

FILED CITY OF OAKLAND  
OFFICE OF THE CITY CLERK  
OAKLAND

2011 JUL 21 PM 1:52

TO: Office of the City Administrator  
ATTN: P. Lamont Ewell  
FROM: Fire Department  
DATE: July 26, 2011

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

- 1) Enter Into A State Homeland Security Program (SHSP) Grant Agreement With The Alameda County Sheriff's Office (ACSO) To Accept, Appropriate And Administer Fiscal Year 2010 State Homeland Security Program Grant Funds In An Amount Up To Two Hundred Fifty Thousand Dollars (\$250,000); And
- 2) Approve The 2010 SHSP Grant Preliminary Spending Plan Which Would Require That Funds Be Expended For The Purchase Of A Hazardous Materials Emergency Response Vehicle, Equipment, Tools And Personal Protective Equipment Until 2010 SHSP Grant Funding Is Expended Or By January 1, 2013 At The Latest; And
- 3) Expend The 2010 SHSP Grant Funds 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 THE City's Purchasing Requirements Are Followed; And
- 4) Waive City Of Oakland Central Services Overhead (CSO) Fees Of Ten Thousand Seven Hundred Forty Dollars (\$10,740).

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#### SUMMARY

The proposed report and resolution seek the City Council's approval to enter into an agreement with the Alameda County Sheriff's Office (ACSO) for fiscal year 2010 State Homeland Security Program (SHSP) grant funds to be provided to the City of Oakland in an amount up to two hundred fifty thousand dollars (\$250,000).

The grant funds would be used for the purchase of a Hazardous Materials Emergency Response vehicle, equipment, tools and personal protective equipment, until the 2010 SHSP grant funding is expended or by January 1, 2013 at the latest. Staff requests authorization to expend the 2010 SHSP grant funds 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 the City's purchasing requirements are followed. Staff also seeks Council waiver of the City of Oakland Central Services Overhead

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(CSO) fees of Ten Thousand Seven Hundred Forty Dollars (\$10,740), since the CSO fees are not recoverable from the grant allocation.

The Oakland Fire Department's Office of Emergency Services will administer all the program components included as part of the grant performance and requirements.

### FISCAL IMPACT

Approval of this report and proposed resolution will authorize the City of Oakland to enter into a State Homeland Security Program (SHSP) Grant Agreement or Memorandum of Understanding with the Alameda County Sheriff's Office (ACSO) and to accept a grant appropriation of up to \$250,000 in fiscal year 2010 SHSP grant funding. The grant funding will be used to enhance the Oakland Fire Department's hazardous materials emergency response program by purchasing a specialized vehicle, personal protective equipment, communications equipment, and computer and camera equipment.

The fiscal year 2010 SHSP grant funding is to be appropriated into U.S. Department of Homeland Security Fund (2123); Office of Emergency Services (20711), a grant project to be determined, Office of Emergency Services/Homeland Security Program (PS21), various accounts per the approved grant's line-item budget. The full grant fund will be appropriated to the Miscellaneous Federal Grants Revenue Account (46129). At this time, the State Homeland Security Program grant received by the City of Oakland does not require any matching funds and there are no other associated fees with this SHSP grant distribution and administration agreement.

The Alameda County's Sheriff's Office is the fiscal agent for the fiscal year 2010 SHSP grant and will be processing reimbursement requests for all authorized grant expenditures or will make the specified and authorized grant purchases on behalf of the City of Oakland, Oakland Fire Department. 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.

Staff is requesting that City Council waive the City of Oakland Central Services Overhead (CSO) costs of approximately \$10,740. The CSO costs and all other indirect costs have been waived since the City of Oakland began to receive Homeland Security grant funding in federal fiscal year 2004. All the San Francisco Bay Area Region core cities (including San Francisco and San Jose), receiving direct Homeland Security grant funding awards have been requested to and have waived the CSO costs. The amount requested to be waived is less than 5% of the total grant amount. The City's return on investment is a significant fiscal opportunity if this grant is approved and accepted by the City of Oakland.

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## BACKGROUND

In January 2010, the Bay Area Urban Area Security Initiative (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 fiscal year 2010 UASI grant funding application cycle.

The new methodology for allocating, applying for and receiving 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 (4) Homeland Security grant programs that are awarded to Operational Areas by the State. These are:

- State Homeland Security Program (SHSP),
- Emergency Operations Center (EOC) grant program,
- Buffer Zone Prevention and Protection (BZPP) grant, and
- 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 (which is 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 Oakland Fire Department’s Office of Emergency Services and Special Operations staff submitted a grant proposal to enhance the Region’s Hazardous Materials Emergency detection, prevention, preparedness and response capabilities by augmenting the Oakland Fire Department’s Hazardous Materials Response Team tools, equipment and personal protective equipment. The Oakland Fire Department’s grant proposal for up to \$250,000 was approved using a competitive and peer review process that was comprised of representatives from

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Alameda and Contra Costa cities and counties. The Oakland proposal was also in alignment with the authorized SHSP 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 purpose of the FY 2010 State Homeland Security Program (SHSP) is to provide funds to build prevention, protection and preparedness capabilities at the state, local, tribal and territorial levels, to enhance our national resilience to absorb disruptions and rapidly recover from incidents both natural and human caused. The SHSP grant program also provides funding to implement the goals and objectives included in the State of California's homeland security strategies and initiatives that are delineated in the State Preparedness Report (SPR).

The SHSP grant funding awarded to the Oakland Fire Department, Office of Emergency Services will positively impact the Fire Department's Special Operations in the area of Hazardous Materials personnel safety, emergency readiness and emergency response. As an urban city with over 1,000 hazardous material businesses, these capabilities are crucial locally and regionally.

### **PROGRAM DESCRIPTION**

The proposed fiscal year 2010 SHSP grant project supports the State and Regional Homeland Security Strategic plans by enhancing the ability of Oakland's Hazardous Materials team to more quickly define, ascertain and mitigate any incident or event at the primary and first responder level. By increasing the effectiveness of the team's ability to respond in quick and efficient manner, the threat of a hazardous materials release incident or event will be reduced to both responders and surrounding community.

This project will also enhance the Hazardous Materials team members' personal safety and the life safety of victims, improve response times, improve chemical, biological, radiological, nuclear and explosive detection potential, and improve containment, decontamination and mitigation capabilities. The Hazardous Materials team's advanced equipment, tools and state of the art response vehicle will ultimately lead to shorter recovery times during major emergencies. The equipment and technology purchases will also allow for improved communications through increased technological and operational capabilities, to assist in any regional mutual aid response with other agencies that could be impacted in a similar incident.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The fiscal year 2010 SHSP grant performance period for the City of Oakland will be 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.

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The fiscal year 2010 SHSP 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 fiscal year 2010 SHSP 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.

#### **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 fiscal year 2010 SHSP grant edicts, it is recommended that City Council approve the report and resolution set forth that authorizes the City Administrator or designee to carry out the requirements, programs and activities necessary to accept, appropriate and spend the grant funding awarded to the City of Oakland.

The fiscal year 2010 SHSP grant funding will greatly enhance the City of Oakland's ability to effectively prevent, protect, prepare for, respond to, and recover from major emergencies.

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**ACTION REQUESTED OF THE CITY COUNCIL**

It is requested that the City Council authorize the City Administrator or his designee to: 1) Enter into a State Homeland Security Program (SHSP) grant agreement or Memorandum of Understanding (MOU) with the Alameda County Sheriff's Office (ACSO) for distribution of fiscal year 2010 State Homeland Security Program (SHSP) grant funds to the City of Oakland in an amount up to two hundred and fifty thousand dollars (\$250,000), 2) Accept, appropriate and administer the fiscal year 2010 SHSP grant allocations, and 3) Approve the preliminary spending plan and waive City of Oakland Central Services Overhead (CSO) fees of ten thousand and seven hundred forty dollars (\$10,740), 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 the City's and/the County's bidding requirements and purchasing programs and policies are followed.

Respectfully submitted,



Mark Hoffmann  
Interim Fire Chief

Reviewed by:  
Anne Campbell Washington, Assistant to the  
Director, Office of the Fire Chief

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

APPROVED AND FORWARDED TO  
THE CITY COUNCIL:

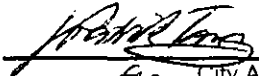


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# OAKLAND CITY COUNCIL

  
for City Attorney

2011 JUL 21 PM 1:52 RESOLUTION No. \_\_\_\_\_ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS  
DESIGNEE TO:

- 1) ENTER INTO A STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT AGREEMENT WITH THE ALAMEDA COUNTY SHERIFF'S OFFICE (ACSO) TO ACCEPT, APPROPRIATE AND ADMINISTER FISCAL YEAR 2010 STATE HOMELAND SECURITY PROGRAM GRANT FUNDS IN AN AMOUNT UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000); AND
- 2) APPROVE THE 2010 SHSP GRANT PRELIMINARY SPENDING PLAN WHICH WOULD REQUIRE THAT FUNDS BE EXPENDED FOR THE PURCHASE OF A HAZARDOUS MATERIALS EMERGENCY RESPONSE VEHICLE, EQUIPMENT, TOOLS AND PERSONAL PROTECTIVE EQUIPMENT UNTIL 2010 SHSP GRANT FUNDING IS EXPENDED OR BY JANUARY 1, 2013 AT THE LATEST; AND
- 3) EXPEND THE 2010 SHSP GRANT FUNDS 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 THE CITY'S PURCHASING REQUIREMENTS ARE FOLLOWED; AND
- 4) WAIVE CITY OF OAKLAND CENTRAL SERVICES OVERHEAD (CSO) FEES OF TEN THOUSAND SEVEN HUNDRED FORTY DOLLARS (\$10,740).

WHEREAS, the U.S. Department of Homeland Security's grant program allocates grant funds to address unique planning, equipment, training, and exercise needs of high-threat, high-density urban areas to assist in building enhanced and sustainable capacities to prevent, protect against, respond to, and recover from acts of terrorism; and

WHEREAS, federal fiscal year 2010 State Homeland Security Program (SHSP) grant funds will be allocated to augment Hazardous Materials emergency response capabilities within the City of Oakland and the Bay Area Region, and in alignment with the Alameda County Sheriff's Office (ACSO), the Bay Area UASI region and the State Homeland Security Program's Strategic Plans; and

WHEREAS, the City of Oakland Fire Department's Office of Emergency Services is eligible to receive supplemental SHSP grant funding for FY 2010 that will be administered by the Alameda County's Sheriff Office (ACSO); and

**WHEREAS**, in order to receive the supplemental grant funding, the City of Oakland's Fire Department, Office of Emergency Services will enter into an agreement with the Alameda County's Sheriff Office (ACSO) to administer the grant program from July 1, 2011 through January 1, 2013, or until grant funding is exhausted; and

**WHEREAS**, the supplemental grant funding of up to \$250,000 will be used to reimburse the Oakland Fire Department, Office of Emergency Services, for the purchase of a Hazardous Materials emergency response vehicle, tools, equipment and personal protective equipment; and

**WHEREAS**, the supplemental grant funding will not cover the central service overhead costs, requiring that those costs be waived; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to enter into a Grant Agreement or memorandum of understanding (MOU) with Alameda County's Sheriff Office (ACSO) for the Oakland Fire Department, Office of Emergency Services, to administer the 2010 SHSP grant allocation to Oakland for the purchase of a Hazardous Materials Emergency response vehicle, equipment, tools and personal protective equipment through January 1, 2013, or until grant funding is exhausted; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to accept, appropriate and administer a supplemental fiscal year 2010 SHSP grant allocation of up to \$250,000; and be it

**FURTHER RESOLVED:** That appropriations will be allocated to the Federal Grant Fund (2123), Office of Emergency Services Division Org. (20711), Office of Emergency Services Division Program (PS21), Fiscal Year 2010 SHSP Project Account to be set up; that the full grant fund will be appropriated to the Miscellaneous Federal Grants Revenue Account (46129); and that the Oakland Fire Department, Office of Emergency Services will be reimbursed for actual expenses by ACSO up to \$250,000 of eligible expenses; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator, as agent of the City, or his designee, to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the grant award and fulfill the grant requirements 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 the City's purchasing requirements are followed; and be it



**FURTHER RESOLVED:** That the City Council hereby waives City of Oakland Central Services Overhead (CSO) fees of ten thousand seven hundred forty dollars (\$10,740).

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