



# Memorandum

TO: HONORABLE MAYOR AND  
CITY COUNCIL

FROM: Kimberly Shunk

SUBJECT: SEE BELOW

DATE: April 13, 2009

Approved

*Christine J. Shuppig*

Date

*4/20/09*

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

**SUBJECT: ADOPTION OF A RESOLUTION ACCEPTING AN AWARD FOR THE 2008 URBAN AREA SECURITY INITIATIVE (UASI) GRANT IN THE AMOUNT OF \$1,000,000 AND ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO TO ACCEPT 2008 UASI GRANT FUNDS AND TO NEGOTIATE AND EXECUTE ANY AMENDMENTS TO THE AGREEMENT**

## RECOMMENDATION

1. It is recommended that the City Council adopt a resolution:
  - a. Accepting the 2008 Urban Area Security Initiative (UASI) grant from the Federal Government in the amount of \$1,000,000; and
  - b. Authorizing the City Manager to negotiate and execute an agreement with the City and County of San Francisco (San Francisco) to accept program funds from San Francisco for the 2008 UASI grant in the amount identified above, and to negotiate and execute any amendments to the agreement.

## OUTCOME

Participation in the 2008 UASI grant will enable the City of San José to continue to prepare for, respond to, and recover from potential catastrophic emergencies. The 2008 UASI grant funding (spending plan attached) will provide for the following:

1. Development of a communications plan for the City including implementation of a web-based alert and notification system for use on an emergency basis to communicate with internal staff and/or the public utilizing well-defined protocols, a public awareness campaign, plus staff training on the application's use;
2. Development of a follow-up plan for special needs populations in disaster shelters utilizing the shelter planning work funded through the 2007 UASI grant;

3. Continued participation in the UASI working groups focused on public health;
4. Development of a disaster recovery plan in collaboration with the Association of Bay Area Governments (ABAG); and,
5. Acquisition and installation of three (3) upgraded generators for emergency radio antennas to support the ECOMM project, the region's interoperable communications project.

## **BACKGROUND**

The Federal Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) have awarded grants under a variety of new and renewed programs. The State of California is the grantee for these awards which includes the Urban Areas Security Initiative (UASI) grant program through which the City of San José has received and continues to receive grant funding.

### **Grant Governance Structure**

On January 3, 2006, the Department of Homeland Security announced the then separate UASI areas of the cities of San Francisco, Oakland and San José would be combined into one Bay Area UASI region. This region is now one of the largest risk areas in the United States and includes ten Bay Area counties, three major metropolitan areas and over 100 municipalities.

The Governor's Office of Homeland Security (OHS) subsequently approved the creation of a governing body called the UASI Approval Authority. The voting members of the Approval Authority consist of the emergency managers for the three UASI cities (San Francisco, Oakland and San José) and the counties in which they are located (San Francisco, Alameda and Santa Clara). Tie votes are decided by one additional agency member (OES Coastal Region or State OES now called the California Emergency Management Agency or CalEMA) for this specific purpose.

The purpose of the Approval Authority is to provide grant program direction and to coordinate program development and implementation. As part of this responsibility, the Approval Authority determines the distribution of State UASI funding to the Bay Area UASI region. It ensures San Francisco is advised of distributions since it is the primary grantee of State UASI funds to the region and acts as the fiscal agent for the region's UASI grant.

This structure continues through December 31, 2010 and applies to the 2008 UASI grant.

### **Grant Award**

On July 25, 2008, the Federal Department of Homeland Security announced the Urban Areas Security Initiative awards for 2008. The Bay Area UASI received a total of \$37.1 million. As allowed under the grant program, OHS retained 20% of this total, reducing the amount for the region to \$29.7 million.

From the 2008 grant, the City of San José Office of Emergency Services is being awarded \$1,000,000 of the region's UASI grant funding, which will be brought forward for Council

appropriation during the 2009-2010 budget process. This will tie the appropriation of the funds and the receipt of the revenue in the same fiscal year, 2009-2010.

### ANALYSIS

Execution of an agreement between the City of San José and San Francisco (fiscal agent) is a vital step in the grant process. It provides for allowable expenditures incurred by the City, per the grant guidance, to be reimbursed from grant funding.

A draft agreement between the City and fiscal agent has been reviewed by the City Attorney's Office. This agreement identifies the \$1,000,000 to be awarded to the City of San José for a program of expenditures approved by the State and shown in Appendix A of the proposed agreement.

The term of the agreement is through November 30, 2010 with the final reimbursement request under the 2008 UASI grant to be submitted by September 30, 2010.

As with the previous agreement, the City is required to comply with all applicable Federal and State guidelines with respect to use of the grant funds including reporting and procurement requirements. The agreement, like the previous funding agreements, contains an indemnification of San Francisco as well as a limitation on liability of San Francisco to the amount of the grant funds. The agreement also certifies to San Francisco that the City of San José is compliant with the National Incident Management System (NIMS) requirements. For reference, San José became NIMS-compliant in September 2006.

### EVALUATION AND FOLLOW-UP

The appropriation of the funds will be brought forward for City Council consideration during the 2009-2010 budget process.

### PUBLIC OUTREACH



**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)**

HONORABLE MAYOR AND CITY COUNCIL

April 13, 2009

Subject: 2008 UASI GRANT

Page 4

The requested action in this memorandum meets Criterion 1 and has been posted on the City's website for the May 5, 2009 City Council agenda.

### COORDINATION

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Department of Planning, Building and Code Enforcement.

### COST SUMMARY/IMPLICATIONS

According to the terms and condition of the 2008 UASI grant agreement, the City of San José will be reimbursed by the City and County of San Francisco, grant fiscal agent, for allowable Planning and Equipment grant-related expenditures in amounts not to exceed \$1,000,000 once the funding has been approved by the City Council for appropriation. There are no matching funds or in-kind services required for this grant. Budget actions will be brought forward in 2009-2010.

### CEQA

Exempt, File Nos. PP09-028, PP09-029, PP09-030.



KIMBERLY SHUNK  
Director, Office of Emergency Services

For questions, please contact Cay Denise MacKenzie, Senior Analyst, at (408) 277-4595.

Attachment

**Appendix A — Authorized Expenditures and Timelines**

ENTITY: CITY OF **SAN JOSE – Office of Emergency Services**

TOTAL Allocation to be spent on the following solution areas:

<b><u>UASI Project Title</u></b>	<b><u>Solution Area</u></b>	<b><u>Program Description</u></b>	<b><u>Deliverable Dates</u></b>	<b><u>Amount</u></b>
<b>Project G</b> Catastrophic Incident Planning & Regional Collaboration	Planning	Program management to implement the National Preparedness Guidelines of Respond (Mass Prophylaxis, Medical Surge, Emergency Public Information and Warning, Citizen Evacuation and Shelter-in-Place), Recover (Economic and Community Recovery), and Common (Communications, and Community Preparedness and Participation) Mission Areas. In addition, program management would be involved in developing communications protocols for a pandemic situation; establishing a plan for training staff and the public about a regional notification and alert system; utilizing public/private partnerships in the development of emergency response especially for the sheltering and care of individuals needing services due to a mass evacuation or catastrophic event; and working with a non-governmental entity to develop a recovery plan.	9/30/10	Not to Exceed: \$250,000
<b>Project G</b> Catastrophic Incident Planning & Regional Collaboration	Planning	Develop communication plan for City including implementation of alert and notification system.	9/30/10	Not to Exceed \$450,000
<b>Project G</b> Catastrophic Incident Planning & Regional Collaboration	Planning	Continuation planning for disaster shelter operations for vulnerable populations.	9/30/10	Not to Exceed \$85,000
<b>Project G</b> Catastrophic Incident Planning & Regional Collaboration	Planning	Follow-up planning and participation in medical surge and mass prophylaxis work groups.	9/30/10	Not to Exceed \$15,000

<b>Project G</b> Catastrophic Incident Planning & Regional Collaboration	Planning	Recovery plan to be developed by Association of Bay Area Governments.	9/30/10	Not to Exceed: \$50,000
<b>Project G</b> Catastrophic Incident Planning & Regional Collaboration	Equipment	Generator equipment for emergency (10GE-00-GENR) radio antennae.	12/31/09	Not to Exceed: \$150,000
		<b>TOTAL ALLOCATION</b>		<b>NOT TO EXCEED: \$1,000,000</b>

- **All requests for reimbursements must be submitted by September 30, 2010.**
- **Authorized expenditures must fall into one of the following categories: Planning, Organization, Equipment, Training, or Exercises. Descriptions of authorized expenditures are in the following documents:**
  - *FY 2008 Homeland Security Grant Program, Guidance and Application Kit dated February 2008: [http://www.ohs.ca.gov/pdf/fy08\\_hsgp\\_guide.pdf](http://www.ohs.ca.gov/pdf/fy08_hsgp_guide.pdf)*
  - *California Supplement to Federal Program Guidance and Application Kit:*
  - *<http://www.ohs.ca.gov/pdf/FY%2008%20HSGP%20California%20Supplement%205-7-08.pdf>*
  - *Authorized Equipment List: [www.rkb.us](http://www.rkb.us)*
  - *Office of Justice Programs Financial and Administrative Guide for Grants: <http://www.ojp.usdoj.gov/financialguide/>*
- **Any equipment purchased under this Agreement must match the UASI 2008 Grant Application Workbook. Any modification to the inventory list in that Workbook must receive prior written approval from by the Bay Area UASI Program Manager.**
- **No Management and Administration expenses are allowed, unless expressly identified and authorized in this Appendix.**

**Sustainability requirements may apply to some or all of the grant funded projects or programs authorized in this Appendix. See Agreement, ¶¶10.12, 10.13.**