



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Larry D. Lisenbee  
Frances L. Edwards

**SUBJECT:** SEE BELOW

**DATE:** 11/22/04

Approved

Date

11.24.04

**SUBJECT:** ADOPTION OF A RESOLUTION AMENDING CITY COUNCIL RESOLUTION NO. 72208 AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING TO ACCEPT PROGRAM FUNDS FROM SANTA CLARA COUNTY'S OPERATIONAL AREA SHARE OF FEDERAL FUNDS FOR THE FY 2003 SUPPLEMENTAL APPROPRIATIONS GRANT FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT; THE FY 2003 CERT GRANT; THE FY 2004 CITIZEN CORPS GRANT; AND THE FY 2004 EMERGENCY MANAGEMENT PERFORMANCE GRANT TO INCREASE THE TOTAL AMOUNT OF FUNDS ACCEPTED BY THE CITY FROM \$195,494.09 TO \$222,511.66

## RECOMMENDATION

1. Adopt a resolution amending City Council Resolution No. 72208 authorizing the City Manager to negotiate and execute a Memorandum of Understanding (MOU) to accept program funds from Santa Clara County's Operational Area share of the following Federal grants, to increase the total amount of the funds accepted from an amount not to exceed \$195,494.09 to an amount not to exceed \$222,511.66:
  - a. FY 2003 Supplemental Appropriations Grant for the Emergency Management Performance Grant
  - b. FY 2003 CERT Grant
  - c. FY 2004 Citizen Corps Grant
  - d. FY 2004 Emergency Management Performance Grant (EMPG)

2. Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
  - a. Increase the citywide appropriation for San Jose *Prepared!* by \$18,658, representing the total of the FY 2003 CERT grant.
  - b. Increase the Revenue from the Federal Government by \$18,658

## **BACKGROUND**

The Federal Department of Homeland Security and the Federal Emergency Management Agency have awarded grants under a variety of new and renewed programs. The State of California is the grantee for these awards. They have designated the Operational Areas as the sub-grantees for the per capita share of these funds.

On June 29, 2004 the City Council adopted Resolution No. 72208 to allow the City Manager to negotiate and execute a Memorandum of Understanding (MOU) with the County of Santa Clara to accept program funds from the four grants listed above in an amount not to exceed \$195,494.09. The amount to be passed through to San Jose for the FY 04 Emergency Management Performance Grant (EMPG) program has now been increased to \$132,377.38, for an increase in the overall allocation of \$27,017.57. The amount to be negotiated through the MOU must be increased accordingly to \$222,511.66.

To date no funds have been appropriated from these grants because the agreement with the County has not been signed. This memo includes the Council action that would empower the City Manager to execute the Memorandum of Understanding for the new, higher amount of grant funds. The funds in the FY 2003 CERT grant must be spent by December 4, 2004. This year for the first time the Federal government is not accepting requests for extensions of grant performance periods. Any funds not spent before December 4, 2004 will be reclaimed by the Federal government.

## **ANALYSIS**

1. Availability of the EMPG funds will enable the Office of Emergency Services to maintain the programs in the Emergency Preparedness and Planning and the Emergency Response and Recovery core services. The Emergency Management Performance Grant supports the personnel and operational costs of the Office of Emergency Services.
2. The FY 2003 CERT Grant funds will be used for smoke detector battery distribution in SNI neighborhoods at holiday parties; acquisition and distribution of emergency preparedness resource materials; translation of four flood-related fliers into Spanish; and acquisition of equipment to create outreach materials.

**PUBLIC OUTREACH**

Grant applications were presented at officially noticed public meetings of the Santa Clara County Emergency Preparedness Council. Public comment periods were available at that time.

**COORDINATION**

The report was coordinated with the City Attorney's Office.

**COST IMPLICATIONS**

There is no impact on the General Fund.

**CEQA**

Not a project.



Larry D. Lisenbee  
Budget Director



Frances L. Edwards  
Director, Office of Emergency Services

I hereby certify that there will be available for appropriation in the General Fund in the fiscal year 2004-2005 monies in excess of these heretofore appropriated therefrom, said excess being at least \$18,658.



Larry D. Lisenbee