

Arnaldo Soto
City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2012 JUN 28 PM 5:04

RESOLUTION No. 83998 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 legality and a copy will be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2012, 20

PASSED BY THE FOLLOWING VOTE:

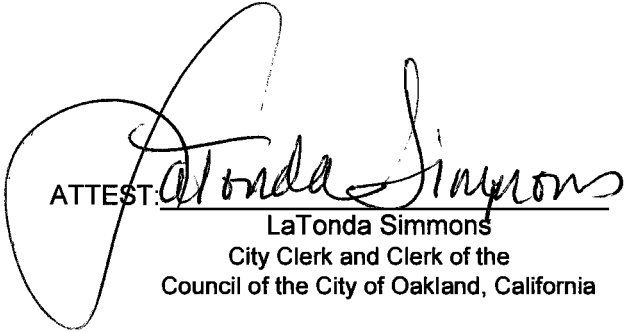
BROOKS, DE LA FUENTE, ~~KAPLAN~~, KERNIGHAN, NADEL, SCHAAF, ~~BRUNNER~~ and PRESIDENT REID — 6

NOES-0

ABSENT- Brunner-1

ABSTENTION- 0

Excused- Kaplan-1

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