

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

CITY OPERATIONS AND NEIGHBORHOOD SERVICES

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Carmen Chu, Chair
City Operations and Neighborhood Services

FROM: Victor Young, Committee Clerk

DATE: March 8, 2010

SUBJECT: **COMMITTEE REPORT. BOARD MEETING**
Tuesday, March 9, 2010

The following file should be presented as a **COMMITTEE REPORT**, at the Board meeting, Tuesday, March 9, 2010. This item was acted upon at the Committee Meeting on Monday, March 8, 2010, at 10:30 a.m., by the votes indicated.

Item No. 26 **File No. 100205**

Resolution authorizing the Department of Emergency Management, as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to accept and expend retroactively a FY2009 Interoperable Emergency Communications Program Grant award in the amount of \$1,370,063 from the United States Department of Homeland Security, through the California Emergency Management Agency, for the period June 1, 2009, to February 28, 2011.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Chu – Aye
Avalos – Aye
Elsbernd – Aye

c: Angela Calvillo, Clerk of the Board
Cheryl Adams, Deputy City Attorney
Rick Caldeira, Legislative Deputy Director

File No. 100205

Committee Item No. 1
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: City Operations & Neighborhood Ser. Date: March 8, 2010

Board of Supervisors Meeting

Date March 9, 2010

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
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| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Grant Information Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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Completed by: Victor Young
Completed by: Victor Young

Date March 4, 2010
Date 3-8-10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Accept and Expend FY2009 Federal Interoperable Emergency Communications Program
2 Grant - \$1,370,063]

3 **Resolution authorizing the Department of Emergency Management as primary grantee**
4 **and fiscal agent for the Capitol-Bay Planning Area, to accept and expend retroactively a**
5 **FY2009 Interoperable Emergency Communications Program Grant award in the amount**
6 **of \$1,370,063 from the United States Department of Homeland Security, through the**
7 **California Emergency Management Agency, for the period June 1, 2009, to February 28,**
8 **2011.**

9
10 WHEREAS, The Interoperable Emergency Communications Grant Program (IECGP) is
11 designed to address systemic shortfalls in emergency communication systems and to improve
12 local, tribal, regional, statewide, and national interoperable emergency communications,
13 including communications in collective response to natural disasters, acts of terrorism, and
14 other man-made disasters; and,

15 WHEREAS, IECGP funding enables states, territories, local units of government, and
16 tribal communities to implement their Statewide Communication Interoperability Plans (SCIP)
17 and align to the National Emergency Communications Plan (NECP) to further enhance
18 interoperability; and,

19 WHEREAS, The Federal Emergency Management Agency (FEMA) administers the
20 IECGP and in California, IECGP grant funds are allocated through the California Emergency
21 Management Agency (Cal EMA); and,

22 WHEREAS, In connection with the California SCIP, the City and County of San
23 Francisco and its regional partners the Counties of Alameda, Contra Costa, Marin, Monterey,
24 Napa, San Benito, San Mateo, Santa Cruz, Santa Clara, Solano, and Sonoma (collectively,
25 the Bay Region partners) are working collaboratively with the County of Sacramento and its

1 regional partners the Counties of Alpine, Amador, Calaveras, El Dorado, Placer, San Joaquin,
2 Stanislaus, Tuolumne, and Yolo (collectively, the Capitol Region partners); and,

3 WHEREAS, Together, the Capitol Region partners and Bay Region partners constitute
4 the Capitol-Bay Planning Area; and,

5 WHEREAS, FEMA has allocated IECGP grant funds in the amount of \$1,370,063 to
6 the Capitol-Bay Planning Area; and,

7 WHEREAS, The Capitol-Bay Planning Area intends to use the grant funds for an
8 interoperable communication project that encompasses planning, training, and equipment
9 among the partner jurisdictions in both the Capitol and Bay Area regions and benefits all
10 recipient jurisdictions; and,

11 WHEREAS, The grant period is from June 1, 2009 to February 28, 2011; and,

12 WHEREAS, Under the grant award and with the agreement of all partner jurisdictions,
13 San Francisco is designated as the primary grantee and fiscal agent for receipt and
14 expenditure of the grant funds; and,

15 WHEREAS, The grant does not include any provisions for indirect costs; and,

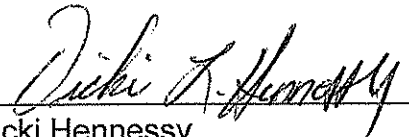
16 WHEREAS, No new positions are being added, therefore the Annual Salary Ordinance
17 does not require amendment; now, therefore be it

18 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
19 authorizes the Department of Emergency Management as primary grantee and fiscal agent
20 for the Capitol-Bay Planning Area, to accept and expend an Interoperable Emergency
21 Communications Program Grant award in the amount of \$1,370,063 from the United States
22 Department of Homeland Security (DHS), through the California Emergency Management
23 Agency, for the period June 1, 2009 to February 28, 2011; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
25 indirect costs.

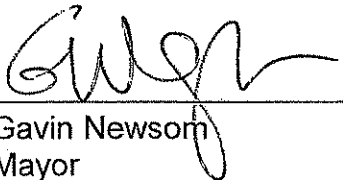
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RECOMMENDED:




Vicki Hennessy
Executive Director, DEM

APPROVED:



For Gavin Newsom
Mayor



For Ben Rosenfield
Controller

File Number: _____
(Provided by Clerk of Board of Supervisors)

Grant Information Form
(Effective July 2006)

Purpose: Accompanies proposed Board of Supervisors ordinances authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying ordinance:

1. Grant Title: FY 09 Interoperable Emergency Communications Grant Program

2. Department: Department of Emergency Management

3. Contact Person: Mary Landers Telephone: 705-8531

4. Grant Approval Status (check one):

Approved by funding agency

Not yet approved

5. Amount of Grant Funding Approved or Applied for: \$1,370,063

6a. Matching Funds Required: N/A

b. Source(s) of matching funds (if applicable):

7a. Grant Source Agency: US Department of Homeland Security (DHS)

b. Grant Pass-Through Agency (if applicable): California Emergency Management Agency (Cal EMA)

8. Proposed Grant Project Summary: For the purpose of addressing systemic shortfalls in emergency communication systems.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: June 1, 2009

End-Date: February 28, 2011

10. Number of new positions created and funded:

11. Explain the disposition of employees once the grant ends?

12a. Amount budgeted for contractual services: \$175,000

b. Will contractual services be put out to bid? Yes

c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? No. Federal grant does not allow

d. Is this likely to be a one-time or ongoing request for contracting out? One time.

13a. Does the budget include indirect costs? Yes No

b1. If yes, how much? \$

b2. How was the amount calculated?

c. If no, why are indirect costs not included?

Not allowed by granting agency
 Other (please explain):

To maximize use of grant funds on direct services

c2. If no indirect costs are included, what would have been the indirect costs? Unknown.

14. Any other significant grant requirements or comments:

****Disability Access Checklist****

15. This Grant is intended for activities at (check all that apply):


- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Existing Site(s) | <input checked="" type="checkbox"/> Existing Structure(s) | <input type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input checked="" type="checkbox"/> New Program(s) or Service(s) |
| <input checked="" type="checkbox"/> New Site(s) | <input type="checkbox"/> New Structure(s) | |

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability Reviewer: Alice Herndon
(Name)

Date Reviewed: 2/4/10

Department Approval: Vicki Hennessy Exec. Dir. Dept. of Emergency Management
(Name) (Title)

(Signature)

ARNOLD SCHWARZENEGGER
GOVERNOR

MATTHEW R. BETTENHAUSEN
ACTING SECRETARY



3650 SCHRIEVER AVENUE
MATHER, CA 95655

PHONE (916) 845-8510
FAX (916) 324-5902

CALIFORNIA EMERGENCY MANAGEMENT AGENCY

December 8, 2009

Teresa Serata
Director of Strategy and Compliance
Bay Area SUASI
10 Lombard St, Suite 410
San Francisco, CA 94111

SUBJECT: NOTIFICATION OF PROJECT AWARD
Fiscal Year (FY) 2009 Interoperable Emergency Communication Grant Program
(IECGP) Bay Area SUASI
OES ID: # 075-95017, Grant # 2009-0015
GRANT EXPENDITURE PERIOD: 06/01/2009 – 02/28/2011

Dear Ms. Serata,

The California Emergency Management Agency (CalEMA) has approved the Bay Area SUASI for IECGP funding in the amount of **\$1,370,063**. As of the date of this letter you may request reimbursement of eligible grant expenditures using the OHS financial management forms workbook available at www.ohs.ca.gov.

Funds awarded under this allocation will be subject to the requirements set forth in the FY 2009 IECGP 2009-IO-T9-0015, as described in the FY 2009 IECGP Program Guidance and Application Kit.

CalEMA is available to provide technical assistance throughout the entire grant process. For assistance, please contact your Program Representative, Peter Town at (916) 322-1503 or peter.town@calema.ca.gov.

Thank you for your work in protecting California. We look forward to working with you and appreciate your cooperation and support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Bettenhausen', written in a cursive style.

MATTHEW BETTENHAUSEN
Secretary



**City and County of San Francisco
Office of the Clerk of
BOARD OF SUPERVISORS**

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Your attention is hereby directed to the following:

I, Angela Calvillo, Clerk of the Board of the City and County of San Francisco, California do hereby certify that the annexed Resolution No. 262-09 is a full, true and correct copy of the original thereof on file in this office.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco, California this 30th day of October, A.D., 2009.

Angela Calvillo
Clerk of the Board
City and County of San Francisco

By *Madeline Licavoli*

262-09

FILE NO. 090742

RESOLUTION NO.

1 [Homeland Security Grants]

2
3 **Resolution authorizing designated City and County officials to execute and file on**
4 **behalf of the City and County of San Francisco, a public entity established under the**
5 **laws of the State of California, any actions necessary for the purpose of obtaining**
6 **federal financial assistance provided by the federal Department of Homeland Security**
7 **and sub-granted through the State of California under various grant programs,**
8 **including: the FY 09 Homeland Security Grant Program for the FY 09 Urban Areas**
9 **Security Initiative (UASI) grant, the FY 09 Buffer Zone Protection Program (BZPP) grant,**
10 **the FY 09 Regional Catastrophic Preparedness Grant Program (RCPGP), the FY 09**
11 **Interoperable Emergency Communications Grant Program (IECGP) and Public Law 110-**
12 **329.**

13
14 WHEREAS, The State of California, through various homeland security grant
15 programs, provides support for the development and maintenance of the capability of local
16 jurisdictions to prepare for and respond to natural disasters, acts of terrorism, and other man-
17 made disasters and provides for the dispersal of federal funds provided for this purpose under
18 Public law 110-329; and,

19 WHEREAS, The City and County of San Francisco has participated in these programs
20 since their inception and deems participation in these programs as vital to the continued well-
21 being of its citizens; and,

22 WHEREAS, The State of California requires that applicant's agents be named in the
23 resolution, now, therefore, be it

24 **RESOLVED**, That the Board of Supervisors of the City and County of San Francisco
25 authorizes the Executive Director of the Department of Emergency Management, or in his or

1 her absence, the Chief Financial Officer of the Department of Emergency Management, or the
2 General Manager of the Bay Area UASI or the Director of Strategy and Compliance of the Bay
3 Area UASI, to execute for and on behalf of the City and County of San Francisco, a public
4 entity established under the laws of the State of California, any actions necessary for the
5 purpose of obtaining federal financial assistance provided by the federal Department of
6 Homeland Security and sub-granted through the State of California under the FY 09
7 Homeland Security Grant Program for the FY 09 Urban Areas Security Initiative (UASI) grant,
8 the FY 09 Buffer Zone Protection Program (BZPP) grant, the FY 09 Regional Catastrophic
9 Preparedness Grant Program (RCPGP), the FY 09 Interoperable Emergency
10 Communications Grant Program (IECGP) and Public Law 110-329.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 090742

Date Passed:

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under various grant programs, including: the FY 09 Homeland Security Grant Program for the FY 09 Urban Areas Security Initiative (UASI) grant, the FY 09 Buffer Zone Protection Program (BZPP) grant, the FY 09 Regional Catastrophic Preparedness Grant Program (RCPGP), the FY 09 Interoperable Emergency Communications Grant Program (IECGP) and Public Law 110-329.

June 9, 2009 Board of Supervisors — REFERRED: Budget and Finance Committee

June 23, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090742

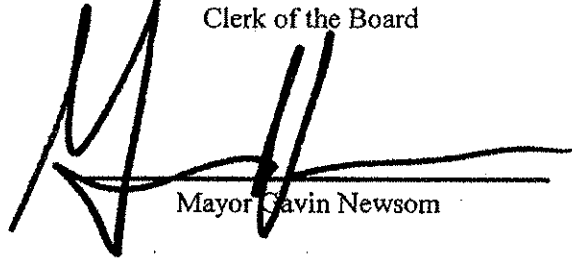
I hereby certify that the foregoing Resolution was ADOPTED on June 23, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

7-2-09

Date Approved



Mayor Gavin Newsom

Co
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CALIFORNIA EMERGENCY MANAGEMENT AGENCY

GRANT APPLICATION COVER SHEET

Alterations to this document may result in delayed application approval, modification, or reimbursement requests. Signatories must be asked to review and/or re-submit any altered Financial Management Forms Workbook.

CFDA #: 97.001

1. Applicant Name: **Bay Area UASI**

2. FIPS #: **075-95017**

3. Date: **October 21, 2009**

4. Grant Number: **[Hatched]**

5. Program Selection: **Interoperable Emergency Communications Grant Program (IECGP)**

6. Amount Requested: **\$ 1,370,063**

7. FOR YEAR: **2009**

Application Approved By: _____

Grant Performance Period: _____

FIPS Number: _____

Grant Number: _____

Date: _____

For State Use only

8. Authorized Body of 5 - Signature and contact information	Position	Signature	Printed Name	Title	Designer V/N	Phone	Email
County Public Health Officer							
County Fire Chief							
Municipal Fire Chief							
County Sheriff							
Chief of Police							
Additional Position (Optional)							
Additional Position (Optional)							

9. Authorized Agent contact information	Authorized Agent's Name	Title	Mailing Address	City	State	Zip	Phone	Email
	Laura Phillips	General Manager	10 Lombard St, Suite 410	San Francisco	CA	94111	(415) 705-8516	laura.phillips@sf.gov
	Teresa Serata	Director of Strategy and Compliance	10 Lombard St, Suite 410	San Francisco	CA	94111	(415) 705-8520	teresa.serata@sf.gov
	Mary Landers	Grants manager	10 Lombard St, Suite 410	San Francisco	CA	94111	(415) 705-8531	mary_landers@sf.gov
	Clement Ng	Grants manager	10 Lombard St, Suite 410	San Francisco	CA	94111	(415) 705-8523	clement.ng@sf.gov
	Neal Taniguchi	Chief Financial Officer	10 Lombard St, Suite 410	San Francisco	CA	94111	(415) 705-8507	neal.taniguchi@sf.gov

10. Statements of Certification

Statement of Certification-Approval Authority Body - IECCP

By signing below, I hereby certify I am the duly appointed Authorized Agent and have the authority to apply for the Interoperable Emergency Communications Grant Program, and the Operational Area's application represents the needs for the Interoperable Emergency Communications Grant Program.

Select Application Type: NSGP, TA, SA, UASI, OA -> **UASI**

Statement of Certification - City Authorized Agent - By signing below, I hereby certify I am the duly appointed Authorized Agent and have the authority to apply for this Grant Program and the UASI's application represents the needs for this Grant Program.

11. Authorized Agent Name/Signature/Date

Printed Name: **TERESA SERATA**

Signature: *Teresa Serata*

Date: **Monday, November 02, 2009**

CALIFORNIA EMERGENCY MANAGEMENT AGENCY
PROJECT DESCRIPTIONS

Alterations to this project may result in a need for application approval, review, or other regulatory process. Submittals may be asked to revise and/or re-submit an altered Financial Management Forms Workbook.

Bay Area UASI
075-95017
October 21, 2009

CFDA #: 97.001

Project	State Investment Justification Goals and Objectives	Project Description	Need	Project Milestone & Justifications
Project A	National Goals 1 and 2, Priority 1	Capitol Bay Interservice Communications Planning - Enhance and Improve Regional Planning and Coordination - Project will continue to enhance the governance structure, develop and update TICPs, implement strategic plans and assessments, provide coordination, interoperability and connectivity throughout the Capitol Bay region.	The Capitol Bay Planning Area (22 counties) is working collaboratively to create a framework and strategic plan to increase interoperability and coordination, and to ensure that all counties in the planning area have current TICPs. Once these plans have been created, training, exercise and equipment will be planned for and procured to implement strategic plans and assessments.	At the 6 month mark, this project will be 0% complete and \$ ___ funds will be expended. At the 12 month mark, this project will be 50% complete and \$277,801 funds will be expended. At the 18 month mark, this project will be 100% complete and \$555,602 funds will be expended.
Project B	National Goals 1 and 2, Priority 1	Interoperability and connectivity implementation - This project will seek to improve interoperability and connectivity in the Capitol Bay Planning Area through procurement of equipment that enhance connectivity, operability and interoperability.	Jurisdictions within the Capitol Bay Planning region lack the necessary equipment to connect with neighboring jurisdictions, or to achieve interoperability. This project would begin to achieve connectivity and at least partial interoperability within the participating counties.	At the 6 month mark, this project will be 0% complete and \$0 funds will be expended. At the 12 month mark, this project will be 25% complete and \$203,615 funds will be expended. At the 18 month mark, this project will be 100% complete and \$814,461 funds will be expended.
Project C	Investment Goal Objective			At the 6 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 12 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 18 month mark, this project will be ___% complete and \$ ___ funds will be expended.
Project D	Investment Goal Objective			At the 6 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 12 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 18 month mark, this project will be ___% complete and \$ ___ funds will be expended.
Project E	Investment Goal Objective			At the 6 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 12 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 18 month mark, this project will be ___% complete and \$ ___ funds will be expended.
Project F	Investment Goal Objective			At the 6 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 12 month mark, this project will be ___% complete and \$ ___ funds will be expended. At the 18 month mark, this project will be ___% complete and \$ ___ funds will be expended.

CALIFORNIA EMERGENCY MANAGEMENT AGENCY

PROJECT LEDGER

Alterations to this document may result in delayed application approval, modification, or reimbursement requests. Subgrantees may be asked to revise and/or re-submit any altered Financial Management Forms Workbook. **Worked! Decimal usage is not allowed. Attempts to use decimals will prompt error message.**

Bay Area UASI
075-95017

CFDA #: 97.001

LEDGER TYPE:	Initial Application
Today's Date:	Monday, November 02, 2009
Expenditure Period:	(Date) From: (Date) To:

Item Number	Project	Project Name	Funding Source	Discipline	Solution Area	Solution Area Sub-Category	Total Obligated	Amount Approved	Amount This Request	Match Amount	Total Approved	Remaining Balance	Percentage Complete
1	A	Capital Bay Interoperable Communications Project	IEC	PSC	Plan	Develop and	1,370,063	514,500	-	-	514,500	1,370,063	-
2	A	Capital Bay Interoperable Communications Project	IEC	PSC	M & A	All Other	41,102	41,102	-	-	41,102	41,102	100%
3	B	Interoperability and Connectivity Implementation	IEC	PSC	Equip	Interoperabi	814,461	-	-	-	-	814,461	-
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CALIFORNIA EMERGENCY MANAGEMENT AGENCY

AUTHORIZED AGENT

Alterations to this document may result in delay in application approval, modification, or reimbursement requests. Subgrantees may be asked to revise and/or re-submit any altered Financial Management Forms Workbook.

CFDA #: 97.001

Bay Area UASI
075-95017

Supporting Information for Reimbursement/Advance of State and Federal Funds

This request is for an/a: Initial Application

This claim is for costs incurred within the grant expenditure period from and does not cross fiscal years.

(Beginning Expenditure Period Date)

through

(Ending Expenditure Period Date)

Under Penalty of Perjury I certify that:

I am the duly authorized officer of the claimant herein. This claim is true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances. **Statement of Certification - Authorized Agent**

By signing below, I hereby certify that I am the duly appointed Authorized Agent and have the authority to apply for the Homeland Security, Transit Security, Non-Profit Security Grant Program, PROP 18, Urban Area Security Initiative, and the Operational Area's application represents the needs for the State Homeland Security Program.

Printed Name TERESA SERATA

Signature of Authorized Agent Teresa Serata

Date 11/2/09

Mail workbooks to:

California Emergency Management Agency
Homeland Security Grants Division
State Capitol
Sacramento, CA 95814

Appendix C
FY09 Grant Assurances
(All IECGP Applicants)

Name of Applicant: Laura Phillips, General Manager, Bay Area UASI

Address: 10 Lombard St., Suite 410

City: San Francisco State: California Zip Code: 94111

Telephone Number: (415) 705-8516 Fax Number: (415) 705-8513

E-Mail Address: laura.phillips@sfgov.org

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for federal assistance, and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the federal Department of Homeland Security and sub-granted through the State of California, California Emergency Management Agency (CALEMA).
2. Will assure that grant funds are only used for allowable, fair, and reasonable costs and is prohibited from transferring funds between programs (State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, and Metropolitan Medical Response System).
3. Will give the federal government, the General Accounting Office, the Comptroller General of the United States, the State of California, through any authorized representative, access to and the right to examine all paper or electronic records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or awarding agency directives.
4. Agrees that funds utilized to establish or enhance state and local fusion centers must support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines and achievement of a baseline level of capability as defined by the Fusion Capability Planning Tool.
5. Will provide progress reports and such other information as may be required by the awarding agency, including the Initial Strategy Implementation Plan (ISIP) within 45 (forty-five) days of the award, and update via a report in the Grant Reporting Tool (GRT) twice each year.
6. Will initiate and complete the work within the applicable time frame after receipt of approval from CALEMA.

7. Will comply with FEMA's codified regulation 44 Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the payment of interest earned on advances.
8. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.
9. Agrees that to the extent contractors or subcontractors are utilized, grantees and subgrantees shall use small, minority, women-owned, or disadvantaged business concerns and contractors or subcontractors to the extent practicable.
10. Will notify CALEMA of any developments that have a significant impact on award-supported activities, including changes to key program staff.
11. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
12. Understands and agrees Federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval from FEMA.
13. Will comply with all federal statutes relating to Civil Rights and Nondiscrimination. These include but are not limited to:
 - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin.
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of gender.
 - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps.
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age.
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse.
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - g. §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records.
 - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing.

- i. Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and
 - j. Title 44 CFR Parts 7, 16, and 19 relating to nondiscrimination.
 - k. The requirements on any other nondiscrimination statute(s) which may apply to the application.
 - l. Will, in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds or race, color, religion, national origin, gender, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.
 - m. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
 - n. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provision of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1.
14. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq. (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of federal participation in purchases. Will also comply with Title 44 Code of Federal Regulations, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and federally-assisted programs.
15. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 (ten thousand dollars) or more.
16. Will comply with all applicable Federal, State, and local environmental and historical preservation (EHP) requirements. Failure to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. Will comply with all conditions placed on any project as the result of the EHP review; any change to the scope of work of a project will require re-evaluation of compliance with these EHP requirements.
17. Agrees not to undertake any project having the potential to impact the EHP resources without the prior written approval of FEMA/CALEMA, including but not limited to communications towers, physical security enhancements, new construction and modifications to buildings that are 50 (fifty) years old or more. Any construction related activities initiated prior to full environmental and historic preservation (EHP) review will result in a non-compliance finding. If ground disturbing activities occur during the project implementation, the recipient must ensure

monitoring of the ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease activity in that area and notify CALEMA/FEMA and the appropriate State Historic Preservation Office.

18. Will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of this project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities, and will notify CALEMA and the Federal Grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
19. Will provide any information requested by FEMA/CALEMA to insure compliance with applicable laws including the following:
 - a. Institution of environmental quality control measures under the National Environmental Policy Act, National Historical Preservation Act, Archaeological and Historic reservation Act, Endangered Species Act, and Executive Orders on Floodplains (EO11988), Wetlands (11990) and Environmental Justice (12898) and Environmental Quality (EO11514).
 - b. Title 44 CFR Parts 9 and 10, referencing floodplain management and environmental considerations.
 - c. Notification of violating facilities pursuant to EO 11738.
 - d. Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.).
 - e. Conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.).
 - f. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523).
 - g. California Environmental Quality Act (CEQA). California Public Resources Code Sections 21080-21098. California Code of Regulations, Title 14, Chapter 3 Section 15000-15007.
 - h. Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 - i. Applicable provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
 - j. Will comply with all conditions placed on any project as the result of the EHP review; any change to the scope of work of a project will require re-evaluation of compliance with these EHP requirements.
 - k. Agrees not to undertake any project having the potential to impact the EHP resources without the prior written approval of FEMA/CALEMA, including but not limited to communications towers, physical security enhancements, new construction and modifications to buildings that are 50 (fifty) years old or more.

20. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
21. Agrees that all publications created or published with funding under this grant shall prominently contain the following statement: *"This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."* The recipient also agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: *"Purchased with funds provided by the U.S. Department of Homeland Security."*
22. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the submitted application for federal assistance and after the receipt of federal financial assistance, through the State of California, agree to the following:
 - a. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by the federal or state government.
 - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
 - c. Separately account for interest earned on grant funds, and will return all interest earned, in excess of \$100 per federal fiscal year.
23. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
24. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.
25. Will comply, if applicable, with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
26. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
27. Will comply with the minimum wage and maximum hour provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.
28. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Section 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction sub-agreements.
29. Agrees that:

- a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
 - b. If any other funds than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a Member of Congress in connection with the federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
 - c. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all sub recipients shall certify and disclose accordingly.
 - d. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
30. Agrees that equipment acquired or obtained with grant funds:
- a. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant, and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
 - b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.
31. Agrees that funds awarded under this grant will be used to supplement existing funds for program activities, and will not supplant (replace) non-federal funds.
32. Will comply with all applicable Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars A-21, A-87, A102, A-110, A-122, and A-133, E.O. 12372 and the current Administrative Requirements, Cost Principles, and Audit Requirements. Will also comply with Title 28, Code of Federal Regulations, Parts 66 and 70, that govern the application, acceptance and use of Federal funds for federally assisted projects.
33. Will comply with the provisions of 44 CFR including:
- a. Part 4, Intergovernmental review of FEMA programs and activities
 - b. Part 7, Nondiscrimination in federally assisted programs
 - c. Part 8, National security information
 - d. Part 9, Floodplain management

- e. Part 10, Environmental considerations
 - f. Part 13, Uniform administrative requirements for grants
 - g. Part 14, Administration of grants, audits of local governments
 - h. Part 16, Enforcement of nondiscrimination in FEMA programs
 - i. Part 17, Debarment and suspension
 - j. Part 18, New restrictions on lobbying
 - k. Part 25, Uniform relocation
 - l. All other parts of CFR 44
34. Will comply with Subtitle A, Title II of the Americans with Disabilities Act (ADA) 1990.
35. Agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
36. Will maintain procedures to minimize the time elapsing between the award of funds and the disbursement of funds.
37. Will comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide and the current US Department of Homeland Security (DHS) Financial Management Guide.
38. Agrees that all allocations and use of funds under this grant will be in accordance with the FY2009 Interoperable Emergency Communications Grant Program and Application Kit, and the California Supplement to the FY2009 Interoperable Emergency Communications Grant Program and Application Kit. All allocations and use of funds under this grant will be in accordance with the Allocations, and use of grant funding must support the goals and objectives included in the State and/or Urban Area Homeland Security Strategies as well as the investments identified in the Investment Justification submitted as part of the California FY2009 Interoperable Emergency Communications Grant Program application. Further, use of FY09 funds is limited to those investments included in the California FY09 Investment Justification submitted to DHS/FEMA and evaluated through the peer review process.
39. Acknowledges that FEMA reserves a royalty-free, non exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: a) the copyright in any work developed under an award or sub-award; and b) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support. The recipient agrees to consult with GPD regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
40. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."
41. As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 17, for prospective participants in primary covered transactions,
- a. The applicant certifies that it and its principals:
 - i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or

voluntarily excluded from covered transactions by any Federal department or agency.

- ii. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- b. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

42. Agrees to comply with the Drug-Free Workplace Act of 1988, and certifies that it will or will continue to provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- b. Establishing an on-going drug-free awareness program to inform employees about:
 - i. The dangers of drug abuse in the workplace.
 - ii. The grantee's policy of maintaining a drug-free workplace.
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

- e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Department of Justice, Office of Justice Programs,
ATTN: Control Desk,
633 Indiana Avenue, N.W.,
Washington, D.C. 20531.


Notice shall include the identification number(s) of each affected grant.

- f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted.
 - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
 - g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
43. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.
44. Understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: _____



for Printed Name of Authorized Agent: Laura Phillips

Title: General Manager

Date: _____

11/2/09



Gavin Newsom
Mayor

Department of Emergency Management
1011 Turk Street, San Francisco, CA 94102

Division of Emergency Communications
Phone: (415) 558-3800 Fax: (415) 558-3843

Division of Emergency Services
Phone: (415) 558-2700 Fax: (415) 503-2098



Vicki L. Hennessy
Executive Director

To: Angela Calvillo, Clerk of the Board of Supervisors
From: Vicki Hennessy *Vicki L. Hennessy*
Executive Director, Department of Emergency Management
Date: February 5, 2010
RE: Resolution to Accept and Expend FY 2009 Interoperable Emergency Communications Grant Program award

The Department of Emergency Management is pleased to present the following Grant Report in summary of the above-referenced item submitted by the Department of Emergency Management.

Legislation For Approval:

The proposed resolution seeks the Board of Supervisors' approval for the acceptance (retroactive) and expenditure of \$1,370,063 in funds from the Federal Department of Homeland Security (DHS) through the California Emergency Management Agency (CalEMA) to provide financial assistance to address systemic shortfalls in emergency communication systems and to improve local, tribal, regional, statewide, and national interoperable emergency communications, including communications in collective response to natural disasters, acts of terrorism, and other man-made disasters.

Departments:

Department of Emergency Management (DEM). Department will act as fiscal agent with expenditures by the City and County of San Francisco and its regional partners the Counties of Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Mateo, Santa Cruz, Santa Clara, Solano, and Sonoma (collectively, the Bay Region partners) and will work collaboratively with the County of Sacramento and its regional partners the Counties of Alpine, Amador, Calaveras, El Dorado, Placer, San Joaquin, Stanislaus, Tuolumne, and Yolo (collectively, the Capitol Region partners). Together both entities make up the Captitol-Bay Region.

Amount:

Grant allocation to the Capitol-Bay Region in the amount of \$1,370,063 to be allocated to the above jurisdictions by agreement

of the Urban Area Working Group (UAWG) which will act as the Bay Region executive steering committee.

Grant Period:

June 1, 2009 through February 28, 2011

Source of funds:

U.S. Department of Homeland Security (DHS), through the California Emergency Management Agency (CalEMA)

Indirect Costs:

The proposed resolution waives indirect costs, because the grant program does not allow the charging of indirect costs.

Description:

The proposed resolution authorizes the Department of Emergency Management to retroactively accept and expend \$1,370,063 in federal grant funding from the FY 2009 Interoperable Emergency Communications Grant Program (Award #2009-0015, OES #075-95017), issued by the U.S. Department of Homeland Security (DHS) through the California Emergency Management Agency (CalEMA) to address systemic shortfalls in emergency communication systems and to improve local, tribal, regional, statewide, and national interoperable emergency communications, including communications in collective response to natural disasters, acts of terrorism, and other man-made disasters.

Grant funds will be allocated to the following activities to accomplish the following tasks:

- (1) Planning: \$514,500 for Capitol/Bay Interoperable Communications Planning; Enhancing and Improving Regional Planning and Coordination; continued enhancement of the governance structure; development and update of TICPs; implementing strategic plans and assessments; provide coordination, interoperability and connectivity throughout the Capitol Bay region.
- (2) Equipment: \$814,461 for the procurement of equipment that enhances connectivity, operability and interoperability.
- (3) M & A: \$41,102 for management and administration expenses.

Budget:

The summary budget by activity for the subject grant is as follows:

Planning:	\$ 514,500
Equipment:	\$ 814,461
M & A:	\$ <u>41,102</u>
Total Budget:	\$1,370,063

Additional Comments:

- This grant was received by the City and County of San Francisco from the Department of Homeland Security and is a pass through from the California Emergency Management Agency for the Capitol-Bay Region. San Francisco will act as the fiscal agent for these funds.
- This will be the second year that San Francisco has acted in this capacity.
- There are no new positions funded in this grant.
- No grant funds have been encumbered or expended.

