

  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 JUL 11 PM 2:43

# OAKLAND CITY COUNCIL

RESOLUTION NO. 84007 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO:**

- 1) **ENTER INTO URBAN AREA SECURITY INITIATIVE (UASI) GRANT ADMINISTRATION AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO TO ACCEPT AND APPROPRIATE UP TO ONE MILLION TWO HUNDRED DOLLARS (\$1,200,000) IN FISCAL YEAR 2011 UASI GRANT FUNDING; AND**
- 2) **ACCEPT, APPROPRIATE AND ADMINISTER FISCAL YEAR 2011 UASI GRANT ALLOCATIONS;**
- 3) **APPROVE THE PRELIMINARY SPENDING PLAN AND WAIVE THE CITY OF OAKLAND CENTRAL SERVICES OVERHEAD (CSO) FEES OF THIRTY THOUSAND FIVE HUNDRED AND FIFTY DOLLARS (\$30,550) AFFILIATED WITH THE FY2011 UASI GRANT;**
- 4) **EXPEND THE FY 2011 UASI GRANT FUNDS IN ACCORD WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER COUNCIL AUTHORIZATION, WHICH INCLUDES THE FUNDING OF FOUR AND A HALF (4.5) FULL-TIME EQUIVALENT POSITIONS AND PURCHASE OF EQUIPMENT THAT IS ON THE FEDERALLY AUTHORIZED EQUIPMENT LIST (AEL) AND SERVICES REQUIRED BY THE GRANT PROVIDED CITY HIRING AND CONTRACT SERVICES REQUIREMENTS AND PURCHASING PROGRAMS/POLICIES ARE FOLLOWED**

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

**WHEREAS**, the City of Oakland FY 2011 UASI grant proposal was approved by the Bay Area UASI Approval Authority and the City of Oakland is being awarded a grant allocation of up to one million two hundred thousand dollars (\$1,200,000), for Fiscal Year (FY) 2011 UASI as part of an investment for the regional planning, training, exercises, interoperable communications projects and initiatives; and

**WHEREAS**, the City and County of San Francisco is the Fiscal Agent for the FY 2011 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 \$600,178 for four and a half (4.5) full-time equivalent (FTE) positions for the Oakland Fire Department's Office of Emergency Services, for the FY 2011 UASI grant period of January 1, 2013 through December 31, 2014, or until funding is exhausted; and

**WHEREAS**, the City Administrator has determined based on the information provided by staff that any service contract(s) authorized hereunder are of a professional, technical or scientific and

temporary nature, and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS**, the Oakland Fire Department's Office of Emergency Services 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 2011 UASI grant will provide a grant subsidy for an existing Accountant III position in the Oakland Fire Department, Fire Administration staff will spend 5% of their time as a Resource Planner for the FY 2011 UASI grant program to assist in maximizing resources, budget and human capital; and

**WHEREAS**, Central Services Overhead (CSO) fees in the amount of \$30,550 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 up to \$550,000 be expended for the purchase of specific equipment, supplies, and contracted services identified on the Federally Authorized Equipment List ("AEL"); and

**WHEREAS**, the grant designates that the amount of up to \$20,000 be expended for specific training, workshops and related travel costs and;

**WHEREAS**, some expenditures on the approved FY 2011 UASI spending plan may exceed the City Administrator's purchasing authority, which is \$100,000.00, \$50,000.00 or \$15,000.00 depending on the type of product or service under Oakland's Purchasing Ordinance, Oakland Municipal Code section 2.04.020; and

**WHEREAS**, staff recommends that the City Administrator be authorized to make all purchases and enter into contracts identified on the FY 2011 UASI spending plan without further review or action by the City Council, provided all such purchases and contracts are done in accordance with the City of Oakland purchasing and contracting requirements, policies, programs; and

**WHEREAS**, staff recommends waiving the Central Services Overhead (CSO) fees in the amount of \$30,550 and contract assessment fees for the US Department of Security Fund 2123 to ensure availability for grant expenses and to meet local grant guidelines; and

**WHEREAS**, ongoing costs, such as maintenance for equipment or goods purchased with the FY 2011 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 2011 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 her designee to enter into the Bay Area UASI Grant Administration Agreement with the City and County of San Francisco for up to one million two hundred thousand dollars (\$1,200,000) for FY 2011 UASI Grant funds; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to accept

and appropriate said FY 2011 UASI Grant funds into U.S. Department of Homeland Security Fund (2123), Office of Emergency Services Organization (20711), a grant project to be determined, and Office of Emergency Services/Homeland Security Program (PS21), and the Miscellaneous Federal Grants Revenue Account (46129); and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to approve the preliminary spending plan and that the spending plan includes allocations for four and a half (4.5) full-time equivalent (FTE) positions in the Oakland Fire Department's Office of Emergency Services, a 5% offset for one Accountant III position, for the FY 2011 UASI grant period of January 1, 2013 through December 30, 2014, or until the grant funding is exhausted; and be it

**FURTHER RESOLVED:** That City of Oakland Central Services Overhead fees in the amount of \$30,550 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 FY 2011 UASI grant will be absorbed in each of the respective City of Oakland agencies' existing budget with no additional General Purpose Fund appropriation; and

**FURTHER RESOLVED:** That the City Administrator is authorized expend the FY 2011 UASI grant funds in accord with the preliminary spending plan, including the contracting for the purchase of equipment and services identified on the FY 2011 UASI spending plan without further review or action by the City Council, including purchasing and contracting that exceed the City Administrator's purchasing and contracting authority under Oakland Municipal Code section 2.04.020, provided all such purchases and contracts are done in accordance with City of Oakland purchasing and contracting requirements, policies, and programs; and be it

**FURTHER RESOLVED:** That the City Administrator has determined based on the information provided by staff that any service contract(s) authorized hereunder are of a professional, technical or scientific and temporary nature, and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**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 17 2012, 20    

**PASSED BY THE FOLLOWING VOTE:**

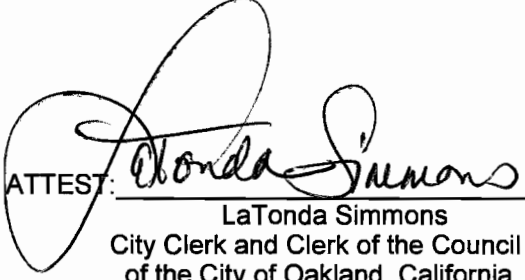
AYES- BROOKS, <sup>Brunner</sup>~~BRUNNER~~, DE LA FUENTE, ~~KAPLAN~~, KERNIGHAN, ~~NADOL~~, SCHAAF, and PRESIDENT REID - 6

NOES - Nadel - 1

ABSENT - 0

ABSTENTION - 0

Excused - Kaplan - 1

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