



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** William L. McDonald  
Jennifer A. Maguire

**SUBJECT:** SEE BELOW

**DATE:** June 5, 2012

Approved

Date

6/6/12

Council District: City-Wide

**SUBJECT: ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE AMOUNT OF \$49,290 FOR THE 2010 URBAN AREAS SECURITY INITIATIVE (UASI) GRANT IN THE GENERAL FUND.**

## RECOMMENDATION

It is recommended the City Council adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund in fiscal year 2011-2012:

- (a) Increase the city-wide appropriation for the 2010 Urban Areas Security Initiative (UASI) Grant - Fire by \$49,290; and
- (b) Increase the estimate for Revenue from the Federal Government by \$49,290.

## OUTCOME

Participation in the 2010 UASI grant enables the City of San José 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.

## BACKGROUND

On August 9, 2011, the City Council adopted a resolution which authorized the City Manager to execute an agreement between the City of San José and City and County of San Francisco to accept the 2010 UASI grant allocation totaling \$1,234,000, and established a city-wide appropriation to the San José Fire Department in the amount of \$203,600.

## ANALYSIS

The Bay Area UASI Approval Authority (Authority) was originally established in 2006. The Authority's governance was amended and the body thereof expanded as of December 1, 2011. The purpose of the Authority is to provide effective direction and governance for grant programs under the jurisdiction of the Authority, and to coordinate a regional approach to prevention, protection, response against and recovery from homeland security threats in accordance with Department of Homeland Security grant guidelines. The Authority also approves grant allocation methodologies, and the allocation and distribution of grant funds to participating jurisdictions, among other responsibilities.

In August 2011, the Authority approved a total of \$94,290 in additional funding from the 2009 UASI (\$45,000) and 2010 UASI (\$49,290) grants to reimburse the City for legal expenses incurred as of August 18, 2011 by Patton Boggs, working on behalf of the City. Patton Boggs worked on a Public Safety Spectrum Trust (PSST) lease corrective action associated with a Bay Area UASI project. The reimbursable expenses include, but are not limited to: drafting, review and transmittal of documents (Waiver Petitions, Resolutions, Notice of Ex Parte), preparation and issuance of correspondence to agencies involved in the PSST such as the Federal Communications Commission and BayRICS, and other legal services as required.

The \$45,000 in funding from the 2009 UASI Grant was recognized and appropriated by the City Council as part of the 2011-2012 Mid-Year Budget Review on February 14, 2012. This memorandum recommends appropriating the \$49,290 in funding from the 2010 UASI Grant in order to complete the full \$94,290 reimbursement to the City.

## EVALUATION AND FOLLOW-UP

At this time, no additional City Council action is expected for this grant.

## 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)**

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This memorandum does not meet any of the above criteria; however it will be posted on the City's website as part of the June 19, 2012 Council Agenda.

**COORDINATION**

This memorandum has been coordinated with the City Attorney's Office.

**COST SUMMARY/IMPLICATIONS**

According to the terms and conditions of the 2010 UASI grant, the City of San José will be reimbursed by the City and County of San Francisco, the fiscal agent for the Bay Area UASI, for grant-related purchases of equipment, supplies, training, and planning expenditures. No matching funds are required for this grant.

**BUDGET REFERENCE**

Fund #	Appn #	Appn. Name	Total Appn	Adopted Budget Page	Last Budget Action (Date, Ord. No.)
001	3918	2010 Urban Area Security Initiative (UASI) Grant - Fire	\$203,600	N/A	08/09/2011, Ordinance No. 28948
001	3853	2009 Urban Area Security Initiative (UASI) Grant - Fire	\$653,722	XI - 25	02/14/2012 Ordinance No. 29036

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**CEQA**

Not a Project, File No. PP10-066 (g), Agreement and Contracts for 2010 UASI First Amendment.

/s/

WILLIAM L. MCDONALD

Fire Chief



JENNIFER A. MAGUIRE

Budget Director

For questions, please contact Chris Godley, Office of Emergency Services Director, at (408) 277-4595.

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2011-2012 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$49,290.



JENNIFER A. MAGUIRE

Budget Director