

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Raymond Riordan

**SUBJECT:** SEE BELOW

**DATE:** November 30, 2017

Approved:

D. D. S. L.

Date:

12/8/17

**SUBJECT: ACTIONS RELATED TO THE MEMORANDUM OF UNDERSTANDING  
WITH THE URBAN AREA SECURITY INITIATIVE**

## RECOMMENDATION

Adopt a resolution authorizing the City Manager or Designee to execute an updated Memorandum of Understanding with the Bay Area Urban Area Initiative (UASI), and second delegating authority to the City Manager or Designee to execute amendments to the MOU to extend the term of the agreement up to four years and to make minor amendments to the agreement for governance, operational efficiencies, and transfer of funds within the established City Manager authority.

## OUTCOME

Adoption of the Updated Governance MOU provides that the City and County of San Francisco continues to serve as fiscal agent and sub-grantee for funds distributed by Department of Homeland Security (DHS) and California Office of Emergency Services (Cal OES) to the Bay Area for UASI grant funds plus other Federal grant funds to the Bay Area Urban Area and other local jurisdictions within the Bay Area Urban Area, until further notice. This Updated Governance MOU will provide governance and reporting structure, financial arrangements, and procedures for application, allocation and distribution of federal UASI grant funds to the Bay Area Urban Area, and other federal grant funds for the Bay Area Urban jurisdictions as permitted under the MOU. Furthermore, the City of San José will maintain eligibility required for receiving federal DHS grant funds to assist with protecting life, property and the citizens of San José by continuing to prepare, mitigate, respond, and recover from disasters, events, and potential acts of terrorism.

## BACKGROUND

In Fiscal Year 2003, DHS funding was granted to the top 30 largest urban areas, with the San Francisco Urban Area receiving funding as a core city, and responsible for collaborating funding

efforts with the Cities of San José, Oakland, San Francisco, and the Counties of Marin, San Mateo, Alameda, Contra Costa and Santa Clara.

In Fiscal Years 2004 and 2005, the City of San José received funding as a Core City, and Santa Clara was named as a Core County with local jurisdictions in the Operational Area being added as planning partners, in conjunction with the Counties of San Benito, Santa Cruz and Monterey.

For Fiscal Year 2006, the Cities of Oakland, San José and San Francisco received regional funding under the newly created, Bay Area UASI, (Tier 1), which was governed by an MOU agreement encompassing a three-tiered structure of governance, which included the Urban Area Working Group, an Approval Authority, and the Advisory Group.

On December 12, 2006, the MOU was approved as Resolution Number 73554, and gave authority to the City Manager to execute the MOU with the City and County of San Francisco, the City of Oakland, Alameda County, and Santa Clara County to coordinate partnership for receipt of DHS funds under the 2006 UASI grant, with San Francisco as the Fiscal Agent. The multi-year agreement remained in effect through December 31, 2011. An updated MOU was approved by the City Council on November 8, 2011 (Resolution No. 76043) with a term from December 1, 2011 through December 1, 2013. The term of this proposed Updated Governance MOU is December 1, 2013 through December 1, 2017.

This updated Memorandum of Understanding extends the MOU and clarifies voting rights as a majority rules. The jurisdictions also adopting the MOU include City of Oakland, City of San José, City and County of San Francisco, County of Alameda, County of Contra Costa, County of Marin, County of Monterey, County of San Mateo, County of Santa Clara, and County of Sonoma as partners in the Bay Area Urban Areas Security Initiative (UASI) grant program with an effective date retroactive to December 1, 2017 to December 1, 2021.

## **ANALYSIS**

To develop the updated MOU and by-laws, an Ad-Hoc Committee of UASI Approval Authority members was established in February 2017. The Ad Hoc Committee met in June 2017 and presented its recommendations to the Approval Authority in August 2017.

On August 10, 2017, the Approval Authority for the Bay Area UASI approved the Updated Governance MOU and by-laws with the following key change:

- Line 111; Item 1, h: "... majority vote" was changed to "... by a two-thirds vote".
- Line 263; Item 16: "... majority vote" was changed to "... by a two-thirds vote".

These administrative changes is the purpose of the second act of the resolution, delegating authority to the City Manager or Designee to execute amendments to the MOU to extend the term of the agreement up to four years and to make minor amendments to the agreement for governance, operational efficiencies, and transfer of funds within the established City Manager authority.

Providing this authority will allow for efficient updates to the agreement reducing staff time on these tasks.

### **EVALUATION AND FOLLOW-UP**

There is no additional follow-up or evaluation required.

### **PUBLIC OUTREACH**

The UASI Approval Authority meetings allow public comment on the activity of the Approval Authority activities. Public do attend the meeting, and had no reaction. The memo and agreement will be posted to the City's website for the December 19, 2017 City Council Agenda.

### **COORDINATION**

This memorandum was coordinated with the City Attorney's Office.

### **COMMISSION RECOMMENDATION/INPUT**

The memorandum does not have any input from a board or commission.

### **FISCAL/POLICY ALIGNMENT**

This action is consistent with the following General Budget Principles:

1. Focus on protecting our vital core city services for both the short and long-term duration.
2. Continue to streamline, innovate and simplify our operations so that we can deliver services at a higher quality level and with better flexibility.

### **CEQA**

Not a Project, File No. PP10-066 (g.), Grant Agreements and MOUs.

/s/  
RAYMOND RIORDAN  
Director of the Office of Emergency Management

For questions please contact Raymond Riordan, Director of the Office of Emergency Management, at 408-794-7050.