



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Robert L. Davis
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: January 12, 2009

Approved

Deanna Antone

Date

1/13/09

COUNCIL DISTRICT: City-Wide

SUBJECT: ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE GENERAL FUND AND ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE SEPARATE MEMORANDUM OF UNDERSTANDING TO ACCEPT PROGRAM FUNDS FROM THE CITY AND COUNTY OF SAN FRANCISCO AS FISCAL AGENT FOR THE FISCAL YEAR 2007 SUPER URBAN AREA SECURITY INITIATIVE (SUASI) GRANT

RECOMMENDATION

It is recommended that the City Council:

1. Adopt the following appropriation ordinance and funding sources resolution amendments in the General Fund:
 - a. Increase the existing city-wide appropriation to the Police Department for the 2007 Super Urban Area Security Initiative (SUASI) – Police Grant in the amount of \$238,659;
 - b. Increase the Earned Revenue Estimate from the Federal Government by \$238,659.
 - c. Decrease the existing Police Department Non-Personal/Equipment appropriation in the amount of \$22,000.
 - d. Decrease the Earned Revenue Estimate from Local Agencies by \$22,000.
2. Adopt a resolution authorizing the City Manager to execute a first amendment to the existing Memorandum of Understanding (MOU) with the City and County of San Francisco to provide an additional \$238,659 from the FY 2007 UASI grant, and to execute additional amendments without further Council action.

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 first amendment to the 2007 SUASI grant MOU will provide:

1. Reimbursement to the City of San Jose for salary, benefits, travel, and training costs for one San Jose Police Captain on the SUASI Management Team, which provides day-to-day oversight of the SUASI grant.
2. Reimbursement to the City of San Jose for the salary, benefits, travel, and training costs for one San Jose Police Lieutenant on the Terrorism Early Warning Task Force (TEWG), which provides planning and oversight for the local area Fusion Center.
3. Reimbursement for pre-approved training costs associated with earthquake preparedness, large vehicle bomb countermeasures, and other events still to be planned.
4. Reimbursement of pre-approved exercise costs for events still to be planned.

BACKGROUND

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

On February 26, 2008, Council authorized the City Manager to negotiate and execute an MOU in the amount of \$3,860,000 with the City and County of San Francisco as the fiscal agent. Funding was included for the Office of Emergency Services in the amount of \$1,000,000 and for the Police Department in the amount of \$2,860,000.

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ANALYSIS

At this time, San Jose and San Francisco wish to amend the MOU to include an additional allocation of \$238,659 in reimbursements to the San Jose Police Department for allowable expenditures. This increase reflects an additional allocation for SUASI management team salary and benefits which incorporates the cost increase for the replacement of a Lieutenant by a Captain on the SUASI management team, an allocation for the Terrorism Early Warning Group (TEWG) Lieutenant salary and benefits that was not included on the original MOU, a decrease in the allocation for the interoperable communications hybrid radio project and a new allocation for the reimbursement of training and exercise expenditures that was not included on the original MOU. The increase in the allocation for salary and benefits is necessary to more closely align the budget with the projected expenditures. There is no change in the funding period for the SUASI Management Team Captain and the TEWG Lieutenant positions, both of which are funded through June 30, 2009. The reduction in the interoperable communications hybrid radio project is necessary to align the budget with the actual projected expenditures. The bid for the first phase of the interoperable communications hybrid radio project came in lower than anticipated. The scope and scale of this project will not be diminished by this reduction. The allocation for the reimbursement of training and exercise expenditures has been added to this MOU instead of being reimbursed separately as was the original intention. Modifications to Appendix A include the addition of timelines for all projects to provide the City of San Jose with performance milestones. Below is a breakdown of the budget adjustments as reflected in the first amendment.

Budget Category	Original MOU Budget	1st Amendment Adjustments	Revised Budget
SUASI Mgmt Team	\$200,000	\$80,847	\$280,847
Terrorism Early Warning Group (TEWG)	\$0	\$262,900	\$262,900
Interoperable Communications	\$2,660,000	(\$305,088)	\$2,354,912
Training	\$0	\$100,000	\$100,000
Exercise	\$0	\$100,000	\$100,000
OES Allocation	\$1,000,000	\$0	\$1,000,000
TOTALS	\$3,860,000	\$238,659	\$4,098,659

A reduction of \$22,000 in the Police Non-personal appropriation is requested. A corresponding reduction to revenue from local agencies is also requested. The 2008-2009 Police Department Non-Personal/Equipment appropriation included bomb training funds to be supported by County reimbursements, which are now going to be funded by SUASI via the training allocation of the MOU amendment.

Adoption of a resolution authorizing the City Manager execute additional amendments without further Council action is requested in order to expedite the processing of possible future amendments. It is anticipated that any future amendments to this grant agreement will be minor adjustments that align the budget with actual expenditures in preparation for grant closeout.

EVALUATION AND FOLLOW-UP

No additional Council action is expected for this grant.

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 memorandum does not meet any of the above criteria, but it is posted on the City's website for the February 3, 2009 Council agenda.

COORDINATION

This report was coordinated with the Office of Planning, Building and Code Enforcement and the City Attorney's Office.

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. There are no on-going cost obligations associated with this additional grant funding.

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BUDGET REFERENCE

Fund #	Appn. #	Appropriation Name	Total Appn.	2008-2009 Adopted Budget Page	Last Budget Action (Date, Ord. No.)
001	3607	2007 Super Urban Area Security Initiative (SUASI) - Police	\$989,022	IX-15	10/21/08, Ord. No. 28422
001	0502	Police Department Non-Personal/ Equipment	\$23,243,852	VIII-114	10/21/08, Ord. No. 28422

CEQA/NEPA

Not a project.

D/c Cavallaro
for ROBERT L. DAVIS
Chief of Police

Jennifer A. Maguire
JENNIFER A. MAGUIRE
Budget Director

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2008-2009 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$238,659.

Jennifer A. Maguire
JENNIFER A. MAGUIRE
Budget Director

For questions please contact Rick Cheney, Grants Analyst, at 408.277.4488.