



 City Attorney

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 OAKLAND

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OAKLAND CITY COUNCIL
RESOLUTION No. 84381 C.M.S.
**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, MAY 21 2013 , 20


PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, KALB, KAPLAN, MCELHANEY, REID, SCHAAF
 and PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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