



STAFF REPORT

MEETING DATE: September 28, 2022

PRESENTER: John Jansons, City Manager

SUBJECT: Resolution Approving Ratification of Memorandum of Agreement with Mariposa County for Reimbursement of Mutual Aid Expenses for the Oak Fire (JAJ)

RECOMMENDATION: Council by motion adopt resolution ratifying the Memorandum of Agreement with Mariposa County for reimbursement of Mutual Aid expenses for the Oak Fire.

EXECUTIVE SUMMARY:

On July 22, 2022, an extreme wildfire swept through the Mariposa county region known as the OAK FIRE. In the event of such local emergencies, mutual aid is activated to gain the support of allied agencies.

The Law Enforcement Mutual Aid Plan was issued supporting the California Emergency Plan, and the Master Mutual Aid Agreement. On July 23, 2022, the Federal Emergency Management Agency (FEMA) approved emergency assistance through the Fire Management Assistance Grant Program (FM-5445-CA); and

On July 22, 2022, the Mariposa County Sheriff's Office requested the mutual aid assistance of the Kerman Police Department, pursuant to the Law Enforcement Mutual Aid Plan to support law enforcement services in connection with the OAK FIRE.

The Kerman Police Department provided mutual aid assistance consisting of law enforcement personnel, equipment, and materials from (July 22, 2022 to August 1, 2022) to assist with law enforcement services in connection with the OAK FIRE.

Approval of the attached resolution will ratify the Memorandum of Agreement will permit the City of Kerman to be reimbursed for costs incurred in providing mutual aid. Since time was of the essence to return a fully executed agreement to receive funding reimbursement by September 21, 2022, it is now recommended that the City Council approve resolution ratifying the Memorandum of Agreement providing reimbursement of costs to provide mutual aid to Mariposa County for the Oak Fire.

FISCAL IMPACT:

Ratification of the Memorandum of Agreement will result in full cost recovery for Oak Fire mutual aid by the City of Kerman.

Attachments:

A. Resolution w/Exhibit

RESOLUTION 22- ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN RATIFYING EXECUTION OF
MEMORANDUM OF AGREEMENT BETWEEN MARIPOSA COUNTY SHERIFF'S OFFICE AND THE CITY OF
KERMAN POLICE DEPARTMENT PERTAINING TO ASSISTANCE UNDER THE LAW ENFORCEMENT
MUTUAL AID PLAN**

WHEREAS, on July 22, 2022, an extreme wildfire, fueled by heavy brush and low humidity, swept through the region commonly known as the OAK FIRE; and

WHEREAS, on July 23, 2022, the Federal Emergency Management Agency (FEMA) approved emergency assistance through the Fire Management Assistance Grant Program (FM-5445-CA); and

WHEREAS, the Law Enforcement Mutual Aid Plan delineates the current state policy concerning law enforcement mutual aid; and

WHEREAS, the Law Enforcement Mutual Aid Plan provides a request for law enforcement mutual aid requires the approval of the chief law enforcement officer of the requesting jurisdiction; and

WHEREAS, the Mariposa County Sheriff's Office requested the mutual aid assistance of the Kerman Police Department to support law enforcement services in connection with the OAK FIRE; and

WHEREAS, the Kerman Police Department provided mutual aid assistance consisting of law enforcement personnel, equipment, and materials from (July 22, 2022 to August 1, 2022) to assist with law enforcement services in connection with the OAK FIRE; and

WHEREAS, the Kerman Police Department agrees to document all of its mutual aid assistance costs related to the OAK FIRE as attachments to this MOA and submit to the Mariposa County Sheriff's Office as soon as practicable.

NOW, THEREFORE, the City Council of the City of Kerman resolves as follows:

1. The foregoing recitals are true and correct.
2. The City Council approves the ratification of the Memorandum of Agreement (MOA) by and between the City of Kerman and Mariposa County for reimbursement of expenses related to Mutual Aid and authorizes City Manager to execute the MOA (Exhibit "A") Agreement.
3. This resolution shall be effective immediately.

The foregoing resolution was considered by the City Council of the City of Kerman at a regular meeting of said Council held on September 28, 2022, and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Gary Yep
Mayor

ATTEST:

Marci Reyes
City Clerk

Exhibit 'A'

MEMORANDUM OF AGREEMENT BETWEEN MARIPOSA COUNTY SHERIFF'S OFFICE AND THE KERMAN POLICE DEPARTMENT PERTAINING TO ASSISTANCE UNDER THE LAW ENFORCEMENT MUTUAL AID PLAN

WHEREAS, on July 22, 2022, an extreme wildfire, fueled by heavy brush and low humidity, swept through the region; and

WHEREAS, this fire consisted of the OAK FIRE; and

WHEREAS, on July 23, 2022, the Federal Emergency Management Agency (FEMA) approved emergency assistance through the Fire Management Assistance Grant Program (FM-5445-CA); and

WHEREAS, the Law Enforcement Mutual Aid Plan is issued and revised under the authority of Sections 8550, 8569, 8615 through 8619, and 8668 of the California Government Code, the California Emergency Plan, and the Master Mutual Aid Agreement; and

WHEREAS, the Law Enforcement Mutual Aid Plan delineates the current state policy concerning law enforcement mutual aid; and

WHEREAS, the Law Enforcement Mutual Aid Plan describes the standard procedures used to acquire law enforcement mutual aid resources and the method to ensure coordination of law enforcement mutual aid planning and readiness; and

WHEREAS, the county sheriff is the Operational Area Law Enforcement and Mutual Aid Coordinator; and

WHEREAS, Law Enforcement Mutual Aid Plan provides, in pertinent part, "When an emergency develops or appears to be developing which cannot be resolved by a law enforcement agency within an Operational Area, it is the responsibility of the Operational Area Mutual Aid Coordinator to provide assistance and coordination to control the problem;" and

WHEREAS, the Law Enforcement Mutual Aid Plan provides, in pertinent part, "A request for law enforcement mutual aid requires the approval of the chief law enforcement officer of the requesting jurisdiction;" and

WHEREAS, the Mariposa County Sheriff's Office requested the mutual aid assistance of the Kerman Police Department, pursuant to the Law Enforcement Mutual Aid Plan to support law enforcement services in connection with the OAK FIRE; and

WHEREAS, the Kerman Police Department provided mutual aid assistance consisting of law enforcement personnel, equipment, and materials from (July 22, 2022 to August 1, 2022) to assist with law enforcement services in connection with the OAK FIRE; and

WHEREAS, the Kerman Police Department agrees to document all of its mutual aid assistance costs related to the OAK FIRE as attachments to this MOA and submit to the Mariposa County Sheriff's Office as soon as practicable; and

NOW, THEREFORE, IT IS HEREBY AGREED by and between the Mariposa County Sheriff's Office and the Kerman Police Department that the Mariposa County Sheriff's Office may reimburse all reasonable costs associated with the Kerman Police Department law enforcement mutual aid assistance during the OAK FIRE.

Mariposa County Sheriff's Office

City of Kerman

By: _____

By: _____

Name: Jeremy Briese

Name: John Jansons

Title: Sheriff

Title: City Manager

Date: _____

Date: _____