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Approved as to Form and Legality



City Attorney

OAKLAND CITY COUNCIL

2010 JUN 30 PM 12:21

RESOLUTION No. 82936 C.M.S.

AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO:

- 1) ENTER INTO AN URBAN AREA SECURITY INITIATIVE (UASI) GRANT ADMINISTRATION AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO FOR DISTRIBUTION OF FISCAL YEAR 2009 URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDS IN THE AMOUNT UP TO FIVE MILLION AND SEVEN HUNDRED THOUSAND DOLLARS (\$5,700,000) TO THE CITY OF OAKLAND, AND
- 2) ACCEPT, APPROPRIATE AND ADMINISTER THE FISCAL YEAR 2009 UASI GRANT ALLOCATIONS, AND
- 3) APPROVE THE PRELIMINARY SPENDING PLAN AND WAIVE CITY OF OAKLAND CENTRAL SERVICES OVERHEAD (CSO) FEES OF FIFTY THREE THOUSAND AND SEVEN HUNDRED FORTY DOLLARS (\$53,740), AND
- 4) EXPEND FUNDS IN ACCORD WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER COUNCIL AUTHORIZATION, INCLUDING PURCHASES IN EXCESS OF THE CITY ADMINISTRATOR'S PURCHASING AUTHORITY FOR EQUIPMENT ON THE FEDERALLY AUTHORIZED EQUIPMENT LIST AND SERVICES REQUIRED BY THE GRANT, PROVIDED CITY BIDDING REQUIREMENTS AND PURCHASING PROGRAMS/POLICIES ARE FOLLOWED

WHEREAS, on January 3, 2006, the Department of Homeland Security announced that the separate UASI entities including the cities of Oakland, San Francisco and San Jose would be consolidated into one Urban Area for purposes of the Urban Area Security Initiative (UASI) Grants referred to as the Bay Area "UASI"; and

WHEREAS, the City of Oakland grant proposal was approved and the City of Oakland is being awarded a grant allocation of five million seven hundred thousand dollars (\$5,700,000), by the FY 2009 UASI Grant governing body as part of an investment for the regional planning, training, exercises and regional interoperable communications projects and initiatives; and

WHEREAS, the City and County of San Francisco is the Fiscal Agent for the FY 2009 UASI grant award and an agreement with the City and County of San Francisco is required for the distribution, administration, and reimbursement of grant funds to the City of Oakland; and

WHEREAS, the grant funds will provide funding of up to \$670,000 for four (4) full-time (FTEs) positions for the Oakland Fire Department's Office of Emergency Services, Homeland Security Unit for the FY 2009 UASI grant period of July 1, 2010 through June 30, 2011, or until funding is exhausted; and

WHEREAS, the Homeland Security unit staffing is essential to ensure that Oakland is prepared for major terrorist incidents and natural disasters as well as to support the regional planning efforts and functions; and

WHEREAS, the FY 2009 UASI grant will provide a grant subsidy of \$16,583 for an existing Accountant III position in the Oakland Fire Department, Fire Administration that will spend 10% of their time as a Resource Planner for the FY 2009 SUASI grant program to assist in maximizing resources, budget and human capital; and

WHEREAS, Central Services Overhead (CSO) fees in the amount of Fifty three thousand seven hundred and forty dollars (\$53,740) should be waived for the positions and any contract services that will be funded under this grant to ensure funding availability for grant expenses and to meet local grant concessions; and

WHEREAS, the grant designates that the amount of \$1,730,000 be expended for the purchase of specified equipment, supplies and contracted services identified on the Federally Authorized Equipment List (“AEL”); and

WHEREAS, the grant designates that the amount of \$3,300,000 for Public Safety Interoperable Communications and Broadband Technology that will be expended for the purchase of specified equipment, supplies and contracted services identified on the Federally Authorized Equipment List (“AEL”); and

WHEREAS, ongoing costs, such as maintenance for equipment or goods purchased with the 2009 UASI grant will be absorbed by each respective City of Oakland agency’s existing budget with no additional General Purpose Fund appropriation; and

WHEREAS, the City of Oakland is committed to cooperating with our regional partners to detect, prevent, prepare for, respond to, and recover from human-caused and natural disasters and to effectively carry out the programs of the FY 2009 UASI grant and to sustain programs made with previous years’ UASI grants; now, therefore be it

RESOLVED: That the City Council authorizes the City Administrator or his designee to enter into the Bay Area UASI Approval Authority Governance Memorandum of Understanding and administration Agreement with the City and County of San Francisco for five million seven hundred thousand dollars (\$5,700,000) in FY 2009 UASI Grant funds; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to accept and appropriate said FY 2009 UASI Grant funds into U.S. Department of Homeland Security Fund (2123), Office of Emergency Services (20711) a grant project to be determined, and Office of Emergency Services/Homeland Security Program (PS21), the full grant fund will be appropriated to the Miscellaneous Federal Grants Account (46129); and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to approve the preliminary spending plan and that the spending plan includes allocations for four (4) full-time (FTEs) positions, an offset for one Account III position, and for the UASI for the 2009 grant period July 1, 2010 through June 30, 2011, or until the grant funding is exhausted; and be it

FURTHER RESOLVED: That City of Oakland Central Services Overhead fees in the amount of \$53,740 are hereby waived for the US Department of Homeland Security Fund 2123 to ensure availability for grant expenses and to meet local grant guidelines; and be it

FURTHER RESOLVED: That the City of Oakland administrative fees such as central stores and contract assessment fees are hereby waived for the US Department of Homeland Security Fund 2123 to ensure availability for grant expenses and to meet local grant guidelines; and be it

FURTHER RESOLVED: That ongoing costs, such as maintenance for equipment or goods purchased with the 2009 UASI grant will be absorbed in each of the respective City of Oakland agencies' existing budget with no additional General Purpose Fund appropriation; and be it

FURTHER RESOLVED: That the City Administrator is authorized to award contracts paid for with FY 2009 UASI Grant funds for any amount, even those in excess of the City Administrator's authority in Oakland Municipal Code Section 2.04.020, without further City Council authorization, including contracts involving the purchase of goods, materials, equipment, services or combination thereof on the Federally Authorized Equipment List (AEL) and services required by the grant provided such contracts are in accord with the approved spending plan, the City's bidding and request for proposal requirements and purchasing programs/policies; and be it

FURTHER RESOLVED: That all contracts authorized hereunder shall be approved for form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 20 2010, 20

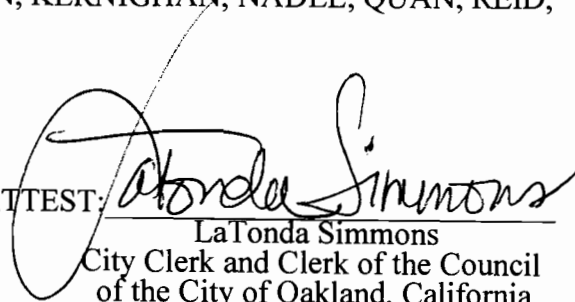
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California