

1 [Memorandum of Understanding - Regional Agreement - Federal Homeland Security Grant
2 Funds]

3 **Resolution approving a Memorandum of Understanding (MOU) with the Cities of**
4 **Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey,**
5 **San Mateo, Santa Clara, and Sonoma that: 1) provides governance structures and**
6 **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 **2) continues San Francisco as the primary grantee and fiscal agent for UASI grant**
10 **funds to the Bay Area Urban Area, as well as for other federal grant funds to the Bay**
11 **Area Urban Area as permitted under the MOU.**

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

19 WHEREAS, DHS requires each Urban Area receiving grant funds to establish an
20 Urban Area Working Group ("UAWG") to act as an executive steering committee and provide
21 overall governance of the UASI Program across the regional area encompassed within the
22 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 Tier I "Bay Area Urban Area" for
3 purposes 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 Region Approval Authority ("Approval Authority") as the body with
11 oversight 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 No.
17 718-06, 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 original term of the 2007 MOU ended on December 31, 2010. Prior
23 to the expiration of that term, the parties to the 2007 MOU, along with other jurisdictions
24 within the Bay Area Urban Area, began negotiations on a successor Memorandum of
25 Understanding; and

1 WHEREAS, The Board of Supervisors approved amendments to extend the term of
2 the 2007 MOU in Resolution No. 111-11, File No. 10078 and Resolution No. 239-11, File
3 No. 110603, to permit sufficient time for negotiations on the successor Memorandum of
4 Understanding; and,

5 WHEREAS, The City and County of San Francisco has agreed to a successor
6 Memorandum of Understanding dated December 1, 2011 (“2011 MOU”) with the Cities of
7 Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San
8 Mateo, Santa Clara and Sonoma (collectively with San Francisco, the “Parties”); and,

9 WHEREAS, The 2011 MOU affirms established procedures for application for,
10 allocation and distribution of UASI grant funds to the Bay Area Urban Area, continues San
11 Francisco as the primary grantee and fiscal agent for those grant funds, and reconstitutes
12 the Approval Authority as an eleven voting-member regional body, with San Francisco
13 having two seats (as a combined City and County), each of the remaining Parties having
14 one seat, and the California Emergency Management Agency having an advisory seat on
15 the body; and,

16 WHEREAS, The 2007 MOU and the 2011 MOU both provide that the Approval
17 Authority may decide by a 2/3 vote to apply the agreements, structures, processes and
18 mechanisms specified those MOUs in applying for, allocating and distributing other types of
19 federal grant funding to the Bay Area Urban Area, and the Approval Authority voted
20 previously to apply those MOU procedures to the federal Regional Catastrophic
21 Preparedness Grant Program (“RCPGP”) and the Interoperable Emergency
22 Communications Grant Program (“IECGP”); and,

23 WHEREAS, The term of the 2011 MOU is December 1, 2011 through December 1,
24 2013; and,

1 WHEREAS, The Approval Authority approved the 2011 MOU at its August 18, 2011
2 meeting; and,

3 WHEREAS, a copy of the 2011 MOU is on file with the Clerk of the Board of
4 Supervisors in File No. 111053, which is hereby declared to be a part of this resolution as if
5 set forth fully herein; and,

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

9 WHEREAS, As a Party to the 2011 MOU, the City and County of San Francisco can
10 continue its partnership with other cities and counties in the Bay Area to build an enhanced
11 and sustainable local and regional capacity to prevent, protect against, respond to, and
12 recover from threats and acts of terrorism; now, therefore, be it

13 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
14 hereby authorizes the City and County of San Francisco to enter into the 2011 MOU.