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CITY OF OAKLAND

2012 JUN 28 PM 12:42

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: TERESA DELOACH REED
OAKLAND FIRE CHIEF

SUBJECT: FY 2011 Port Security Grant Program (PSGP) DATE: June 20, 2012

City Administrator

Date

Approval

6/26/12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council Adopt a Resolution Authorizing the City Administrator Or Her Designee To: 1) Enter Into A Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For the Distribution Of Fiscal Year 2011 Port Security Grant Program (PSGP) Funds In An Amount Not to Exceed Four Hundred Thousand Nine Hundred Dollars (\$400,900), 2) Accept, Appropriate, and Administer The Fiscal Year 2011 Port Security Grant Program Allocation, 3) Approve the Preliminary Spending Plan for Fiscal Year 2011, and 4) Expend Funds In Accordance 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 (AEL) and Services Required By The Grant, Provided City Bidding Requirements And Purchasing Programs/Policies Are Followed.

EXECUTIVE SUMMARY

The purpose of the Port Security Grant Program (PSGP) is to implement a sustainable, risk-based effort to protect the security of critical port infrastructure and port operations from attacks or threats that could cause major damage and disruption to commerce.

The equipment identified in the preliminary grant funded spending plan will address the following priority criteria of the PSGP:

- Enhancing Maritime Domain Awareness (MDA)
The proposed equipment purchases will allow leaders at all levels to make effective decisions and act early against threats to the security of the Port of Oakland and the surrounding communities.

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- Enhancing Improvised Explosive Device (IED) and Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) prevention, protections, response and recovery capabilities
The proposed equipment purchases will enhance the Port of Oakland's capabilities to prevent, detect, respond to and recover from terrorist attacks employing IEDs, CBRNE and other non-conventional weapons.

- Training and Exercises

The proposed equipment purchases will provide first responders with enhanced maritime response capabilities. Staff will train and exercise with the proposed equipment purchases locally, regionally, and state wide.

- Port Resilience and Recovery Capabilities

The equipment purchased will assist in reducing the Port of Oakland and community's vulnerabilities. The purchase of the equipment will provide enhanced capabilities to assist the Port of Oakland's continued economic resiliency and disaster recovery capabilities.

OUTCOME

Passage of this Resolution will grant the Oakland Fire Department, Office of Emergency Services (OES) staff the authority to accept, administer, appropriate and expend the FY2011 Port Security Grant Program (PSGP) funding up to \$400,900 and also request reimbursement of the approved preliminary spending plan for the approved projects authorized by the PSGP grant funding.

BACKGROUND/LEGISLATIVE HISTORY

Since 2007, the U.S. Department of Homeland Security's (DHS) Port Security Grant Program (PSGP) has been providing grant funding to port areas on a competitive basis 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, enhance Port resiliency and recovery, 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.

Since 2008, the Oakland Fire Department, Office of Emergency Services, in collaboration with the Oakland Police Department, Oakland Fire Department, Port of Oakland, U.S. Coast Guard, and regional partners has worked to develop projects/plans, and equipment necessary to address homeland security performance needs and deficiencies in current port security preparedness,

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response, recovery and training on a local and regional basis. The City of Oakland is a voting member of the Northern California Area Maritime Security Committee which represents all Ports in Northern California. Additionally, the Port of Oakland has been ranked as a Tier I Port as a result of being the 5th largest port in the nation with a high risk potential.

ANALYSIS

Due to the proximity to the Port of Oakland, the Port facilities, and administrative offices, the Oakland Police Department (OPD) and Oakland Fire Department (OFD) are the first responders to the Port or Oakland, the Oakland International Airport, the San Francisco Bay Bridge, and other critical maritime infrastructure in the Bay Area. To this extent, it is critical that OPD, OFD and Oakland OES continue the development of jointly coordinated response plans and protocols with all regional partners in order to identify and close gaps in training, resource response capacity and equipment necessary to prevent, detect, protect and recovery from major emergencies. The Port Security Grant Program is a potential resource for obtaining funding to close the identified emergency preparedness, prevention, detection, response and recovery gaps.

In May 2011, the Oakland Fire Department Office of Emergency Services, in partnership with the Oakland Police Department, successfully applied for additional grant funding of up to \$400,900 from the FY2011 Port Security Grant Program (PSGP).

The FY2011 Port Security Grant Program grant funds shall be used by the Fire Department, Office of Emergency Services to purchase the following emergency prevention, detection, response and recovery maritime related equipment for the Oakland Police Department:

- Remotely Operated Vehicle (ROV): This is a tethered underwater vehicle; ROVs are unoccupied, highly maneuverable underwater robots, operated by a person aboard a surface vessel. ROVs range in size from that of a bread box to a small truck. The proposed ROV will serve as a tool to provide enhanced maritime domain awareness capabilities by allowing officers to search extreme murky water, and enter into extreme dangerous areas such as a hull of a ship, sunken cabin of a vessel, interior of a submerged vehicle, and areas that boats with traditional side scanning sonar, cannot enter into, and conduct underwater searches.

The ROV will also facilitate recovery operations by identifying objects that may be obstructing the entrance to the Oakland inner harbor in the aftermath of a human cause or natural disaster. The ROV will serve to conduct remote inspections of obstructions that current side scanning assets currently cannot provide.

- ZODIAC Sea Rigid Inflatable Boat (RIB): The 28' ZODIAC Sea RIB, with two-outboard 225 hp motors, described as an open bow with aluminum console is designed to carry between 9-18 persons.

This equipment will be an asset that will provide significant risk reduction at a minimum cost by providing an easily accessible water response vehicle, a long-range vessel detection resource as well as a rescue platform that includes person overboard recovery, fire detection, and other waterside rescue capabilities. The vessel will provide crew and passenger protections and long-range detection instruments of inbound vessel traffic as needed.

COORDINATION

OES and OPD staff worked with the Port of Oakland, U.S. Coast Guard, the Marine Exchange, the Neptune Coalition, Alameda County Sheriff s, City and County of San Francisco and other regional partners in putting forth the two grant funding proposals.

All agencies and partners supported the submission of the proposals to ensure that the north side of Alameda County had these Law Enforcement maritime emergency prevention, detection, response and recovery resources readily available that could also assist other local and regional Police and Fire Departments within waterside response duties.

OES and OPD staff will work together to meet all the grant administration and requirements for the FY2011 Port Security Grant Program (PSGP) and ensure the deliverables are met within the grant timelines.

COST SUMMARY/IMPLICATIONS

Grant Funds FY2011 Port Security Grant Program (PSGP) Budget

1.	AMOUNT OF RECOMMENDATION/COST OF PROPOSED PROJECTS:	
	Program Budget: (Grant Funding)	Up to \$400,900
	Construction (if applicable)	0
	Contingency (if applicable)	0
	In-Kind City Match 25% (City Staff Time)	0
	In-Kind/Cash Match (Partner Agencies based on Fair Market Value (FMV))	0
	Total Project Costs	\$400,900
2.	PRELIMINARY SPENDING PLAN BUDGET THAT IS GRANT FUNDED:	
	Remote Operated Vehicle	\$190,900
	28' Zodiac Sea RIB with (2) outboard 225 hhp motors	<u>\$210,000</u>
	TOTAL GRANT FUNDING/PROGRAM BUDGET:	\$400,900

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3. SOURCE OF FUNDING: FY 2011, United States Department of Homeland Security (DHS), Port Security Grant Program (PSGP) Grant Program
4. FISCAL IMPACT: There is no impact to the General Fund.
The cost match for the Port Security Grant Program (PSGP) is normally 25% cash and/or in-kind match.
The cost match for the FY 2011 Port Security Grant Program (PSGP) was waived per the *Department of Defense and Full-Year Continuing Appropriations Act, 2011* (Public Law 112-10). The statutory waiver provision carries over from the *Department of Homeland Security Appropriations Act, 2010* (Public Law 111-83), where it was explicitly included.

The resolution authorizes the appropriation of Federal grant funds to offset OES anticipated costs for the purchase of emergency response equipment as outlined in the preliminary spending plan budget outlined in this report.
5. Grant Funds will be appropriated to Homeland Security Fund (2123), Office of Emergency Services (OES) Homeland Security Organization (20711), various expenditure accounts according to the grantor approved spending plan and offset by the revenue account of Miscellaneous Federal Grant Account (46129), FY2011 PSGP, Project to be determined, Homeland Security/Office of Emergency Services Program (PS21).

SUSTAINABLE OPPORTUNITIES

Economic: Emergency preparedness and planning activities enhance the City of Oakland's efforts to provide a climate in which economic development can flourish.

Environmental: No environmental opportunities are anticipated.

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 areas.

For questions concerning 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
Oakland Fire Department

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

Arnaldo Sotelo
City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 JUN 28 PM 5:04

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO: 1) ENTER INTO A GRANT ADMINISTRATION AGREEMENT WITH THE MARITIME EXCHANGE OF THE SAN FRANCISCO BAY REGION FOR THE DISTRIBUTION OF FISCAL YEAR 2011 PORT SECURITY GRANT PROGRAM (PSGP) FUNDS IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND NINE HUNDRED DOLLARS (\$400,900), 2) ACCEPT, APPROPRIATE, AND ADMINISTER THE FISCAL YEAR 2011 PORT SECURITY GRANT PROGRAM ALLOCATION, 3) APPROVE THE PRELIMINARY SPENDING PLAN FOR FISCAL YEAR 2011, AND 4) EXPEND FUNDS IN ACCORDANCE 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 (AEL) AND SERVICES REQUIRED BY THE GRANT, PROVIDED CITY BIDDING REQUIREMENTS AND PURCHASING PROGRAMS/POLICIES ARE FOLLOWED

WHEREAS, the U.S. Department of Homeland Security's (DHS) Port Security Grant Program allocates grant funds to address the nation's Ports considered of the highest risk status to assist in enhancing risk management capabilities and support a strategic, area-wide focus around Ports; and

WHEREAS, the DHS Port Security grant, 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, terrorist threats against the Ports, and enhance all hazards response capabilities; and

WHEREAS, The City of Oakland Port Security Grant Program ("PSGP") grant proposal was approved and the City of Oakland Fire Department's Office of Emergency Services (OES) has been awarded a grant allocation of four hundred thousand nine hundred dollars (\$400,900) by the Fiscal Year 2011 PSGP Grant governing body for Port security; and

WHEREAS, the Maritime Exchange of the San Francisco Bay Region is the Fiscal Agent for the FY 2011 PSGP grant award and an 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; and

WHEREAS, the Oakland Fire Department, OES staff are essential to the grant applications, proposals and management of the FEMA and Homeland Security Preparedness Grant; and

WHEREAS, the Oakland Fire Department, OES staff 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 grant designates the amount of \$400,900 be expended for the purchase of specified equipment, supplies and contracted services identified on the Federally Authorized Equipment List (“AEL”); and

WHEREAS, the FY2011 PSGP grant award will provide Oakland Fire Department, OES staff with \$12,027 or 3% 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 major emergencies and effectively carry out the program of the FY 2011 PSGP grant; and

WHEREAS, the performance period for the Fiscal Year 2011 PSGP grant is from October 1, 2011 through December 31, 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; now, therefore be it

RESOLVED: That the City Council Authorizes the City Administrator or her designee to enter into the FY 2011 PSGP grant agreement with the Maritime Exchange of the San Francisco Bay Region for up to \$400,900 in FY 2011 PSGP grant Funds; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to accept and appropriate said FY 2011 PSGP Grants funds into U.S. Department of Homeland Security Fund (2123), Office of Emergency Services (20711) a grant project to be determined, and Office Emergency Services/Homeland Security Program (PS21), the grant fund reimbursement revenues will be credited to the Miscellaneous Federal Grants Accounts 46129; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to award all contracts paid for with FY 2011 PSGP Grant funds for any amount, even those in excess of the City Administrator’s authority in Oakland Municipal Code Section 2.04.020, without further City Council authorization, including contracts involving the purchase of goods, material, equipment, services or combination thereof from 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 2011 PSGP grant will be absorbed in the respective city of Oakland agency’s existing budget, (OPD) with no additional General Purpose fund appropriations; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to approve preliminary spending plan; and be it

FURTHER RESOLVED, That the Office of the City Attorney will approve the grant agreement(s) for form and legahy and a copy will be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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