

CITY OF OAKLAND
AGENDA REPORT

2011 SEP 15 PM 5:44

TO: Office of the City Administrator
ATTN: Deanna Santana
FROM: Oakland Fire Department
DATE: September 27, 2011

RE: A Report and Resolution Authorizing the City Administrator or her Designee To:

- 1) Enter Into A Buffer Zone Protection Program (BZPP) Grant Agreement With The Alameda County Sheriff's Office (ACSO) To Accept And Administer Fiscal Year 2010 Buffer Zone Protection Program (BZPP) Grant Equipment And Supplies For The City of Oakland Fire And Police Departments, In An Amount Up To One Hundred Ninety-Nine Thousand, Eight Hundred Twenty Dollars (\$199,820); and
- 2) Approve The Fiscal Year 2010 BZPP Grant Preliminary Spending Plan Which Would Require That Funds Be Expended For The Purchase Of Hazardous Materials (Haz Mat) Detection And Monitoring Equipment, Intrinsicly Safe Radios And Other Related Haz Mat Equipment, Supplies and Training Related To The BZPP Proposal Which ACSO Will Purchase On Behalf Of The Oakland Fire And Police Departments And Transfer Ownership Of Such Equipment To Oakland Fire And Police Departments Until Such 2010 BZPP Grant Funding Of \$199,820, Is Expended Or By January 1, 2013 At The Latest

SUMMARY

The proposed report and resolution seek the City Council's approval to:

- 1) Enter into a Buffer Zone Protection Program (BZPP) grant agreement with the Alameda County Sheriff's Office (ACSO) to accept and administer FY 2010 Buffer Zone Protection Program (BZPP) grant equipment and supplies for the City of Oakland Fire and Police Departments, in an amount up to one hundred ninety-nine thousand, eight hundred twenty dollars (\$199,820); and
- 2) Approve the FY 2010 BZPP grant preliminary spending plan which would require that funds be expended for the purchase of hazardous materials (haz mat) detection and monitoring equipment, intrinsically safe radios and other related haz mat equipment, supplies and training related to the BZPP proposal, which ACSO will purchase on behalf of the Oakland Fire and Police Departments and transfer ownership of such equipment to Oakland Fire and Police Departments until such 2010 BZPP Grant Funding of \$199,820, is expended, or by January 1, 2013 at the latest.

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The grant performance period for the FY10 BZPP grant will be July 1, 2011 through June 30, 2012 or until all grant funding is expended, with a timeframe not to exceed January 1, 2013.

The City of Oakland, Fire Department and Office of Emergency Services will ensure that all of the program components set forth in the grant performance requirements are completed.

FISCAL IMPACT

The \$199,820 in BZPP grant funds will be spent on chemical agent detectors and monitoring equipment, and intrinsic safe portable radios. The Alameda County's Sheriff's Office is the fiscal agent for the FY 2010 BZPP grant. ACSO will make the specified and authorized grant purchases on behalf of the Oakland Fire and Police Departments and will transfer the ownership of the equipment to the Oakland Fire and Police Departments once it is purchased and received. If the equipment meets the fixed asset threshold, which is \$5,000 or more per unit, the equipment will be recorded as fixed assets in the City's financial system when the equipment titles are transferred to the City of Oakland from Alameda County. The said fixed assets will be written off from the City of Oakland financial system when the equipment is salvaged.

The Oakland Fire Department, Office of Emergency Services and Homeland Security Division will be responsible for administering this agreement and ensuring that all requirements set forth in the agreement are met. The Buffer Zone Protection Program grant received by the City of Oakland does not require any matching funds and there are no other associated fees with this BZPP grant administration agreement.

BACKGROUND

In January 2010, the Bay Area UASI General Manager and Management Team proposed a new concept and methodology for allocating the UASI grant funds coming to the San Francisco Bay Area Region. This new concept and methodology was to be instituted for the FY 2010 UASI grant funding application cycle.

The new methodology for allocating, applying for and receiving Urban Area Security Initiative (UASI) grant funding in the San Francisco Bay Area Region would provide for less funding and less opportunities for a competitive process for the East Bay and South Bay jurisdictions of the San Francisco Bay Area Region. This would ultimately result in less UASI grant funding opportunities for the City of Oakland.

Based upon this scenario, City of Oakland staff raised a compelling argument that since the grant funding would be significantly diminished for the core cities of San Jose and Oakland, that the Operational Areas ("counties") needed to be more collaborative and transparent related to grant funding that was awarded to them as Operational Areas (OAs) by the State.

There are four Homeland Security grant programs that are awarded to Operational Areas State which are:

- State Homeland Security Program (SHSP),
- Emergency Operations Center (EOC) grant program,
- Buffer Zone Prevention and Protection (BZPP) grant, and the;
- Emergency Management Planning (EMP) grant

These grant programs are administered at the Operational Area level or County level and although the grant funding is awarded directly to the counties, there is an expectation by the Department of Homeland Security that some proportionate amount of the grant funding, based upon a risk-based formula and gap analysis would be made available via a competitive grant funding process to all local jurisdictions including special districts within that respective County.

As a result of the issues and concerns raised by the City of Oakland, the Alameda County Sheriff's Office – the fiscal agent and grant administrator of these grant programs – agreed to work with jurisdictions within the County (including Oakland) to make a portion of the grant funding from these programs available on a competitive basis.

The City of Oakland, Oakland Fire Department, Office of Emergency Services and Special Operations staff submitted a grant proposal to reduce the risks related to a potential terrorist incident or hazardous materials incident that could critically impact one of the key resources and critical infrastructure in the Bay Area Region which is the Union Pacific Railyard. The proposed equipment will enhance the region's hazardous materials emergency detection, prevention, preparedness and response capabilities by augmenting the Oakland Fire Department's Hazardous Materials Response Team and Oakland Police Department tools, equipment and personal protective equipment.

The Oakland Fire and Police Departments grant proposal for up to \$199,820 was approved using a competitive and peer review process that was comprised of Alameda and Contra Costa cities' and counties' representatives and the State of California.

The Oakland proposal was also in alignment with the authorized BZPP grant initiatives and it met regional as well as local benefit criterion. Finally, the deliverables could be met within the grant performance period.

KEY ISSUES AND IMPACTS

The Buffer Zone Protection Program (BZPP) is one of several grant programs that constitute the Department of Homeland Security (DHS) Fiscal Year (FY) 2010 focus on infrastructure security activities. The BZPP is one tool among a comprehensive set of measures authorized by Congress and implemented by the Obama Administration to help strengthen the nation's critical

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infrastructure against risks associated with potential terrorist attacks. The FY 2010 BZPP is authorized by the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83).

The vast majority of America's critical infrastructure is owned and/or operated by State, local and private sector partners.

The BZPP grant equipment awarded to the City of Oakland will positively impact the Fire Department's Special Operations and Oakland Police Tactical teams in the area of Hazardous Materials personnel safety, emergency preparedness and emergency response. As an urban city with responsibility for emergency response at the Union Pacific Railyard these capabilities are crucial locally and regionally.

PROGRAM DESCRIPTION

The purpose of the FY 2010 Buffer Zone Protection Program grant is to increase the preparedness capabilities of jurisdictions responsible for the safety and security of communities surrounding high-priority pre-designated Tier 1 and Tier 2 critical infrastructure and key resource (CIKR) assets, including chemical facilities, financial institutions, nuclear and electric power plants, dams, stadiums, and other high-risk/high-consequence facilities, through allowable planning and equipment acquisition. As you may know, Union Pacific (UP) Railroad is the largest railway system in the nation. Therefore, the BZPP grant program is essential to the City of Oakland and the Bay Area region to ensure the safety and security of our communities and the UP facilities which are located in the City of Oakland, California.

SUSTAINABLE OPPORTUNITIES

Economic: The FY 2010 BZPP grant performance period for the City of Oakland will extend from July 1, 2011 through June 30, 2012 or until grant funds are fully expended with a timeframe not to exceed January 1, 2013. The projects within the program will be completed in phases so that they may be completed either before or not later than the end of the grant period. The FY 2010 BZPP grant funds specifically awarded to the City of Oakland will provide for local purchasing opportunities during the grant award period.

Environmental: There are no direct environmental benefits related to this grant project.

Social Equity: The FY 2010 BZPP grant projects help to ensure social equity during emergency and catastrophic incidents.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no direct disability and senior access benefits related to this grant project.

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RECOMMENDATION AND RATIONALE

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.

To sustain and enhance the City of Oakland's ability to effectively carry out the FY 2010 BZPP grant edicts, it is recommended that City Council approve the resolution that authorizes the City Administrator or her designee to carry out the requirements, programs and activities necessary to accept the specified grant equipment awarded to the City of Oakland.

The FY 2010 BZPP grant equipment will greatly enhance the City of Oakland's ability to effectively prevent, protect, prepare for, respond to, and recover from major emergencies.

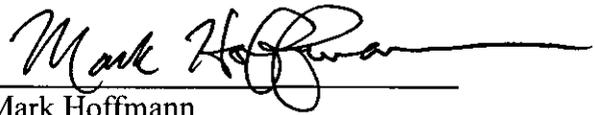
ACTION REQUESTED OF THE CITY COUNCIL

It is requested that the City Council authorize the City Administrator or her designee to:

- 1) Enter into a Buffer Zone Protection Program (BZPP) grant agreement with the Alameda County Sheriff s Office (ACSO) to accept and administer FY 2010 Buffer Zone Protection Program (BZPP) grant equipment and supplies for the City of Oakland Fire and Police Departments, in an amount up to one hundred ninety-nine thousand, eight hundred twenty dollars (\$199,820); and

- 2) Approve the FY 2010 BZPP grant preliminary spending plan which would require that funds be expended for the purchase of hazardous materials (haz mat) detection and monitoring equipment, intrinsically safe radios and other related haz mat equipment, supplies and training related to the BZPP proposal, which ACSO will purchase on behalf of the Oakland Fire and Police Departments and transfer ownership of such equipment to Oakland Fire and Police Departments until such 2010 BZPP Grant Funding of \$199,820, is expended, or by January 1, 2013 at the latest.

Respectfully submitted,

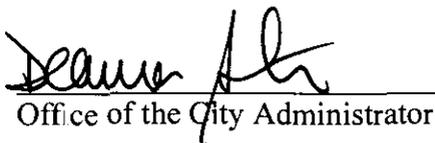


Mark Hoffmann
Interim Fire Chief

Reviewed by:
Anne Campbell Washington, Chief of Staff
Oakland Fire Department

Prepared by:
Renee A. Domingo, Director
Office of Emergency Services and Homeland Security

APPROVED AND FORWARDED TO THE
PUBLIC SAFETY COMMITTEE:

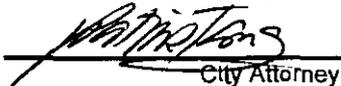


Office of the City Administrator

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

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RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO:

- 1) **ENTER INTO A BUFFER ZONE PROTECTION PROGRAM (BZPP) GRANT AGREEMENT WITH THE ALAMEDA COUNTY SHERIFF'S OFFICE (ACSO) TO ACCEPT AND ADMINISTER FISCAL YEAR 2010 BUFFER ZONE PROTECTION PROGRAM (BZPP) GRANT EQUIPMENT AND SUPPLIES FOR THE CITY OF OAKLAND FIRE AND POLICE DEPARTMENTS, IN AN AMOUNT UP TO ONE HUNDRED AND NINETY NINE THOUSAND EIGHT HUNDRED AND TWENTY DOLLARS (\$199,820); AND**

- 2) **APPROVE THE 2010 BZPP GRANT PRELIMINARY SPENDING PLAN WHICH WOULD REQUIRE THAT FUNDS BE EXPENDED FOR THE PURCHASE OF HAZARDOUS MATERIALS DETECTION AND MONITORING EQUIPMENT, INTRINSICALLY SAFE RADIOS AND OTHER RELATED HAZ MAT EQUIPMENT, SUPPLIES AND TRAINING RELATED TO THE BZPP PROPOSAL WHICH ACSO WILL PURCHASE ON BEHALF OF THE OAKLAND FIRE AND POLICE DEPARTMENTS AND TRANSFER OWNERSHIP OF SUCH EQUIPMENT TO OAKLAND FIRE AND POLICE DEPARTMENTS UNTIL SUCH 2010 BZPP GRANT FUNDING OF \$199,820, IS EXPENDED OR BY JANUARY 1, 2013 AT THE LATEST**

WHEREAS, the U.S. Department of Homeland Security's Homeland Security Grant Program allocates grant funds to increase the preparedness capabilities of jurisdictions responsible for the safety and security of communities surrounding high-priority pre-designated Tier 1 and Tier 2 critical infrastructure and key resource (CIKR) assets, including chemical facilities, financial institutions, nuclear and electric power plants, dams, stadiums, and other high-risk/high-consequence facilities, through allowable planning and equipment acquisition; and

WHEREAS, the City of Oakland Fire Department's, Office of Emergency Services, is the primary point of contact and grants manager for the City of Oakland's Homeland Security Grant program and submits grant proposals on behalf of the City's first responders and City Departments; and

WHEREAS, the Oakland Fire and Police departments in collaboration with Alameda County Sheriff's Office (ACSO) worked together to submit a grant proposal to the County and State entities responsible for reviewing and approving grants for the Buffer Zone Protection Program (BZPP); and

WHEREAS, the Oakland Fire Department, Office of Emergency Services received notification from ACSO and the State of California, that the grant proposal submitted for FY 2010 BZPP grant program was approved on June 30, 2011; and

WHEREAS, Alameda County Sheriff's Office (ACSO) is the designated fiscal agent for the BZPP grant program and has agreed to purchase the approved grant funded Hazardous Materials Detection and Response Equipment for the Oakland Fire and Police departments for a total of \$199,820; and

WHEREAS, Alameda County Sheriff s Office (ACSO) has also agreed to transfer the ownership of said grant funded equipment to the Oakland Fire and Police departments once the equipment has been purchased and received; now therefore be it

RESOLVED: That the City Council does hereby authorizes the City Administrator or her designee to accept the FY 2010 BZPP grant funded equipment in an amoimt not to exceed \$199,820 from the Alameda County Sheriff's Office (ACSO); and be it

FURTHER RESOVED: That the City Council hereby appoints the City Administrator, or her designee, as its agent to execute and submit all documents including, but not limited to, applications, agreements, payment requests, that may be necessary for the completion of the grant award, acceptance, reimbursements and project completion; and be it

FURTHER RESOLVED: That the Office of the City Attorney has approved this resolution as to form and legality and a copy will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

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