MILLION, ONE HUNDRED FIFTEEN THOUSAND DOLLARS (\$1,115,000.00); (B) ACCEPT AND APPROPRIATE SAID GRANT FUNDS FOR THE FIRE DEPARTMENT, EMERGENCY MANAGEMENT SERVICES DIVISION; (C) EXPEND GRANT FUNDS IN ACCORDANCE WITH THE FY 2020 UASI RECOMMENDED GRANT SPENDING PLAN PROVIDED THE CITY'S HIRING AND CONTRACTING REQUIREMENTS AND PROGRAMS/POLICIES ARE FOLLOWED AND WITHOUT FURTHER COUNCIL APPROVAL; (2) WAIVING THE CITY'S ADVERTISING AND COMPETITIVE BIDDING AND PURCHASING REQUIREMENTS

WHEREAS, the City and County of San Francisco is the Fiscal Agent for the Fiscal Year (FY) 2020 UASI grant award and an agreement with the City and County of San Francisco is required for the distribution, administration, and reimbursement of grant funds to the City of Oakland; and

WHEREAS, the City of Oakland FY 2020 UASI grant proposal was approved by the Bay Area UASI Approval Authority and the City of Oakland and has been awarded a grant allocation of up to one million, one hundred fifteen thousand dollars (\$1,115,000.00), for FY 20 UASI performance period from November 1, 2020 through May 31, 2022 as part of an investment to the region; and

WHEREAS, the authorized expenditures estimated at nine hundred five thousand, six hundred sixty (\$905,660) for staff positions includes funding to support up to five (5) full-time equivalent (FTE) positions for the FY 2020 UASI Grant period of November 1, 2020 through May 31, 2022, or until funding is exhausted; and

WHEREAS, the Fire Department, Emergency Management Services Division staffing is essential to ensure that Oakland is prepared to support terrorist events and simultaneously prepare for other hazards, including natural disasters and other major incidents that effect the City of Oakland and the Bay Area region; and

WHEREAS, the authorized expenditures estimated at one hundred fifteen thousand dollars (\$115,000) is for Raman and fourier-transform infrared (FTIR) Spectroscopy that will help the Fire Department's Hazardous Material Team's capability to conduct gas and vapor chemical detection; and

WHEREAS, staff has evaluated said FTIR equipment and determined it is not surveillance technology and is not subject to the approval process set forth pursuant to Oakland Municipal Code Chapter 9.64; and

WHEREAS, the authorized expenditures estimated at ninety-four thousand, three hundred forty dollars (\$94,340) for equipment to support critical communications and data systems coordination and resource allocation tools such as Veoci, satellite communications; and public alert and warning to affected members of the community in order to save lives and property; and

WHEREAS, all equipment in approved and recommended projects are identified on the Federally Authorized Equipment List (“AEL”) as required by the UASI FY 2020 grant guidelines; and

WHEREAS, that said FY 2020 grant requirements provide that certain equipment on the spending plan must be purchased from federal government schedules; and

WHEREAS, staff recommends that the City Administrator, or his designee be authorized to make all purchases and enter into contracts identified on the FY 2020 UASI spending plan as identified in the report, without further review or action by the City Council, including purchases that exceed the City Administrators purchasing authority, depending on the type of product or service under Oakland’s Purchasing Ordinance, Oakland Municipal Code section 2.04.020; 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 interest of the City to do so; and

WHEREAS, that City staff recommends that the City Council waive the City’s advertising, bidding and purchasing requirements for purchases of equipment from federal spending schedules when required by the FY 2020 UASI grant; and

WHEREAS, the City of Oakland is committed to cooperating with regional partners to protect, prevent, mitigate, respond, and recover from terrorism, and other disasters; now, therefore be it

RESOLVED, that the City Council authorizes the City Administrator or designee to enter into an agreement for receipt of FY 2020 UASI grant funds from the City and County of San Francisco in the amount up to one million, one hundred fifteen thousand dollars (\$1,115,000.00); and be it

FURTHER RESOLVED, that the City Council authorizes the City Administrator or designee to accept and appropriate said grant funds for the Fire Department, Emergency Management Services Division; and be it

FURTHER RESOLVED, that up to one million, one hundred fifteen thousand dollars (\$1,115,000) of said FY 2020 grant funds shall be deposited into U.S. Department of Homeland Security Fund (2123), Emergency Management Services Division Organization (20711), a grant project to be determined, Emergency Management Services/Homeland Security Program (PS21) and/or create program codes from IJ01 through IJ10 to match the corresponding goals of the UASI program; and be it

FURTHER RESOLVED, that said FY 2020 grant funds shall be allocated in an amount estimated at nine hundred five thousand, six hundred sixty dollars (\$905,660) for staff positions to support up to five (5) full-time equivalent (FTE) positions for the FY 2020 UASI Grant period of November 1, 2020 through May 31, 2022, or until funding is exhausted, whichever occurs last; and be it

FURTHER RESOLVED, that said FY 2020 grant funds shall be allocated in an amount estimated at one hundred fifteen thousand dollars (\$115,000) for Raman and fourier-transform infrared Spectroscopy that will help the Hazardous Material team's capabilities with gas and vapor chemical detection; and be it

FURTHER RESOLVED, that the City Administrator or his designee is authorized to approve expenditures estimated at ninety-four thousand, three hundred forty dollars (\$94,340) for equipment to support critical communications and data systems coordination and resource allocation tools such Veoci, satellite communications; and be it

FURTHER RESOLVED, that City Council authorizes a General Purpose Fund contribution for \$42,425 during City FY 2020-21 and \$21,213 for FY 2021-22 for an estimated total of \$63,638 to cover the City's Central Services Overhead (CSO) charges for disallowed personnel costs associated with the grant; and be it

FURTHER RESOLVED, that the City Council authorizes the City Administrator or designee to expend grant funds in accordance with the FY 2020 UASI recommended grant spending plan provided the City's hiring and contracting requirements and programs/policies are followed and without further Council approval; and be it

FURTHER RESOLVED, that the City Administrator or designee is authorized to make all purchases of equipment and services identified in the FY 2020 UASI spending plan identified in the report without further review or action by the City Council, including purchases that exceed the City Administrator's purchasing authority pursuant to Oakland Municipal Code section 2.04.020; and be it

FURTHER RESOLVED, that pursuant to Oakland Municipal Code Section 2.04.050.1.5 and for the reasons provided above and in the City Administrator's report accompanying this resolution, that the City Council finds it is in the best interest of the City to waive the City's advertising, bidding and purchasing requirements when required by the FY 2020 UASI grant.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN.

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

ASHA REED
Acting City Clerk and Clerk of the Council
of the City of Oakland, California