



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Robert L. Davis
Larry D. Lisenbee

SUBJECT: SEE BELOW

DATE: February 4, 2008

Approved

Christine J. Shippin

Date

2/8/08

COUNCIL DISTRICT: City-Wide

SUBJECT: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SAN FRANCISCO, OAKLAND, ALAMEDA COUNTY, AND SANTA CLARA COUNTY AS PARTNERS IN THE FISCAL YEAR 2007 SUPER URBAN AREA SECURITY INITIATIVE (SUASI) GRANT; AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SAN FRANCISCO TO ALLOCATE 2007 SUASI GRANT FUNDS TO THE CITY OF SAN JOSE; AMEND THE 2006 SUASI MOU TO EXTEND THE DEADLINE TO JUNE 30, 2008; AND ADOPT AN AMENDMENTS TO THE APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION IN THE AMOUNT OF \$3,860,000 IN THE GENERAL FUND FOR THE 2007 SUASI GRANT.

RECOMMENDATION

It is recommended the San Jose City Council approve the following actions:

1. Adopt a resolution authorizing the City Manager to:
 - a. Negotiate and execute a Memorandum of Understanding (Governance MOU) with the City and County of San Francisco, City of Oakland, Alameda County, and Santa Clara County as partners in the Fiscal Year 2007 Super Urban Area Security Initiative (SUASI) grant.
 - b. Negotiate and execute a joint Memorandum of Understanding (Funding MOU) between the City of San Jose and the City and County of San Francisco, acting as fiscal agent for the Bay Area SUASI, to allocate \$3,860,000 of the 2007 SUASI grant to the City of San Jose.

- c. Negotiate and execute an amendment to the existing 2006 SUASI MOU to extend the grant term from February 29, 2008, to June 30, 2008, facilitating completion of the ECOMM project.
2. Adopt the following Appropriation Ordinance and Funding Sources Resolution in the General Fund for Fiscal Year 2007-2008:
 - a. Establish a City-wide appropriation to the Police Department for the 2007 Super Urban Area Security Initiative (SUASI) - Police in the amount of \$200,000;
 - b. Establish a City-wide appropriation to the Police Department for the 2007 Super Urban Area Security Initiative (SUASI) - Interoperable Communications in the amount of \$2,660,000;
 - c. Establish a City-wide appropriation to the Office of Emergency Services (OES) for the 2007 Super Urban Area Security Initiative (SUASI) - OES in the amount of \$1,000,000;
 - d. Increase the Revenue Estimate from the Federal Government estimate by \$3,860,000;

OUTCOME

Participation in the 2007 SUASI grant enables the City of San Jose to continue to prepare for, respond to, and recover from potential terrorism incidents and other hazards through a regional collaboration of local jurisdictions around the San Francisco Bay. The 2007 SUASI grant will provide:

1. Completion of a critical interoperable communications project for the region.
2. Reimbursement to the City of San Jose for salary and benefit costs for one San Jose Police Lieutenant on the SUASI Management Team, which provides day-to-day oversight of the SUASI grant.
3. Reimbursement for equipment, and salary and benefit costs for OES to provide program management and other planning services, to include consulting services for planning activities related to shelter management for special needs populations, development of a cold weather warning system in concert with the National Weather Service, and pandemic flu planning for first responders.

BACKGROUND

New organization in 2006

In a memorandum dated January 3, 2006, the federal Department of Homeland Security announced the separate Urban Area Security Initiative cities of Oakland, San Francisco, and San

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Jose be combined into a single Bay Area UASI region. Known as the Super UASI (or SUASI), this regional organization also includes the ten counties ringing the San Francisco Bay: Alameda, Contra Costa, Marin, Napa, Santa Clara, Santa Cruz, San Francisco, San Mateo, Solano, and Sonoma.

The Governor's Office of Homeland Security approved a governing body called the SUASI Approval Authority. The voting members of the Approval Authority consist of the emergency managers for the three UASI cities (Oakland, San Francisco, and San Jose) and the counties in which they are located (Alameda, San Francisco, and Santa Clara). The City and County of San Francisco acts as the fiscal agent for the SUASI grant. Congress has continued the SUASI organization for the 2007 and 2008 grant cycles.

The Governance MOU for the 2007 grant differs from the Governance MOU approved for the 2006 grant in two significant ways:

(1) The 2007 MOU removes specific reference to the role and responsibilities of the Advisory Working Group, which provides policy review and recommendations to the Approval Authority, and

(2) The Governance MOU for 2007 removes the requirement for regional representation on the SUASI Management Team, which provides day-to-day management of the grant, and gives the General Manager of the Team more latitude in the way the Team may be staffed.

Grant award

On July 18, 2007, the federal Department of Homeland Security announced the Urban Area Security Initiative awards for fiscal year 2007. The San Francisco Bay Area received a total of \$34,130,000 for the region. As allowed by the grant program, the Governor's Office of Homeland Security retained 20% of this total, reducing the amount the region received to approximately \$27,300,000. Additional funding of \$5,000,000 from a bill sponsored by Senator Dianne Feinstein is anticipated for receipt directly to the SUASI, bringing the region's total to \$32,300,000.

The Governor's Office of Homeland Security approved the region's spending plan with the caveat that reimbursements could not be made from the grant until the elected officials from each jurisdiction represented on the Approval Authority approved a governing body resolution. According to the Governor's Office of Homeland Security, a Memorandum of Understanding, signed by representatives from each of the Approval Authority agencies, will meet this requirement.

ANALYSIS

Execution of the Governance MOU, which has been reviewed by attorneys for each of the signatories, is a critical step in the grant process this year. A completed MOU will allow grant participants to be reimbursed for their grant-related expenses.

Execution of the Funding MOU, which has been reviewed by attorneys for each of the signatories, will provide a \$3,860,000 grant allocation that the City of San Jose will receive from the City and County of San Francisco, acting as Bay Area SUASI fiscal agent. Each of the three

core cities (Oakland, San Francisco, and San Jose) will receive \$1,000,000 for emergency planning activities from the 2007 SUASI grant. Funds will be used to support planning activities, exercises, training, and equipment purchases and will be managed by the Office of Emergency Services (OES). In addition, the City of San Jose will receive \$2.86 million for interoperability communications equipment, completion of the ECOMM project, and planning. The ECOMM microwave system will replace the City's existing analog links with new digital microwave equipment. The system will also connect the City's own microwave system with seventeen other jurisdictions throughout Santa Clara County, linking their emergency dispatch (9-1-1) centers together.

The additional \$2.86 million will be managed by the Police Department. The appropriation of this funding will allow the City Manager to issue a Notice to Proceed (NTP) to the vendor for the balance of the ECOMM project scope on or before March 1, 2008. The contract between the City of San Jose and Harris Stratex requires the vendor to complete implementation of the ECOMM microwave network by December 1, 2008, provided the City issues its NTP by March 1, 2008.

EVALUATION AND FOLLOW-UP

This report is the follow up promised by staff on December 11, 2007, to return to Council in February 2008 to request appropriation of the 2007 SUASI funding. On December 11, 2007, Council authorized the City Manager to issue a Notice to Proceed to the vendor for Phase 2, the final phase of the ECOMM microwave project, pending appropriation of the remaining anticipated funding from the 2007 SUASI grant.

The 2007 SUASI funding allocated for the Terrorism Early Warning Group (TEWG) is funded through the Northern California Regional Information Center, which has identified the City of San Mateo as the fiscal agent. Funding has been allocated to the City of San Jose to continue to support the TEWG. Staff will return to Council before the end of the fiscal year with an MOU and appropriation request to support this activity.

POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or

a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This action meets Criterion 1, and has been posted on the City's website for the February 26, 2008 Council Agenda. Also information in this report has been discussed with Santa Clara County's Office of Emergency Services (OES), Alameda County's OES, City of Oakland's OES, City and County of San Francisco's OES, and the Coastal Region of the Governor's Office of Emergency Services.

COORDINATION

This report was coordinated with the City Attorney's Office and the Office of Emergency Services.

FISCAL/POLICY ALIGNMENT

This action is consistent with the following General Budget Principles:

We must focus on protecting our vital core city services for both the short- and long-term.

We must continue to streamline, innovate, and simplify our operations so that we can deliver services at a higher quality level and with better flexibility.

COST SUMMARY/IMPLICATIONS

According to the terms and conditions of the 2007 SUASI grant, the City of San Jose will be reimbursed by the City and County of San Francisco, acting as fiscal agent for the grant, for grant-related purchases of equipment, supplies, training, and planning services. No matching funds are required.

BUDGET REFERENCE

Not applicable.

CEQA/NEPA

2007 SUASI Grant: Not a project.

ECOMM Project: Mitigated Negative Declaration, File No. PP07-055.

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*D/c Cavallon
for RLD*

ROBERT L. DAVIS
Chief of Police



LARRY D. LISENBEE
Budget Director

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2007-2008 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$3,860,000.



LARRY D. LISENBEE

For questions please Lisa Perez, Chief Financial Officer, at 408.277.4086.