



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kimberly Shunk

SUBJECT: SEE BELOW

DATE: June 5, 2006

Approved

Date

6/13/06

COUNCIL DISTRICT: City-Wide
SNI AREA: N/A

SUBJECT: ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING TO PROVIDE URBAN AREAS SECURITY INITIATIVE (UASI) PROGRAM FUNDS IN AN AMOUNT NOT TO EXCEED \$1,860,000 TO SANTA CLARA COUNTY FOR THE PURPOSES OF PROVIDING PROJECT MANAGEMENT AND SPENDING AUTHORITY FOR THE TRI-COUNTY MICROWAVE PROJECT TO BE COMPLETED NO LATER THAN MARCH 1, 2007

RECOMMENDATION

Adopt a resolution authorizing the City Manager to negotiate and execute a Memorandum of Understanding (MOU) to provide Urban Areas Security Initiative (UASI) program funds in an amount not to exceed \$1,860,000 to Santa Clara County for the purposes of providing project management and spending authority for the Tri-County Microwave project to be completed no later than March 1, 2007.

OUTCOME

1. As a result of the Memorandum of Understanding, Santa Clara County will be reimbursed \$1,800,000 to be used to complete the Tri-County Microwave project for Monterey, San Benito, and Santa Cruz Counties. The primary goal of this project is to link public health labs in the three southern counties to the public health lab in Santa Clara County, which is the reference laboratory for contagious diseases, including terrorist agents.

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2. As a result of the Memorandum of Understanding, Santa Clara County will be reimbursed \$60,000 to manage the project.
3. As a result of the Memorandum of Understanding, Santa Clara County will be required to abide by the terms and conditions of the Urban Areas Security Initiative grants. Any commercial contract into which Santa Clara County enters on behalf of this project must include a performance bond.
4. This Council resolution will be used to apply for formal approval of this program change from the Governor's Office of Homeland Security. Informal approval via phone conversation has been provided.

BACKGROUND

The federal Department of Homeland Security awarded Urban Areas Security Initiative (UASI) grants to the City of San José for Fiscal Years 2004 and 2005. The additional members of the San José UASI region include the fourteen other cities in Santa Clara County, as well as Monterey, San Benito, Santa Clara, and Santa Cruz Counties.

In combination, \$5,000,000 has been set aside for interoperable communications projects. The Tri-County Microwave project is one of four communications projects that are currently active. San José's UASI Working Group has ranked it as the second most critical of the four projects. The purpose of the Tri-County Microwave project is to provide a communications link among public health laboratories in the three southern counties with the public health laboratory in Santa Clara County.

San José City Council has identified its Office of Emergency Services (OES) as the fiscal agent for UASI grants for Fiscal Years 2004 and 2005. The Fiscal Year 2004 UASI grant expires on November 30, 2006 and cannot be extended, according to the Governor's Office of Homeland Security. The Fiscal Year 2005 UASI grant expires on March 31, 2007; grant extensions are not announced until 90 days before expiration of term.

The Tri-County Microwave project was originally included as part of the Fiscal Year 2004 grant. On April 13, 2006, San José's UASI Working Group voted to use the Fiscal Year 2005 grant to fund the project because the project cannot be completed in its entirety before the Fiscal Year 2004 grant expires on November 30, 2006. Subsequent to the April meeting, Santa Clara County identified that some work could be completed before the November 30, 2006 deadline, with the balance of the work completed by March 31, 2007, which is the deadline for the Fiscal Year 2005 grant. On June 8, 2006, San José's UASI Working Group approved the use of a combination of Fiscal Year 2004 and 2005 funds to support the Tri-County Microwave project because it allows San José's UASI to fund a second interoperability project for Computer Aided Dispatch (CAD). A separate report on funding for the CAD project is forthcoming.

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ANALYSIS

While Monterey, San Benito, and Santa Cruz Counties have a mutual aid committee, they have had difficulty effecting a governance structure that would allow them to apply to the City of San José for UASI funds. San José's Office of Emergency Services has records of these discussions going back as far as August 2004.

In May 2006, Santa Clara County offered to become the project manager for the Tri-County Microwave project in order to assist Monterey, San Benito, and Santa Cruz Counties in completing this critical project and to avoid de-allocation of UASI funds by the Governor's Office of Homeland Security. To achieve this, Santa Clara County plans to enter into a second Memorandum of Understanding between itself and Monterey, San Benito, and Santa Cruz Counties. Santa Clara County Board of Supervisors is scheduled to hear this item at their June 20, 2006 meeting.

In the Memorandum of Understanding between City of San José and Santa Clara County, Santa Clara County will be required to abide by the terms and conditions of the Urban Areas Security Initiative grants. Further, any commercial contracts into which Santa Clara County enters on behalf of this project must include a performance bond.

While two other communications projects could also make effective use of UASI funds before grants expire, neither project is rated as being as critical as the Tri-County Microwave project.

PUBLIC OUTEACH

This proposal has been discussed with Santa Clara County's Office of Emergency Services and its Communications Division, as well as with representatives from Monterey, San Benito, and Santa Cruz Counties. The San José UASI Working Group also voted on use of funds at their meeting on April 13, 2006 and then discussed Santa Clara County's offer to manage the project at their June 8, 2006 meeting. San José's OES has discussed this proposal with the Governor's Office of Homeland Security as a way of preserving, rather than returning, grant funds. Representatives from the Silicon Valley Regional Interoperability Project (SVRIP) have also been involved in meetings to identify solutions to re-start this stalled project.

COORDINATION

Within the City of San José, this proposal has been coordinated with the City Attorney's Office, the City Manager's Budget Office, Public Safety City Service Area (CSA), and the Planning Department.

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COST IMPLICATIONS

This proposal is an effort to avoid losing \$1,860,000 in federal grants, and therefore losing communication projects that benefit the entire region.

BUDGET REFERENCE*

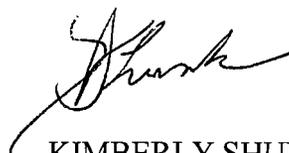
Fund #	Appn. #	Appn. Name	RC #	Total Appn.	Proposed Operating Budget Page	Last Budget Action (Date, Ord. No.)
001	3306	2004 UASI Grant	Various	7,277,075	IX - 12	
001	3393	2005 UASI Grant	Various	2,235,000	IX - 12	
Total Current Funding Available				9,512,075		

*This contract will be funded by the 2006-2007 Operating Budget. This amount includes \$5,263,875 which was budgeted in 2005-2006, but was recommended for rebudget into 2006-2007 as part of the Recommended Amendments to the 2006-2007 Proposed Operating and Capital Budget Managers Budget Addendum (MBA #50), and additional funding of \$4,248,200 which the City is recognizing as part of MBA #50. The 2006-2007 Operating Budget and the implementing revenue resolutions and appropriation ordinances are expected to be approved by the City Council on June 27, 2006.

San José's 2004 UASI grant will fund \$1,500,000 of the total \$1,860,000. San José's 2005 UASI grant will fund \$360,000 of the total \$1,860,000.

CEQA

Not a project.



KIMBERLY SHUNK
Director, Office of Emergency Services

For questions, please contact Kimberly Shunk at (408) 277-4595.