

1 [Cooperative Agreement - California State Department of Forestry and Fire Protection (CAL
2 Fire) - Firefighter Property Program - Acceptance of Loans of Equipment - Fire Department]

3 **Resolution authorizing the Fire Department to enter into a Cooperative Agreement for**
4 **the Firefighter Property Program with the California State Department of Forestry and**
5 **Fire Protection (CAL Fire) under which the Department may receive temporary loans of**
6 **property in providing fire and emergency medical services, including disaster relief**
7 **activities, for an initial term of three years, effective upon execution of the Cooperative**
8 **Agreement.**

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10 WHEREAS, Title 10, United States Code, Section 257b authorizes the United States
11 Secretary of Defense to transfer to firefighting agencies personal property that is no longer
12 needed by the Department of Defense that may be suitable for use in fire protection,
13 emergency medical services, and disaster relief activities; and

14 WHEREAS, Pursuant to this authority, the Department of Defense has established the
15 Firefighter Property Program ("FFP Program") to effectuate the transfer of excess Department
16 of Defense property to state and local firefighting agencies for use in fire suppression or
17 presuppression activities, providing emergency medical services, or supporting disaster relief
18 activities; and

19 WHEREAS, The property available through the FFP Program may include items such
20 as vehicles and other fixed assets; fabricating materials; warehouse equipment; tools; and
21 other items needed to distribute, maintain, and prepare the property to be used in fire
22 suppression or emergency services; and

23 WHEREAS, A local firefighting agency that acquires property through the FFP Program
24 takes custody of, or in some cases title to, the property free of charge, but is responsible for
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1 costs associated with picking up and transporting the property, preparing the property for use;
2 maintenance, and insurance; and

3 WHEREAS, A local firefighting agency that receives property through the FFP Program
4 must place the property into service and use the property for firefighting or emergency needs
5 for at least one year before the property may be disposed of, or returned to the FFP Program,
6 depending on the classification of the property; and

7 WHEREAS, The State of California, through the Department of Forestry and Fire
8 Protection (CAL Fire), has been approved by the federal government to administer the FFP
9 Program in California; and

10 WHEREAS, As the administrator of the FFP Program in California, CAL Fire enlists
11 local firefighting and emergency service cooperators and assists them in acquiring property
12 through the FFP Program; and

13 WHEREAS, To be eligible to receive property and equipment from CAL Fire through
14 the FFP Program, a firefighting agency must enter into a Local Cooperator Agreement with
15 CAL Fire and the agency's governing board or council must approve of its participation in the
16 FFP Program by Resolution; and

17 WHEREAS, In 2022, the San Francisco Fire Department evaluated the FFP Program
18 and determined that the Department could significantly benefit from joining as a local
19 cooperator so that it would have access to such property for use in the Department's fire
20 suppression and pre-suppression activities, emergency medical services, and disaster relief
21 preparedness; and

22 WHEREAS, In 2022, The Fire Department determined that the benefits of having
23 access to and acquiring ownership of the property for these purposes outweigh any costs
24 associated with transporting, remediating, and insuring the property; and

1 WHEREAS, Administrative Code, Section 10.100-305, generally requires the Board of
2 Supervisors to approve the acceptance and expenditure of any gift of cash or good with a
3 value of \$10,000 or more; and the Fire Department anticipated that its participation in the FFP
4 Program under a Cooperative Agreement could result in the acceptance of loans of
5 equipment valued at \$10,000 or more; and

6 WHEREAS, On October 18, 2022, through Resolution No. 428-22 (File No. 220297),
7 the Board of Supervisors approved the Fire Department's participation in the FFP Program,
8 approved the Department's acceptance and use of equipment as provided under a
9 Cooperative Agreement, an executed copy of which is on file in File No. 220297; and

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

12 WHEREAS, The October 18, 2022 Cooperative Agreement is set to expire on October
13 18, 2025; and

14 WHEREAS, The Fire Department recommends that the Board of Supervisors approve
15 the Fire Department's continued participation in the FFP Program and authorize it to execute
16 the new Cooperative Agreement for an initial term of three years, effective upon execution of
17 the Cooperative Agreement; and

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

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

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