

1 [Cooperative Agreement - California State Department of Forestry and Fire Protection -
2 Federal Excess Personal Property Program - Acceptance of Loans of Equipment - Fire
3 Department]

4 **Resolution authorizing the Fire Department to enter into a Cooperative Agreement for**
5 **the Federal Excess Personal Property Program with the California State Department of**
6 **Forestry and Fire Protection (CAL Fire) under which the Department may receive**
7 **temporary loans of equipment for fire suppression and pre-suppression use for an**
8 **initial term of five years, effective upon execution of the Cooperative Agreement.**

9
10 WHEREAS, Federal law has authorized the creation of the Federal Excess Personal
11 Property (FEPP) Program as an element of the Cooperative Fire Protection Program (16
12 U.S.C., Section 2106(b)); and

13 WHEREAS, Under the FEPP Program, the United States Department of Agriculture
14 (USDA) Forest Service lends federal excess personal property needed for wild land and rural
15 community fire protection to states and local fire departments for their use; and

16 WHEREAS, The California Department of Forestry and Fire Protection (CAL Fire) has
17 been authorized by the USDA Forest Service to administer the FEPP Program in California;
18 and

19 WHEREAS, Under the FEPP Program, the USDA Forest Service lends excess
20 personal property to CAL Fire and CAL Fire then lends the property to local fire departments
21 for fire suppression and pre-suppression use; and

22 WHEREAS, To be eligible to receive federal excess personal property from CAL Fire
23 through the FEPP Program, a fire department must enter into a Cooperative Agreement with
24 CAL Fire; and

1 WHEREAS, A fire department that receives property under the FEPP Program must
2 primarily use the property for activities directly related to wildland and rural community fire
3 protection and is responsible for the proper care, maintenance, security, and storage of such
4 property; and

5 WHEREAS, In 2022, the San Francisco Fire Department evaluated the FEPP Program
6 and determined that the Department could significantly benefit from joining as a cooperator so
7 that it would have access to such property for use in the Department's fire suppression
8 activities; and

9 WHEREAS, In 2022, The Fire Department determined that the benefits of having
10 access to the property for fire suppression and pre-suppression purposes outweigh any costs
11 associated with transporting, insuring, maintaining, securing, and storing such property; and

12 WHEREAS, Administrative Code, Section 10.100-305 generally requires the Board of
13 Supervisors to approve the acceptance and expenditure of any gift of cash or good with a
14 value of \$10,000 or more; and the Fire Department anticipates that its participation in the
15 FEPP Program under a Cooperative Agreement could result in the acceptance of loans of
16 equipment valued at \$10,000 or more; and

17 WHEREAS, On October 18, 2022, through Resolution No. 427-22 (File No. 220295),
18 the Board of Supervisors approved the Fire Department's participation in the FEPP Program
19 approved the Department's acceptance and use of equipment as provided under a
20 Cooperative Agreement, an executed copy of which is on file in File No. 220295; and

21 WHEREAS, CAL Fire requires the parties to enter into a new Cooperative Agreement
22 whenever the primary contacts of the parties change; and

23 WHEREAS, The Fire Department recommends that the Board of Supervisors approve
24 the Fire Department's continued participation in the FEPP Program and authorize it to execute
25 the new Cooperative Agreement for an initial term of five years; and

1 WHEREAS, A copy of the new Cooperative Agreement is on file in Board of
2 Supervisors File No. _____; now, therefore, be it

3 RESOLVED, That the Board of Supervisors approves the Fire Department's continued
4 participation in the FEPP Program and approves the Department's acceptance and use of
5 equipment as provided under that agreement without further approval by the Board; and, be it

6 FURTHER RESOLVED, That within 30 days of the Cooperative Agreement being fully
7 executed by all parties, the Fire Department shall provide a copy of the final agreement to the
8 Clerk of the Board for inclusion in File No. _____.