

1 [Memorandum of Understanding Second Amendment - Urban Areas Security Initiative Grant
2 Funds]

3 **Resolution approving a Second Amendment to the Memorandum of Understanding**
4 **(“MOU”) between the City and County of San Francisco, the City of Oakland, the City of**
5 **San Jose, the County of Alameda, and the County of Santa Clara that establishes a**
6 **governance structure and procedures for application, allocation, and distribution of**
7 **federal Urban Areas Security Initiative grant funds to the Bay Area Urban Area, to**
8 **extend the term of the MOU to December 31, 2011, and authorizing the Executive**
9 **Director of the Department of Emergency Management to execute that Second**
10 **Amendment on behalf of the City and County of San Francisco.**

11
12 WHEREAS, The United States Department of Homeland Security (“DHS”) has a
13 Homeland Security Grant Program, which includes the Urban Areas Security Initiative
14 (“UASI”) Program. The UASI Program addresses the unique planning, equipment, training,
15 and exercise needs of high-threat, high-density urban areas, and assists those areas in
16 building an enhanced and sustainable capacity to prevent, protect against, respond to, and
17 recover from threats and acts of terrorism; and

18 WHEREAS, DHS requires each Urban Area receiving funds to establish an Urban Area
19 Working Group (“UAWG”) to act as an executive steering committee and provide overall
20 governance of the UASI Program across the regional area encompassed within the defined
21 Urban Area; and,

22 WHEREAS, For fiscal year 2006, the DHS consolidated the City and County of San
23 Francisco, the City of Oakland and the City of San Jose into a combined Tier I “Bay Area
24 Urban Area” for purposes of the UASI Program; and,

1 WHEREAS, For fiscal year 2006, the City and County of San Francisco, the City of
2 Oakland, the City of San Jose, Alameda County, and Santa Clara County (the “Parties”) jointly
3 committed to cooperate for the purposes of applying for, allocating, and distributing the fiscal
4 year 2006 UASI Program grant funds, and accordingly entered into a Memorandum of
5 Understanding dated July 1, 2006 (“2006 MOU”), setting forth their agreements regarding the
6 governance structures, responsibilities, and financial agreements to use in applying for,
7 allocating, and distributing UASI grant funds to the Bay Area Urban Area; and,

8 WHEREAS, DHS approved the structure created in the 2006 MOU as the UAWG for
9 the Bay Area Urban Area; and,

10 WHEREAS, The 2006 MOU established procedures for allocating UASI funds, and
11 designated the City and County of San Francisco as the primary grantee and fiscal agent for
12 UASI funds for the Bay Area Urban Area; and,

13 WHEREAS, The Board of Supervisors approved the 2006 MOU in Resolution No. 718-
14 06, File No. 061583; and,

15 WHEREAS, The Parties negotiated and the Board of Supervisors approved an updated
16 Memorandum of Understanding dated July 1, 2007 (“2007 MOU”) applicable to fiscal year
17 2007 and future years in Resolution No. 638-07, File No. 071451; and,

18 WHEREAS, The 2007 MOU expired on December 31, 2010. The Parties and other
19 governmental entities within the Bay Area Urban Area are negotiating a successor
20 Memorandum of Understanding, which is not yet complete; and,

21 WHEREAS, the Board of Supervisors approved a First Amendment to the 2007 MOU
22 providing a six-month extension of the 2007 MOU through June 30, 2011 in Resolution No.
23 111-11, File No. 110078; and

24 WHEREAS, The Parties require an additional six-month extension of the term of the
25 2007 MOU, to continue the terms of that agreement until a successor MOU is in place; and,

1 WHEREAS, A copy of the Second Amendment to the 2007 MOU, which extends the
2 term of that MOU through December 31, 2011, is on file with the Clerk of the Board of
3 Supervisors in File No. 110603, which is hereby declared to be a part of this Resolution as if
4 set forth fully herein; now, therefore, be it

5 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
6 hereby approves the Second Amendment to the 2007 MOU between the City and County of
7 San Francisco, the City of Oakland, the City of San Jose, Alameda County, and Santa Clara
8 County; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
10 Francisco authorizes the Executive Director of the Department of Emergency Management, or
11 the Director's designee, to execute the Second Amendment to the 2007 MOU for and on
12 behalf of the City and County of San Francisco.

13
14
15
16
17
18
19
20
21
22
23
24
25