

File No. 200032

Committee Item No. 9

Board Item No. \_\_\_\_\_

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date February 24, 2020

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER (Use back side if additional space is needed)

- Police Commission Resolution
- \_\_\_\_\_
- \_\_\_\_\_
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Completed by: Linda Wong

Date February 21, 2020

Completed by: Linda Wong

Date \_\_\_\_\_

1 [Accept and Expend Grant - Retroactive - Department of Homeland Security Federal  
2 Emergency Management Agency - Port Security Grant Program - \$298,414]

3 **Resolution retroactively authorizing the Police Department to accept and expend a**  
4 **grant in the amount of \$298,414 from the Department of Homeland Security Federal**  
5 **Emergency Management Agency to purchase an underwater remote operated vehicle,**  
6 **for the period of September 1, 2019, through August 31, 2022, and waiving indirect**  
7 **costs.**

8  
9 WHEREAS, The Federal Emergency Management Agency (FEMA), under the U.S.  
10 Department of Homeland Security (DHS), appropriates annual funding for the Port Security  
11 Grant Program (PSGP); and

12 WHEREAS, The purpose of the Port Security Grant Program (PSGP) is to promote  
13 sustainable, risk-based efforts to protect critical port infrastructure from terrorism; and

14 WHEREAS, The Police Department (SFPD) applied for PSGP funding and was  
15 awarded \$298,414 from the FY2019 PSGP appropriation to purchase an underwater remote  
16 operated vehicle (ROV); and

17 WHEREAS, The award period is September 1, 2019, through August 31, 2022; and

18 WHEREAS, The grant does not include any provision for indirect costs; and

19 WHEREAS, This grant does not create any new positions, and will not require an  
20 amendment to the Annual Salary Ordinance; and

21 WHEREAS, This grant requires the City to provide matching funds worth 25% of the  
22 total project budget, or \$99,471; and

23 WHEREAS, SFPD will provide matching funds worth 25% of the total project budget, or  
24 \$99,471; now, therefore, be it  
25

1           RESOLVED, That the Police Department (SFPD) is authorized to accept and expend a  
2 grant from the Department of Homeland Security Federal Emergency Management Agency  
3 (DHS/FEMA) in the amount of \$298,414; and, be it

4           FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of  
5 indirect costs in the grant budget; and, be it

6           FURTHER RESOLVED, That the Chief of Police, or his designee, is authorized to  
7 enter into the agreement on behalf of the City and County of San Francisco.

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Recommended:

William Scott

Department Head

Approved: [Signature]  
for Mayor

Approved: [Signature]  
for Controller

File Number: 200032  
(Provided by Clerk of Board of Supervisors)

**Grant Resolution Information Form**  
(Effective July 2011)

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

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

1. Grant Title: **FEMA Port Security Grant Program – FY 2019 Funds**
2. Department: **San Francisco Police Department**
3. Contact Person: **Patrick Leung / Katherine Chiu** Telephone: **415-837-7211**
4. Grant Approval Status (check one):  
 Approved by funding agency                       Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$298,414**
6. a. Matching Funds Required: **\$99,471**  
b. Source(s) of matching funds (if applicable):
7. a. Grant Source Agency **Federal Emergency Management Agency (FEMA)**  
b. Grant Pass-Through Agency (if applicable):
8. Proposed Grant Project Summary: **Funds will be used to purchase an underwater remote operated vehicle (ROV).**
9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
Start-Date: **09/01/2019**                      End-Date: **08/31/2022**
10. a. Amount budgeted for contractual services: **\$0**  
b. Will contractual services be put out to bid?  
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements?  
d. Is this likely to be a one-time or ongoing request for contracting out? **One-time request**
11. a. Does the budget include indirect costs?  
 Yes                       No  
b. 1. If yes, how much? \$  
b. 2. How was the amount calculated?  
c. 1. If no, why are indirect costs not included?  
 Not allowed by granting agency                       To maximize use of grant funds on direct services  
 Other (please explain):  
c. 2. If no indirect costs are included, what would have been the indirect costs? **\$0**
12. Any other significant grant requirements or comments: **No.**

**\*\*Disability Access Checklist\*\*\*(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

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

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

14. The Departmental ADA Coordinator 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 disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

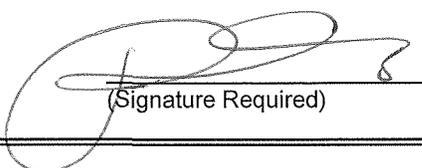
Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Penny Si  
(Name)

Departmental ADA Coordinator  
(Title)

Date Reviewed: \_\_\_\_\_

  
(Signature Required)

Department Head or Designee Approval of Grant Information Form:

William Scott  
(Name)

Chief of Police  
(Title)

Date Reviewed: 11/17/19

  
(Signature Required)

U.S. Department of Homeland Security  
Washington, D.C. 20472



William Scott  
City & County of San Francisco  
1245 3rd Street  
San Francisco, CA 94158 - 2134

Re: Grant No.EMW-2019-PU-00569

Dear William Scott:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2019 Port Security Grant Program has been approved in the amount of \$298,414.00. As a condition of this award, you are required to contribute a cost match in the amount of \$99,471.00 of non-Federal funds, or 25 percent of the total approved project costs of \$397,885.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2019 Port Security Grant Program Notice of Funding Opportunity.
- FEMA Preparedness Grants Manual

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please log in to the ND Grants system at <https://portal.fema.gov>.

Step 2: After logging in, you will see the Home page with a Pending Tasks menu. Click on the Pending Tasks menu, select the Application sub-menu, and then click the link for "Award Offer Review" tasks. This link will navigate you to Award Packages that are pending review.

Step 3: Click the Review Award Package icon (wrench) to review the Award Package and accept or decline the award. Please save or print the Award Package for your records.

System for Award Management (SAM): Grant recipients are to keep all of their information up to date in SAM, in particular, your organization's name, address, DUNS number, EIN and banking information. Please ensure that the DUNS number used in SAM is the same one used to apply for all FEMA awards. Future payments will be contingent on the information provided in the SAM; therefore, it is imperative that the information is correct. The System for Award Management is located at <http://www.sam.gov>.

If you have any questions or have updated your information in SAM, please let your Grants Management Specialist (GMS) know as soon as possible. This will help us to make the necessary updates and avoid any interruptions in the payment process.

A handwritten signature in black ink, appearing to read "Bridget Bean". The signature is fluid and cursive, with a long horizontal stroke at the end.

BRIDGET ELLEN BEAN GPD Assistant Administrator



U.S. Department of Homeland Security  
Washington, D.C. 20472

**AGREEMENT ARTICLES**  
**Port Security Grant Program**

**GRANTEE:** City & County of San Francisco  
**PROGRAM:** Port Security Grant Program  
**AGREEMENT NUMBER:** EMW-2019-PU-00569-S01

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#### **Article I - Summary Description of Project**

The terms of the recipient's approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA of the award's budget.

Project 1: Underwater ROV is fully funded for \$298,414.

#### **Article II - DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

#### **Article III - Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

#### **Article IV - Activities Conducted Abroad**

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

#### **Article V - Age Discrimination Act of 1975**

Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

#### **Article VI - Americans with Disabilities Act of 1990**

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

#### **Article VII - Best Practices for Collection and Use of Personally Identifiable Information (PII)**

Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

#### **Article VIII - Civil Rights Act of 1964 - Title VI**

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (codified as amended at 42 U.S.C. section 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

#### **Article IX - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 *et seq.*), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units- i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)- be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

#### **Article X - Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

#### **Article XI - Debarment and Suspension**

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

#### **Article XII - Drug-Free Workplace Regulations**

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the *Drug-Free Workplace Act of 1988* (41 U.S.C. sections 8101-8106).

#### **Article XIII - Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

#### **Article XIV - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX**

Recipients must comply with the requirements of Title IX of the *Education Amendments of 1972*, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

#### **Article XV - Energy Policy and Conservation Act**

Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

#### **Article XVI - False Claims Act and Program Fraud Civil Remedies**

Recipients must comply with the requirements of the *False Claims Act*, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

#### **Article XVII - Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

#### **Article XVIII - Federal Leadership on Reducing Text Messaging while Driving**

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

#### **Article XIX - Fly America Act of 1974**

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974*, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

#### **Article XX - Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. section 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, codified as amended at 15 U.S.C. section 2225.

#### **Article XXI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Recipients must comply with the *Title VI of the Civil Rights Act of 1964* (42 U.S.C. section 2000d *et seq.*) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable

steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

#### **Article XXII - Lobbying Prohibitions**

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt 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 any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

#### **Article XXIII - National Environmental Policy Act**

Recipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

#### **Article XXIV - Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

#### **Article XXV - Non-Supplanting Requirement**

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

#### **Article XXVI - Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

#### **Article XXVII - Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, 35 U.S.C. section 200 *et seq.* Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

#### **Article XXVIII - Procurement of Recovered Materials**

States, political subdivisions of states, and their contractors must comply with Section 6002 of the *Solid Waste Disposal Act*, Pub. L. No. 89-272 (1965) (codified as amended by the *Resource Conservation and Recovery Act*, 42 U.S.C. section 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

#### **Article XXIX - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in

the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

#### **Article XXX - Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

#### **Article XXXI - Reporting Subawards and Executive Compensation**

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

#### **Article XXXII - SAFECOM**

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

#### **Article XXXIII - Terrorist Financing**

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

#### **Article XXXIV - Trafficking Victims Protection Act of 2000**

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000* (TVPA), codified as amended at 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15, the full text of which is incorporated here by reference.

#### **Article XXXV - Universal Identifier and System for Award Management**

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

#### **Article XXXVI - USA Patriot Act of 2001**

Recipients must comply with requirements of Section 817 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001* (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

#### **Article XXXVII - Use of DHS Seal, Logo and Flags**

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

#### **Article XXXVIII - Whistleblower Protection Act**

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

#### **Article XXXIX - Environmental Planning and Historic Preservation**

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of

federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's EHP screening form and instructions, go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

#### **Article XL - Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov) if you have any questions.

#### **Article XLI - Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

#### **Article XLII - Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

#### **Article XLIII - Assurances, Administrative Requirements, Cost Principles, Representation and Certifications**

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

#### **Article XLIV - Environmental Planning and Historic Preservation (EHP) Compliance Hold**

This award includes work, such as ground disturbance, that triggers an Environmental Planning and Historic Preservation (EHP) compliance review. A programmatic hold is placed on Project #1 of \$298,414 is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down PSGP funds in support of Project 1: Underwater ROV for \$298,414, with a limited exception for any approved costs associated with the preparation, conduct, and completion of required environmental planning and historic preservation (EHP) reviews, as discussed in FEMA Information Bulletin No. 404.

To release this hold, the recipient is required to obtain the required DHS/FEMA EHP compliance approval for this project pursuant to the FY 2019 PSGP Notice of Funding Opportunity and Preparedness Grants Manual. Failure to comply with this condition may jeopardize your ability to access and expend federal funds for the investments/projects listed above. Please contact your DHS/FEMA GPD Headquarters Program Analyst to receive specific guidance regarding EHP compliance.

**BUDGET COST CATEGORIES**

Personnel	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$397,885.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Indirect Charges	\$0.00
Other	\$0.00

**Obligating Document for Award/Amendment**

1a. AGREEMENT NO. EMW-2019-PU-00569-S01	2. AMENDMENT NO. ***	3. RECIPIENT NO. V00120485	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX04631N2019T
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6. RECIPIENT NAME AND ADDRESS City & County of San Francisco 1245 3rd Street San Francisco, CA, 94158 - 2134	7. ISSUING FEMA OFFICE AND ADDRESS FEMA-GPD 400 C Street, SW, 3rd floor Washington, DC 20472-3645 POC: 866-927-5646	8. PAYMENT OFFICE AND ADDRESS FEMA Finance Center 430 Market Street Winchester, VA 22603
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9. NAME OF RECIPIENT PROJECT OFFICER Patrick Leung	PHONE NO. 4158377213	10. NAME OF FEMA PROJECT COORDINATOR Central Scheduling and Information Desk Phone: 800-368-6498 Email: Askcsid@dhs.gov
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11. EFFECTIVE DATE OF THIS ACTION 09/01/2019	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD <b>From:</b> 09/01/2019 <b>To:</b> 08/31/2022 <b>Budget Period</b> 09/01/2019 08/31/2022
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1 5. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Port Security Grant Program	97.056	2019-FA-GC01-P410- -4101-D	\$0.00	\$298,414.00	\$298,414.00	See Totals
			<b>\$0.00</b>	<b>\$298,414.00</b>	<b>\$298,414.00</b>	<b>\$99,471.00</b>

b. To describe changes other than funding data or financial changes, attach schedule and check here.  
N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Port Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)  
Patrick Leung,

DATE  
Thu Oct 10 20:48:35 GMT  
2019

18. FEMA SIGNATORY OFFICIAL (Name and Title)



DATE  
Fri Sep 06 17:27:43 GMT  
2019

SHENAUZ SUBRINA WONG , Assistance Officer

## FY 2019 PSGP Budget Detail Worksheet

### A. Equipment.

**Budget Narrative:** The San Francisco Police Department (SFPD), will purchase the following (or similar):

VideoRay Defender class ROV (remote operated vehicle), with Nortek DVL1000, ROV GPS navigation package, Blueview M900-2250-130 dual freq. sonar package, ruggedized laptop with Blueview software and Pelican case package, full 360 degree head rotation with 5 interchangeable jaws, 400M of tether and 100M of performance tether with case and 3 days initial training by manufacture, Defender Module Spares Kit and Comprehensive Sustainment Support Program for 1 year.

Equipment will be stored and deployed from the SFPD Marine Unit Headquarters. Included training will be conducted on the equipment in the Area of Operational Responsibility, located in San Francisco Port waters.

AEL: 03OE-07-UMVS

AEL: 03OE-07-UPGD

Item	Computation	Cost
VideoRay MSS Defender base ROV system, with Nortek DVL1000, ROV GPS navigation package, Blueview M900-2250-130 dual freq. sonar package, ruggedized laptop with Blueview software and Pelican case package, full 360 degree head rotation with 5 interchangeable jaws, 400M of tether and 100M of performance tether with case and three days initial training by manufacturer.	Package price	\$263,677
Defender Module Spares Kit	Kit price	\$79,750
Comprehensive Sustainment Support Program for 1 year (not taxed)	Annual contract price	\$24,456
Shipping and Handling		\$812
Tax (8.5%)		\$29,191
<b>Total Equipment</b>		<b>\$397,886</b>

## Budget Summary

Budget Category	Federal Amount	Non-Federal Amount
A. Personnel		
B. Fringe Benefits		
C. Travel		
D. Equipment	\$298,414	\$99,472
E. Supplies		
F. Consultants/Contracts		
G. Other		
H. Indirect Costs		

Total Requested Federal Amount	Total Non-Federal Amount
\$298,414	\$99,472
Combined Total Project Costs	
\$397,886	



# The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

December 12, 2019

Honorable Board of Supervisors  
City Hall, Room 244  
#1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Honorable Supervisors:

At the meeting of the Police Commission on Wednesday, December 11, 2019, the following resolution was adopted:

**RESOLUTION NO. 19-78**

**APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO RETROACTIVELY ACCEPT AND EXPEND A GRANT IN THE AMOUNT OF \$298,414 FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT (DHS/FEMA) TO PURCHASE AN UNDERWATER REMOTE OPERATED VEHICLE (ROV)**

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to recommend that the Board of Supervisors adopt a resolution authorizing the Chief of Police to retroactively accept and expend a grant in the amount of \$298,414 from the Department of Homeland Security Federal Emergency Management (DHS/FEMA) to purchase an underwater Remote Operated Vehicle (ROV).

AYES: Commissioners Taylor, DeJesus, Mazzuco, Elias, Hamasaki, Brookter  
ABSENT: Commissioner Hirsch

Very truly yours,

Sergeant Stacy Youngblood  
Secretary  
THE POLICE COMMISSION

1211/rct

cc: Grants Unit

ROBERT HIRSCH  
President

DAMALI TAYLOR  
Vice President

PETRA DeJESUS  
Commissioner

THOMAS MAZZUCCO  
Commissioner

JOHN HAMASAKI  
Commissioner

CINDY ELIAS  
Commissioner

DION-JAY BROOKTER  
Commissioner

Sergeant Stacy Youngblood  
Secretary

# FY 2019 Port Security Grant Program

## Fact Sheet

1. Grant Title: **FY 2019 Port Security Grant Program**
2. Grantor: **Federal Emergency Management Agency**
3. Department: **San Francisco Police Department**
4. Federal Award: **\$298,414**  
Match Funds: **\$99,471** (min match = 25%; 25% of \$397,885 = \$99,471)  
Total Award: **\$397,885**
5. Start-Date: **09/01/2019** End-Date: **08/31/2022**
6. Proposed Grant Project Summary:

**We are requesting the approval of the Board of Supervisors for the Accept and Expend Resolution of our 2019 Port Security Grant Program award from the Federal Emergency Management Agency.**

**Funds will be used to purchase the following (or similar):**

**VideoRay Defender class ROV (remote operated vehicle), with Nortek DVL1000, ROV GPS navigation package, Blueview M900-2250-130 dual freq. sonar package, ruggedized laptop with Blueview software and Pelican case package, full 360 degree head rotation with 5 interchangeable jaws, 400M of tether and 100M of performance tether with case and 3 days initial training by manufacture, Defender Module Spares Kit and Comprehensive Sustainment Support Program for 1 year.**

**This equipment will give us the ability to search for and mitigate underwater threats; conduct security sweeps of the piers, sea wall system, and moored vessels; recover evidence safely and quickly without having to deploy human divers; and provide post incident underwater surveillance of infrastructure. This maritime security increases the economic vitality of the port, and the stability and resiliency of the port facilities, which are all part of the Port of San Francisco's 2016-2021 Strategic Plan.**

**There are currently no other similarly capable ROVs in the San Francisco Regional Bay Area. There are three (3) other smaller ROV systems in the region, none of which can operate in the swift bay currents due to their thruster size and lack of navigation systems. The ability to deploy a more powerful ROV is critical to San Francisco, and provides critical coverage as a regional asset that can easily be transported to any waters of our partners agencies.**

**Equipment will be stored and deployed from the SFPD Marine Unit Headquarters. Included training will be conducted on the equipment in the Area of Operational Responsibility, located in San Francisco Port waters.**



**LONDON N. BREED**  
MAYOR

CITY AND COUNTY OF SAN FRANCISCO  
**POLICE DEPARTMENT**  
HEADQUARTERS  
1245 3<sup>RD</sup> Street  
San Francisco, California 94158



**WILLIAM SCOTT**  
CHIEF OF POLICE

**TO: Angela Calvillo, Clerk of the Board of Supervisors**  
**FROM: San Francisco Police Department**  
**DATE: November 1, 2019**  
**SUBJECT: Accept and Expend Resolution for Subject Grant**  
**GRANT TITLE: Port Security Grant Program – FY 2019 Funds**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2020 JAN -7 PM 2:05  
AK

Attached please find the original\* and 1 copy of each of the following:

- Proposed grant resolution; original\* signed by Department, Mayor, Controller
- Grant information form, including disability checklist
- Grant budget
- Grant application \*
- Grant award letter from funding agency
- Ethics Form 126 (if applicable)
- Contracts, Leases/Agreements (if applicable)
- Other (Explain): **FY 2019 Port Security Grant Program Fact Sheet**

\* Department of Homeland Security grant applications contain sensitive security information (SSI) that funder prohibits being shared publicly.

**Special Timeline Requirements:**

**Departmental representative to receive a copy of the adopted resolution:**

Name: **Patrick Leung / Katherine Chiu** Phone: **415-837-7211**

Interoffice Mail Address: **SFPD Fiscal, 1245 3<sup>rd</sup> Street, 6<sup>th</sup> Floor**

Certified copy required Yes  No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2020 JAN 7 PM 2:05

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Stefani

Subject:

Accept and Expend Grant - FY 2019 Department of Homeland Security Federal Emergency Management Agency (DHS/FEMA) Port Security Grant Program (PSGP) - \$298,414

The text is listed:

Resolution authorizing the San Francisco Police Department (SFPD) to accept and expend a grant in the amount of \$298,414 from the Department of Homeland Security Federal Emergency Management Agency (DHS/FEMA) to purchase an underwater remote operated vehicle (ROV)

Signature of Sponsoring Supervisor:

For Clerk's Use Only