

1 [Memorandum of Understanding - Urban Areas Security Initiative]

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3 **Resolution retroactively approving a Memorandum of Understanding (MOU) with the**
4 **Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin,**
5 **Monterey, San Mateo, Santa Clara, and Sonoma that provides governance structures**
6 **and procedures for application, allocation and distribution of federal Urban Areas**
7 **Security Initiative (UASI) grant funds to the Bay Area Urban Area, as well as for other**
8 **Federal grant funds to the Bay Area Urban Area as permitted under the MOU; and**
9 **continues San Francisco as the primary grantee and fiscal agent for UASI grant funds**
10 **to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area**
11 **Urban Area as permitted under the MOU for the period of December 1, 2017, through**
12 **November 30, 2021.**

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14 WHEREAS, The United States Department of Homeland Security ("DHS") has a
15 Homeland Security Grant Program, which includes the Urban Areas Security Initiative
16 ("UASI") Program, and

17 WHEREAS, The UASI Program addresses the unique planning, equipment, training,
18 and exercise needs of high-threat, high-density "Urban Areas" and assists those areas in
19 building an enhanced and sustainable capacity to prevent, protect against, respond to, and
20 recover from threats and acts of terrorism; and

21 WHEREAS, DHS requires each Urban Area receiving grant funds to establish an
22 Urban Area Working Group ("UAWG") to act as an executive steering committee and provide
23 overall governance of the UASI Program across the regional area encompassed within the
24 defined Urban Area; and

1 WHEREAS, For fiscal year 2006, the DHS consolidated the separate San Francisco,
2 Oakland, and San Jose Urban Areas into a combined "Bay Area Urban Area" for the purposes
3 of the UASI Program; and

4 WHEREAS, For fiscal year 2006, the City and County of San Francisco, the Cities of
5 Oakland and San Jose, and the Counties of Alameda and Santa Clara, as the core cities
6 and counties of the Bay Area Urban Area, entered into a Memorandum of Understanding
7 dated July 1, 2006 ("2006 MOU") setting forth their agreements regarding the objectives,
8 governance structures, responsibilities, and financial agreements to use in applying for,
9 allocating, and distributing UASI grant funds to the Bay Area Urban Area, and establishing
10 the Bay Area UASI Approval Authority ("Approval Authority") as the body with oversight
11 over the UASI Program for the Bay Area Urban Area; and

12 WHEREAS, DHS approved the governance structure created in the 2006 MOU as
13 the UAWG for the Bay Area Urban Area; and

14 WHEREAS, The 2006 MOU designated the City and County of San Francisco as the
15 primary grantee and fiscal agent for UASI funds to the Bay Area Urban Area; and

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

18 WHEREAS, The parties to the 2006 MOU negotiated a successor Memorandum of
19 Understanding dated July 1, 2007 ("2007 MOU"), which generally continued the structures
20 and procedures of the 2006 MOU, and which the Board of Supervisors approved in
21 Resolution No. 638-07, File No. 071451; and

22 WHEREAS, The parties to the 2007 MOU agreed to a successor Memorandum of
23 Understanding dated December 1, 2011 ("2011 MOU"), which added the counties of Contra
24 Costa, Marin, Monterey, San Mateo, and Sonoma, which the Board of Supervisors
25 approved in Resolution No. 478-11, File No. 111053; and

1 WHEREAS, The parties to the 2011 MOU agreed to a successor Memorandum of
2 Understanding dated December 1, 2013 ("2013 MOU"), which generally continued the
3 structures and procedures of the 2011 MOU, and which the Board of Supervisors approved
4 in Resolution No. 346-13, File No. 130865; and

5 WHEREAS, The term of the 2013 MOU is due to expire on December 1, 2017; and

6 WHEREAS, Prior to the expiration of that term, the parties to the 2013 MOU agreed
7 to a successor Memorandum of Understanding dated December 1, 2017 ("2017 MOU"),
8 which generally continues the structures and procedures of the 2013 MOU; and

9 WHEREAS, The Approval Authority approved the 2017 MOU at its August 10, 2017
10 meeting; and

11 WHEREAS, A copy of the 2017 MOU is on file with the Clerk of the Board of
12 Supervisors in File No. 171158, which is hereby declared to be a part of this resolution as if
13 set forth fully herein; and

14 WHEREAS, The City and County of San Francisco has participated in federal
15 homeland security grant programs since their inception, and deems participation in those
16 programs as vital to the continued security and well-being of its citizens; and

17 WHEREAS, The City and County of San Francisco does not condone training that
18 promotes militarized policing or stereotypes pertaining to race or religion in counter-terrorist
19 programs, and

20 WHEREAS, As a Party to the 2017 MOU, the City and County of San Francisco can
21 continue its partnership with other cities and counties in the Bay Area to build an enhanced
22 and sustainable local and regional capacity to prevent, protect against, respond to, and
23 recover from threats and acts of terrorism; now, therefore, be it
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25

1 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
2 hereby retroactively authorizes the City and County of San Francisco to enter into the 2017
3 MOU; and, be it

4 FURTHER RESOLVED, That the Executive Director of the Department of
5 Emergency Management is authorized to furnish whatever additional information or
6 assurances that the United States Department of Homeland Security or the California
7 Office of Emergency Services may request in connection with the Homeland Security or
8 UASI grant programs, and to execute, deliver and perform, in the name of the City and
9 County of San Francisco, any additional applications, contracts, agreements, amendments,
10 and payment requests necessary to carry out the City's obligations under the 2017 MOU,
11 subject to the budgetary and fiscal provisions of the Charter; and, be it

12 FURTHER RESOLVED, That within thirty (30) days of the MOU being fully executed by
13 all parties, the Executive Director of the Department of Emergency Management shall provide
14 the final MOU to the Clerk of the Board for inclusion into the official file.

RECOMMENDED:

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Edwin Lee
Mayor

Ben Rosenfield
Controller

Anne Kronenberg
Executive Director,
Department of Emergency Management