

*Amadis Sotelo*  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR TO: (A) ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR FISCAL YEAR 2023/2024 PORT SECURITY GRANT PROGRAM (PSPG) FUNDS IN AN AMOUNT UP TO THREE HUNDRED NINETY THOUSAND DOLLARS (\$390,000) FOR THE PERIOD STARTING SEPTEMBER 1, 2023 THROUGH AUGUST 31, 2026; (B) ACCEPT, APPROPRIATE, AND ADMINISTER SAID FUNDS; (C) APPROVE THE PRELIMINARY SPENDING PLAN; AND (D) EXPEND FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN INCLUDING PURCHASES OF EQUIPMENT AND SERVICES IN EXCESS OF THE CITY ADMINISTRATOR'S PURCHASING AUTHORITY IN ACCORDANCE WITH THE CITY'S PURCHASING REQUIREMENTS AND PROGRAMS/POLICIES; (2) AUTHORIZING THE USE OF EXISTING (BUDGETED) FUNDING IN THE AMOUNT OF ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000) FROM FIRE DEPARTMENT AND POLICE DEPARTMENT FUNDS, TO SATISFY THE IN-KIND MATCHING FUND REQUIREMENT; AND (3) MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS**

**WHEREAS**, the U.S. Department of Homeland Security's Fiscal Year (FY) 2023-2024 Port Security Grant Program (PSGP) allocates grant funds to address ports considered of the highest risk status to assist ports in enhancing risk management capabilities and support a strategic, areawide focus around ports providing funding for the development and implementation of port-wide risk management and mitigation activities, as well as continuity of operations by building capacity to prevent, protect against, respond to, and recover from acts of terrorism and terrorist threats against the Port; and

**WHEREAS**, the City of Oakland Port Security Grant Program ("PSGP") grant proposal was approved and the City of Oakland has been awarded a FY 2023/24 PSGP grant allocation of three hundred ninety thousand dollars (\$390,000) by the U.S. Department of Homeland Security; and

**WHEREAS**, the U.S. Department of Homeland Security awarded the City of Oakland

\$390,000 in grant funds for the federal Fiscal Year 2023/24 to fund the Oakland Fire Department, Special Operations for the grant performance period of September 1, 2023 through August 31, 2026; and

**WHEREAS**, the grant designates the amount not to exceed \$390,000 be expended for the purchase of specified equipment, supplies and contracted services identified on the Federally Authorized Equipment List ("AEL"); and

**WHEREAS**, acceptance of the FY 2023/24 PSGP grant funds will allow the City of Oakland Fire Department and Police Department to construct a new floating dock for Fire Department Port Security Marine Emergency Response Vessel (Fireboat), rehabilitate one floating dock for the Fire Department Safe boat, replace floating docks for three (3) Police Department Marine Response Vessels and rehabilitate the permanent dock where floating docks are anchored; and.

**WHEREAS**, this project will allow Fire Department and Police Department vessels to rapidly respond in coordinated efforts to incidents/disasters affecting the port, bay, and surrounding waterways; and

**WHEREAS**, the City of Oakland Port Security Grant Program ("PSGP") requires a match of in-kind/cash in an amount not to exceed one hundred thirty thousand dollars (\$130,000); and

**WHEREAS**, the Oakland Police Department and the Oakland Fire Department will provide an in-kind match of up to one hundred thirty thousand dollars (\$130,000) from General Purpose Fund to satisfy the in-kind/cash match requirement; and

**WHEREAS**, the City of Oakland is committed to cooperating with our regional partners to detect, prevent, prepare for, respond to and recover from acts of terrorisms and threats of terrorism and effectively carry out the program of the FY 2023/24 PSGP grant; and

**WHEREAS**, the Oakland Municipal Code Section 2.04.030.A requires Council approval for any purchase of goods and/or services over \$250,000; and

**WHEREAS**, the City Administrator recommends that he or his designee be authorized to expend Fiscal Year 2023/24 Port Security Grant Program (PSGP) U.S. Department of Homeland Security grant funds for this grant in excess of \$130,000 and up to \$520,000; an

**WHEREAS**, funds will be appropriated to the FEMA Fund (2124), Fire Boat (20813), Project (TBD), Special Operations (PS18); now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to enter into a grant agreement with the U.S. Department of Homeland Security to accept funds in an amount up to three hundred ninety thousand dollars (\$390,000) from the Port Security Grant Program (PSGP) for the period of September 1, 2023 through August 31, 2026; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to accept and appropriate said PSGP grant funds; and be it

**FURTHER RESOLVED:** That funds will be appropriated to the FEMA Fund (2124),

Fire Boat (20813), Project (TBD), PS18 – Special Operations (PS18); and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator to expend the PSGP grant funds in accordance with the preliminary spending plan, without return to Council; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to expend grant funds in accordance with the preliminary spending plan including purchases of equipment and services in excess of the City Administrator's purchasing authority (up to \$520,000) and in accordance with the City's purchasing requirements and programs/policies; and be it

**FURTHER RESOLVED:** That the Oakland Fire Department is authorized to expend from existing appropriation of sixty-five thousand dollars \$65,000 from General Purpose Fund 1010.20813. Project To Be Determined (TBD) and 1010.107410. Project To Be Determined (TBD) to satisfy the in-kind/cash match requirement; and be it

**FURTHER RESOLVED:** That the Oakland Police Department is authorized to expend from existing appropriation of sixty-five thousand dollars \$65,000 from General Purpose Fund 1.1010.101110.53719.1000008.PS01 to satisfy the in-kind/cash match requirement; and, be it

**FURTHER RESOLVED:** That the coding block for expenditure shall be FEMA Fund (2124), Fire Boat (20813), Project (TBD), Special Operations (PS18), in various Expenditure Type; and be it

**FURTHER RESOLVED:** That the City Council finds and determines that this action is exempt from the California Environmental Quality Act ("CEQA") based on CEQA Guidelines Section 15301 (existing facilities exemption) because the grant funds will be used to replace existing boat docks, which would not result in the creation of an intensification of the use of said facilities. In addition, this action is exempt from CEQA pursuant to CEQA Guidelines Section 15303 (small structures exemption) since the construction, reconstruction, and rehabilitation of the docks may require the replacement of small structures; and be it

**FURTHER RESOLVED:** That all agreements issued hereunder shall be reviewed and approved by the office of the City Attorney for form and legality and copies shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT  
FORTUNATO BAS

NOES –  
ABSENT –  
ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

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