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OFFICE OF THE CITY CLERK  
OAKLAND

2013 MAY -2 PM 1:13 **AGENDA REPORT**

**TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR**

**FROM: Teresa Deloach Reed  
FIRE CHIEF**

**SUBJECT: FY 2008 Port Security Grant Program  
(PSGP) Supplement Grant Fund**

**DATE: April 29, 2013**

City Administrator  
Approval

Date

4/30/13

**COUNCIL DISTRICT: City-Wide**

**RECOMMENDATION**

Staff recommends that the City Council Amend Resolution No. 82930 C.M.S. which authorized the City Administrator or Her Designee, to Enter Into An Agreement to Accept, Appropriate and Administer Fiscal Year (FY) 2008 Port Security Grant Program (PSGP) Grant Funds, to 1) Accept, Appropriate and Administer Supplemental Grant Funds in an amount not to exceed Two Hundred and Eighty Thousand Dollars (\$280,000) For A Cumulative FY08 PSGP Grant Award Allocations Amount Not To Exceed One Million Two Hundred Twenty Four Thousand Nine Hundred and Forty Two Dollars (\$1,224,942) and Appropriate Said Funds to the Oakland Fire Department's Emergency Management Services Division (EMDS).

**EXECUTIVE SUMMARY**

The PSGP grant funds are intended to assist ports in enhancing risk management capabilities and support a strategic, area-wide focus around ports providing funding for the development and implementation of port-wide risk management and mitigation activities, as well as continuity of operations for Tier 1 Ports.

The Maritime Exchange of the San Francisco Bay Regional is the fiscal agent for the FY 2008 PSGP grants. The Maritime Exchange is responsible for oversight of the regional PSGP grant funds and all affiliated programs, projects and activities.

On July 20, 2010, City Council adopted Resolution No. 82930 C.M.S. authorizing the City Administrator on behalf of the City of Oakland, to accept up to \$944,942 in FY08 Port Security Grant Program.

On April 2, 2013, the Oakland Fire Department, Emergency Management Services Division successfully applied for and was awarded additional grant funding of up to \$280,000 from the FY 08 PSGP grant program.

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**OUTCOME**

Passage of this amended resolution will grant the Oakland Fire Department, EMSD the authority to appropriate and expend the additional, supplemental FY 08 PSGP grants funds and request reimbursement of the approved spending plan for the supplemental funding.

**BACKGROUND/LEGISLATIVE HISTORY**

The U.S. Department of Homeland Security's (DHS) Port Security Grant Program (PSGP) announced grant funding opportunities to port areas for the protection of critical port infrastructure and operations from potential acts of terrorism. The PSGP funding provided to the City of Oakland is primarily intended to assist ports, partners and first responders in enhancing risk management capabilities, enhanced domain awareness, capabilities to prevent, detect, respond to and recover from attacks involving improvised explosive devices (IEDs) and other non-conventional weapons, as well as training and exercises.

As mentioned earlier, Oakland's Port has the designation of a Tier 1 Port, therefore considered a Port area with the highest risk. Risk to a port area is assessed using a methodology consisting of threat, vulnerability, and consequences factors.

The purpose of the PSGP equipment purchase is to implement a sustainable, risk-based effort to protect and ensure the security of critical port infrastructure and port operations from attacks or threats that could cause major damage and disruption to commerce.

Staff recommends that the City Council amend Resolution No. 82930 C.M.S. to accept FY 08 PSGP supplemental grant funding in an amount not to exceed \$280,000 which will make the cumulative FY08 PSGP grant award allocation an amount not to exceed \$1,224,942.

**ANALYSIS**

As a result of the challenging economic times, the Oakland Fire Department, Emergency Management Services Division constantly seeks opportunities to apply for grants to secure funding needed for emergency preparedness and response equipment, supplies, training, planning and personnel. The Oakland Fire Department, Emergency Management Services Division successfully applied for and was awarded additional grant funding of up to \$280,000 from the FY08 PSGP grant program.

Supplemental FY 08 PSGP grant funds shall be used by the Fire Department, Emergency Management Services Division and the Oakland Police Department to purchase additional emergency response equipment and supplies. The additional funding equipment details are outlined in the matrix below.

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PSGP FY 08 Supplemental funding is as follows:

PSGP FY 08 Supplemental Funding Amounts	PSGP FY 08 Supplemental Funding Projects
\$95,766	Law Enforcement Maritime Jet Dock
\$157,500	Confined Space and Heavy Rescue Project
\$25,547	Regional Maritime Boarding Team System

A total of \$278,813 in funding (for all three projects) will be available for pre-approved, eligible equipment.

**COST SUMMARY/IMPLICATIONS**

Approval of this resolution will authorize the acceptance and appropriation of the Port Security Grant Program (PSGP) funds in an amount not to exceed \$1,224,942. The grant also provides for 5% for Management and Administration funding. This will be 5% of each grant total.

There is no impact to the General Fund.

Grant Funds will be appropriated to Homeland Security Fund (2123), Emergency Management Services Division (EMSD) Homeland Security Organization (20711), various expenditures accounts to the grantor approved spending plan and offset by the revenue account of Miscellaneous Federal Grant Account (46129), FY 08 PSGP, Project G445010, and Homeland Security/Emergency Management Services Division Program (PS21).

**SUSTAINABLE OPPORTUNITIES**

**Economic:** The FY 2008 grant period is from October 1, 2010 through September 30, 2013. The proposed projects within the PSGP program will be completed either before or no later than allowable time for purchases, which is June 15, 2013. Emergency preparedness and planning activities enhance the City of Oakland's efforts to provide a climate in which economic development can flourish.

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**Environmental:** The supplemental PSGP will provide resources and tools for first responders in protecting against acts and threats against the Port and will ultimately saves lives, protect property, the environment, and enhance economic resiliency in the Bay Area region by reducing or minimizing potential disruption to commerce at the Port.

**Social Equity:** The procurement of the approved equipment will enhance public safety efforts that serve all residents in the City of Oakland and the surrounding area.

For questions regarding this report, please contact Renee Domingo, Director, Office of Emergency Services and Homeland Security at (510)238-3939.

Respectfully submitted,



Teresa DeLoach Reed  
Fire Chief

Prepared by:

Cynthia Chimonyo, Sr. Emergency Planning Coordinator

Reviewed by:

Renee A. Domingo  
Director of Emergency Management Services Division  
and Homeland Security

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# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

  
City Attorney

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

- 1. ACCEPT, APPROPRIATE AND ADMINISTER SUPPLEMENTAL FISCAL YEAR 2008 PSGP GRANT AWARD FUNDS IN AN AMOUNT UP TO TWO HUNDRED AND EIGHTY THOUSAND DOLLARS (\$280,000) FOR A CUMULATIVE FY 08 PSGP GRANT AWARD ALLOCATION AMOUNT NOT TO EXCEED ONE MILLIONS TWO HUNDRED THOUSAND NINE HUNDRED FORTY TWO DOLLARS (\$1,224,942); AND**
- 2. APPROVE THE PRELIMINARY SPENDING PLAN; AND**
- 3. EXPEND FUNDS IN ACCORD WITH THE PRELIMINARY SPENDING PLAN WITHOUT FURTHER COUNCIL AUTHORIZATION, INCLUDING PURCHASES APPROVED IN THE FEDERALLY AUTHORIZED EQUIPMENT LIST, PROVIDED CITY COMPETITIVE SOLICITATION AND PURCHASING PROGRAMS/POLICIES ARE FOLLOWED**

**WHEREAS**, the U.S. Department of Homeland Security's 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, area-wide 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 Maritime Exchange of the San Francisco Bay Region is the Fiscal Agent for the FY 2008 PSGP grant award and a grant administration agreement with the Maritime Exchange of the San Francisco Bay Region is required for the distribution, administration, and reimbursement of grant funds to the City of Oakland (City); and

**WHEREAS**, in 2010, by the authority of Resolution No. 82930 C.M.S. , the City Administrator entered into a grant administration agreement with the Maritime Exchange of the San Francisco Bay Area region to receive, appropriate, and expend Fiscal Year 2008 to accept PSGP grant funds in the amount of nine hundred forty-two thousand nine hundred and forty two dollars; and

**WHEREAS**, the City has been awarded supplemental FY 2008 PSGP grant allocation of two hundred eighty thousand dollars (\$280,000); and

**WHEREAS**, the Oakland Fire Department, Emergency Management Services Division and Homeland Security staffing are essential to ensure that Oakland is prepared for major incidents and natural disasters as well as to support the regional planning efforts to and functions to protect the Port; and

**WHEREAS**, the supplemental FY 2008 PSGP grant allocation specifies the award amount not to exceed \$280,000 and that it be expended for the purchase specified equipment, supplies and contracted services identified on the Federally Authorized Equipment List ("AEL"); and

**WHEREAS**, the Oakland Fire Department, Office of Emergency Management Services Division and Homeland Security staff are also essential in managing and coordinating the FY2008 PSGP grant award, which provides for \$13,482 or 5% funding for maintenance and administration of the total grant award; 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 2008 supplemental PSGP grant allocation; and

**WHEREAS**, the performance period for the Fiscal Year 2008 PSGP grant is from October 1, 2010 through September 30, 2013; and

**WHEREAS**, it is anticipated that other administrative costs such as central services overhead (CSO) fees, central stores or contract assessment will not be incurred; AND

**WHEREAS**, Oakland Municipal Code Section 2.04.030.A requires Council approval for any purchase of goods and/or services over \$100,000.00; and

**WHEREAS**, Resolution No. 82930 C.M.S authorized the City Administrator to expend Fiscal Year 2008 PSGP Grant funds for any amount, even those purchases in excess of the City Administrator's authority under Oakland Municipal Code section 2.04.020 or that would otherwise require Council approval under Oakland Municipal Code 2.04.030, without further City Council authorization, including contracts involving purchase of goods material, 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 the purchasing programs/policies; and

**WHEREAS**, the City Administrator has determined that any services that may be provided under contracts authorized hereunder would be of a professional, scientific or technical and temporary nature and not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it  
now, there be it

**RESOLVED:** That the City Administrator or her designee is authorized to accept and appropriate said FY 2008 SUPPLEMENTAL PSGP Grants funds in the amount of two hundred and eighty thousand dollars into U.S. Department of Homeland Security Fund (2123), Office of Emergency Services (20711), Grant project G445010, and Emergency Management Services Division/Homeland Security Program (PS21), the full grant funds will be appropriated to the Miscellaneous Federal Grants Accounts 46129; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to award all contracts for purchases paid for with FY 2008 PSGP Grant funds for any amount, even those purchases in excess of the City Administrator's authority in Oakland Municipal Code Section 2.04.020 or that otherwise require Council approval under Oakland Municipal Code Section 2.04.030, without further City Council review or action, including contracts involving the purchase of goods, material, 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 ongoing costs, such as maintenance for equipment or goods purchased with 2008 PSGP grant will be absorbed in each of the respective city of Oakland agencies' existing budget with no additional General Purpose fund appropriations; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to approve the preliminary spending plan; 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, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, KALB, KAPLAN, MCELHANEY, REID, SCHAAF  
and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

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