



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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## MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: September 2, 2020

SUBJECT: **Agenda Item VI(b): Consideration of resolution authorizing a Cooperative Agreement with the State of California Department of Forestry and Fire Protection for the USDA Forest Service Federal Excess Personal Property (FEPP) Program.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing a Cooperative Agreement with the State of California Department of Forestry and Fire Protection for the USDA Forest Service Federal Excess Personal Property (FEPP) Program.

Background: The Mountains Recreation and Conservation Authority (MRCA) has participated, via the State of California Department of Forestry and Fire Protection (CAL FIRE), in the Federal Excess Personal Property (FEPP) program for several years. The Federal Excess Personal Property (FEPP) program, established in 1956, is an arrangement wherein Forest Service-owned property is loaned to State Foresters for the purpose of wildland and rural firefighting. Most of the property originally belonged to the Department of Defense (DoD), and it includes such items as trucks, fire tools, hoses, vehicle parts, nozzles, generators, air compressors, fire protection clothing, aircraft, and aircraft parts. Once acquired by the Forest Service, it is loaned to state cooperators for fire fighting purposes. CAL FIRE places the equipment with local departments to improve local fire programs. When CAL FIRE no longer has a need for the property, it is turned back to the federal government which offers it to other government agencies and eventually sends it to public sale.

MRCA currently has twenty-six (26) items on loan from the FEPP program. The primary use of FEPP property must be 90 percent for activities directly related to wildland and rural community fire protection. The loans are made for an indefinite period of time but equipment may be recalled if MRCA does not conform with the program requirements. The new Cooperative Agreement will replace the existing agreement authorized by the Governing Board in 2014.

The MRCA's Procurement Policy designates Cooperative Agreements as an exception to the normal purchasing and bidding requirements in section 5.4.a:

MOUs and Cooperative Agreements

MRCA may enter into Cooperative Agreements, such as a Memorandum of Understanding, with other entities to exchange goods and services. Cooperative Agreements are appropriate when MRCA's role is more substantial than merely providing funds and general oversight. Governing Board approval of Cooperative Agreements is required.

Fiscal Impact: There is no cost to the MRCA for use of the equipment or participation in the FEPP program. Some items may require painting or accessories to be fully functional, but these costs are far less than the cost of purchasing or leasing the equipment. Such costs are incorporated into the MRCA's fiscal year budget, as are the routine operating and maintenance activities that keep the equipment in good working condition.