	File	No	091376
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Committee	Item No.	8_
Board Item	No	19

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee I	BUDGET AND FINANCE	Date	12/2/09
	pervisors Meeting	Date	12/8/09
Cmte Boa	rd		
	Motion Resolution Ordinance Legislative Digest Budget Analyst Report Legislative Analyst Report Introduction Form (for hearings Department/Agency Cover Lette MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Award Letter Application Public Correspondence		rt
OTHER	(Use back side if additional spa	ce is needed)	
Completed be Completed be	* ·	Date Date	11/25/09 12/3/09

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

[Accept and Expend FY 09 Regional Catastrophic Preparedness Grant Program and Amend Annual Salary Ordinance, FY 2009-20101

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the RCPGP Bay Area Site and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a Regional Catastrophic Preparedness Grant Program (RCPGP) grant in the amount of \$4,822,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide \$167,188 in matching funds; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of two (2) grant-funded positions (.50 FTE total) in Class 5291 Planner III in the Department of Emergency Management.

Note:

Additions are single-underline italics Times New Roman; deletions are strikethrough italics Times New Roman. Board amendment additions are double underlined. Board amendment deletions are strikethrough normal.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

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(a) Regional Catastrophic Preparedness Grant Program (RCPGP). The United States Department of Homeland Security (DHS) has several Homeland Security Grant Programs, including the RCPGP. The RCPGP is a component of a coordinated federal effort to enhance emergency planning and strengthen the Nation's overall level of preparedness. It is designed to support Tier I and designated Tier II Urban Areas Security Initiative (UASI) Urban Areas (designated by DHS) as they address all threats and hazards in collaboration with federal, state, and local partners. DHS distributes RCPGP grant funds to recipient jurisdictions in

Supervisor Elsbernd BOARD OF SUPERVISORS

California through the California Emergency Management Agency (CalEMA), which administers the RCPGP within the State.

- (b) Bay Area Site. The Bay Area UASI Urban Area is comprised of the City and County of San Francisco, the Cities of Oakland and San Jose, and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma. For purposes of the RCPGP, the Bay Area UASI Urban Area jurisdictions, together with the Counties of Monterey and San Benito, collectively comprise the "Bay Area Site."
- (c) Methodology for allocating funds; San Francisco as primary grantee and fiscal agent. A Memorandum of Understanding (MOU) entered between the City and County of San Francisco, the Cities of Oakland and San Jose, and the Counties of Alameda and Santa Clara, established the UASI Approval Authority as the regional body responsible for decisions related to application, allocation and distribution of UASI grant funds. Under that MOU, San Francisco serves as the primary grantee and fiscal agent for the UASI Approval Authority, and receives and distributes UASI grant funds for the Bay Area UASI Urban Area, per decisions of the Approval Authority. Based on action by the Approval Authority, that UASI governance structure was extended to the RCPGP. Therefore, San Francisco also serves as the primary grantee and fiscal agent for purposes of receiving and distributing RCPGP funds, per direction of the Approval Authority.
- (d) Regional Catastrophic Planning Team Requirement. For the RCPGP, DHS requires each Site receiving funds to establish a Regional Catastrophic Planning Team (RCPT) to act as an executive steering committee, provide overall governance and coordinate development and implementation of all RCPGP initiatives within the Site, and ensure compliance with RCPGP program requirements. The RCPT is comprised of representatives from various local governmental agencies within the RCPGP Bay Area Site. The UASI

Approval Authority receives recommendations from the RCPT in making its decisions regarding allocation and distribution of RCPGP grant funds within the Bay Area Site.

- (e) Use of RCPGP funds. RCPGP grant funds from this award will be used to fund:(1) development of a Donations Management Plan; and (2) Plan Validation Workshops to test completed plans.
- (f) Performance Period. The performance period for the RCPGP grant is from September 24, 2009 to April 29, 2011.
- (g) The City and County of San Francisco has participated in federal and state homeland security grant programs since their inception, and deems participation in those programs as vital to the continued well-being of its citizens.
- (i) Grant Match. The RCPGP requires a 25 percent match from recipient jurisdictions, either in non-federal funds or in kind services. The total required matching amount for the FY09 RCPGP award is \$1,205,667. Each recipient must provide a portion of the match, based on its share of the total grant allocation. San Francisco must provide a match of

\$167,188, which represents its portion of the required match based on its allocation of the total grant award. The Department of Emergency Management's Fiscal Year 2009-2010 budget includes funds to fulfill the RCPGP match requirement.

Section 2. Authorization to Accept and Expend Grant Funds.

- (a) The Board of Supervisors hereby authorizes the Department of Emergency Management to retroactively accept and expend, on behalf of the City and County of San Francisco as the primary RCPGP grantee of the Bay Area Site and as the fiscal agent for the UASI Approval Authority, \$4,822,667 in RCPGP grant funds from the DHS, through the CalEMA; and to provide \$167,188 in matching funds, which represents San Francisco's share of the \$1,205,667 required grant match.
- (b) The grant does not include any provisions for indirect costs, and indirect costs are hereby waived.
- (c) The Executive Director of the Department of Emergency Management, or designee, is authorized to furnish whatever additional information or assurances the DHS or CalEMA may request in connection with this grant, to execute any and all agreements or other documents, and to take any other steps necessary to accept, distribute and expend the grant funds.

Section 3. Grant Funded Positions; Amendment to FY 2009-2010 Annual Salary Ordinance. The hereinafter designated section and items of Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) are hereby amended to add two positions at the Department of Emergency Management (DEM) as follows:

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4	Amendment	# of Pos.	Class and Item No.	Compensation Schedule
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Page 5 10/23/2009

Supervisor Elsbernd BOARD OF SUPERVISORS



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

Executive Director, Department of Emergency Management

Date:

November 16, 2009

Re:

Ordinance to Accept and Expend 2009 Regional Catastrophic Preparedness Grant

Program (RCPGP) 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 ordinance seeks the Board of Supervisors' approval for the acceptance (retroactive) and expenditure of \$4,822,667 (federal share \$3,617,000, applicant share \$1,205,667) from the United States Department of Homeland Security (DHS), through the California Emergency Management Agency (CalEMA), to support an integrated planning system for the development of necessary plans, protocols, and procedures to manage a catastrophic event. It further seeks to amend the Annual Salary Ordinance for Fiscal Year 2009-2010 to add two (2) .25 FTEs for staff already in positions that were funded by the 2008 RCPGP through March 31, 2009.

Departments:

Department of Emergency Management (DEM). Expenditures benefiting San Francisco, the cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma.

DEM serves as the fiscal agent for the Bay Area UASI, which is administering the grant for the Bay Area region. DEM would be authorized to accept and expend these grant funds on behalf of the 12 Bay Area counties and 3 core cities of San Francisco, San Jose, and Oakland, and to receive grant reimbursements for expenses incurred on behalf of the region.

Report for Ordinance to Accept and L. rend FY 2009 Regional Catastrophic Preparedness Grant Program award November 16, 2009

As the Fiscal Agent, DEM is responsible for administering the grant, ensuring that the grant funds are spent according to the grant guidelines, and ensuring that each of the Bay Area counties and cities that may receive a portion of these grant funds adhere to the grant eligibility and financial guidelines.

Each sub-recipient county or city that participates in this grant will be required to enter into a grant MOU with DEM that outlines their obligation under the grant allocation, including requirements for match, contracting and procurement, record keeping, and adherence to federal grant assurances.

Amount:

\$3,617,000

Grant Period:

September 24, 2009 through April 29, 2011

Retroactivity: The Accept and Expend Legislation requests retroactive approval because the Federal Grant period commenced before the legislation was introduced. No grant funds will be encumbered or expended until the Board of Supervisors approves the Accept and Expend legislation.

Source of funds:

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

Required Match:

25 % (\$1,205,667) San Francisco's proportionate share of the grant match is \$167,188. The other counties and cities will provide the proportionate share of the grant match, either in kind or cash prior to their requests for reimbursement being granted by the fiscal agent

Indirect Costs:

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

Description:

The proposed ordinance authorizes the Department of Emergency Management (DEM) to accept and expend \$3,617,000 in federal grant funding from the FY 2009 Regional Catastrophic Preparedness Grant Program (Grant Number #2009-CA-T9-0003, OES ID#075-95017), issued by DHS, through CalEMA. The grant requires a 25 percent applicant match in the amount of \$1,205,667 to fund the development of necessary plans, protocols, and procedures to manage a catastrophic event.

Budget:

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

(1) Contracts/Consultants:

\$2,556,927

Contractors will be engaged to develop plans and procedures for a region wide donations management plan and to develop and implement regional plan validation workshops. Contractors must be qualified to develop the donations management plan and the regional validation workshops for the entire 12 county region.

(2) <u>Personnel</u>: \$951,563

The budgeted amount has been allocated for the purpose of hiring personnel within the 12 Bay Area Counties to assist in the development of the plans and procedures. The planned personnel are allocated as follows: San Francisco – 2 continuing planners and one continuing grants manager; City of Oakland – 2 continuing planners; Alameda County - one continuing planner; Marin County – one continuing planner.

With respect to San Francisco, the proposed amendment to the Annual Salary Ordinance proposes two planner positions. At the time the positions were requested in the annual budget process, the funding for the FY09 RCPG grant had not been finalized, and not all of the current planning positions (a total of 4) were continued. The proposed grant funding would continue two of the planning positions into the 09 grant cycle.

(3) Management and Administration:

\$108,510

Management and Administration expenses include UASI line item office expenses, grants management, Controller's Accounting, City Attorney, office and equipment maintenance and leases. The amount budgeted reflects 3% of the cash grant, which is the maximum allowable under the guidelines.

TOTAL Budget:

\$3,617,000

File Number: 091374

(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 accor	mpanying ordinance:
------------------------------------------------------------	---------------------

- 1. Grant Title: FY 09 Regional Catastrophic Preparedness Grant Program
- 2. Department: Department of Emergency Management
- 3. Contact Person: Mary Landers

Telephone: 705-8531

4. Grant Approval Status (check one):

[X] Approved by funding agency

[] Not yet approved

- 5. Amount of Grant Funding Approved or Applied for: \$3,617,000
- 6a. Matching Funds Required: \$1,205,667
- b. Source(s) of matching funds (if applicable): San Francisco general funds and regional funds
- 7a. Grant Source Agency: US Department of Homeland Security (DHS)
- b. Grant Pass-Through Agency (if applicable): California Emergency Management Agency (CalEMA)
- 8. Proposed Grant Project Summary: For the purpose of regional planning to develop plans and procedures in the event of a catastrophic disaster.
- 9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: September 24, 2009

End-Date: April 29, 2011

- 10. Number of new positions created and funded: 2
- 11. Explain the disposition of employees once the grant ends? N/A
- 12a. Amount budgeted for contractual services: \$2,556,927
 - 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

[X] No

- b1. If yes, how much? \$
- b2. How was the amount calculated?

[X] 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	I have been the indirect costs?
14. Any other significant grant requirements or cor	mments:
•	
Disability Access Checklist*	
15. This Grant is intended for activities at (check al	I that apply):
[X] Existing Site(s) [] Rehabilitated Site(s) [X] Existing Structure [] Rehabilitated Structure [X] New Site(s) [] Rehabilitated Structure [] New Structure	cture(s) [X] New Program(s) or Service(s)
concluded that the project as proposed will be in co	Mayor's Office on Disability have reviewed the proposal and ompliance with the Americans with Disabilities Act and all ulations and will allow the full inclusion of persons with exceptions, as described in the comments section:
Comments:	
Departmental or Mayor's Office of Disability Review	
1. 1.	(Name)
Date Reviewed: 10/23/09 // 3/09	
Department Approval: Vicki Hennessy (Name) (Signature)	Acting Dir. Dept. of Emergency Management (Title)

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



CALIFORNIA EMERGENCY MANAGEMENT AGENCY

September 24, 2009

Teresa Serata Strategy and Grant Compliance Director Bay Area UASI 10 Lombard St. Suite 410 San Francisco, CA 94111

SUBJECT: NOTIFICATION OF SUBGRANTEE AWARD

Fiscal Year (FY) 2009 Non-Competitive Regional Catastrophic

Preparedness Grant Program (RCPGP)

Bay Area Site

OES ID: 075-95017, Grant # 2009-CA-T9-0003

To Bay Area Site:

The California Emergency Management Agency (CalEMA) has approved the Bay Area Site FY 2009 RCPGP Non-Competitive application in the amount of \$3,617,000. As of the date of this letter you may request reimbursement of eligible grant expenditures. All FY 2009 RCPGP expenditures must be expended by April 29, 2011.

This grant is subject to all policies and provisions of the Federal Single Audit Act of 1984 and the Single Audit Act Amendments of 1996. Any funds received in excess of current needs, approved amounts, or those found owed as a result of a final review or audit, must be refunded to the State within 30 days upon receipt of an invoice from CalEMA.

For further assistance, please contact your CalEMA program representative, Mr. Rakesh Sharma, at (916) 322-2737 or via email at Rakesh Sharma@ohs.ca.gov.

Sincerely,

MATTHEW BETTENHAUSEN

Secretary

GOVERNOR ARNOLD SCHWARZENEGGER • SECRETARY MATT BETTENHAUSEN 3650 Schriever Avenue, Mather, California 95655 (916) 845-8510 • FAX (916) 322-9053

		CALL	CALIFORNIA EMERGENCY MANAGEMENT AGENCY	MANAGEMEN	II AGENCY					
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8. Authorized Body of 5- Signature and contact information	ormation	***************************************								
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County Sheriff					ALIEMAN AL MANAGEMENT AND					ATTENDED TO THE PROPERTY OF TH
Chief of Police										
Additional Position (Optional)										
Additional Position (Optional)										
9. Authorized Agent contact information				£						
\bot	General Manager, Bay Area UASI	10 Lombard Street	rd Street	San Francisco		ट हुँ	94111	Phone (415) 850-4759		Laura.Phillips@sfgov.org
Vicki Hennessy Acti	Acting Executive Director	1011 Turk Street	Street	San Francisco	disco	δ	94102	(415) 558-2745	1	Vichi.Hennessy@sfgav.org
	Dir. Of Strategy and Compliance	10 Lombard Street	rd Street	San Francisco	rdsco	δ	94111	(415)705-8520		Teresa.Serata@sfgov.org
		Mailing Address	ess	City		State	Zip	Ръсте	Ш	Email
Many lander Diff.	Dir. Or strategy and compliance	10 Lombard Street	nd Street	San Francisco	CISCO	2	94111	(415)705-8520	\perp	Teresa.Serala@sfgov.org
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By signing below, I hereby certify I am the duly appointed Authorized Agent and have the authority to apply for the Non-Competitive Regional Catastrophic Preparedness	m the duly appointed Aut	orized Ager	it and have the authority	to apply for th	e Non-Competitiv	/e Regio	nal Cata	trophic P	repared	ness
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Select Application Type: NSGP, TA, SA, UASI, OA ->	SP, TA, SA, UASI, OA ->	UASI	SI							
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CALIFORNIA EMERGENC ANAGEMENT AGENCY

GRANT MANAGEMENT

CFDA #:

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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.

Bay Area UASI 075-95017 September 9, 2009

Name	Title	Area of Responsibility	Employee/Contractor	Employee Status
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Laura Phillips	Management	Grant Administration	Employee	Full Time
Teresa Serata	Management	Grant Management	Employee	Full Time
Guy Bernardo	Subject Matter Expert		Employee	Full Time
Larry Imas	Subject Matter Expert		Employee	Full Time
Michael Clark	Subject Matter Expert		Employee	Full Time
Terry Betts	Subject Matter Expert		Employee	Full Time
Mary Landers	Management	Fiscal	Employee	Full Time
William Eskridge	Subject Matter Expert	Logistics	Employee	Full Time
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CALIFORNIA EMERGENCY MANAGEMENT AGENCY

PROJECT DESCRIPTIONS

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Bay Area UASI 075-95017 September 9, 2009

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CALIFORNIA EMERGENO ANAGEMENT AGENCY

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Warning! Decimal usage is not allowed. Attempts to use decimals will prompt error message.

075-95017 Bay Area UASI

CFDA #:

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CALIFORNIA EMERGENCY MANAGEMENT AGENCY

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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.

Bay Area UASI

075-95017

CFDA #: 97.111

Today's Date: September 2, 2009

Expenditure (Date) From: 8/1/2009

Coation: 4/29/2011

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CALIFORNIA EMERGEN ANAGEMENT AGENCY

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Bay Area UASI

Supporting Information for Reimbursement/Advance of State and Federal Funds

This request is for an/a: Initial Application

T' '> claim is for costs incurred within the grant expenditure period from Joes 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.

Teresa Serata

Printed Name

Mail workbooks to:

Rakesh Sharma

Homeland Security Grants - CalEMA nia Emergency Management Agency

3650 Schriever Avenue

Signature of Authorized Agent

Date

9/15/2009

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California Emergency Management Agency

FY09 Grant Assurances

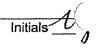
	i ios Giant A	3301011063	
Name of Applicant: Bay Area Site			
Address: 10 Lombard St. Suite 410			
City: San Francisco	State: <u>CA</u>	Zip Code: <u>94111</u>	
Telephone Number: (415) 705-8520	Fax Number:	(415) 705-8513	
E-Mail Address: <u>Teresa.Serata@sfg</u>	ov.org		
As the duly authorized representative	of the applicant, I certi	y that the applicant named above:	
financial capability to ensure p	roper planning, manage	and has the institutional managerial and ement and completion of the grant provide o-granted through the State of California,	∍d by

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 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including part 13.1 regarding the payment of interest earned on advances.

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Page 1	Initials

- o. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
- p. 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:
 - Institution of environmental quality control measures under the National Environmental Policy Act, National Historical Preservation Act, Archaeological and Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains



- 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:
 - 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

Initials ____

- 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 FY 2009 Regional Catastrophic Preparedness Program Guidance and Application Kit, and the California Supplement to the FY 2009 Regional Catastrophic Preparedness Grant Program and Guidance 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 Justifications which were submitted as part of the California FY 2009 Regional Catastrophic Preparedness Grant Program application. Further, use of FY09 Regional Catastrophic Preparedness Grant Program funds is limited to those investments included in the FY 2009 Regional Catastrophic Preparedness Grant Program 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 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510
 - 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 (d) 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

- (1) 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
- (2) 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:		
Printed Name of Authorized Agent: Teresa Serata		
Title: Director Strategy and Compliance, Bay Area UASI	Date: 9/15/09	



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 9th day of September, A.D., 2009.

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

Ву.

[Homeland Security Grants]

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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.

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

WHEREAS, The City and County of San Francisco has participated in these programs since their inception and deems participation in these programs as vital to the continued wellbeing of its citizens; and,

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

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

Alioto-Pier BOARD OF SUPERVISORS

Page 1



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

BAYPLAN Charter of CAP/BAY Regional Catastrophic Planning Advisory Group

I. Overview and Purpose

A. Background: The Department of Homeland Security (DHS) Regional Catastrophic Preparedness Grant Program (RCPGP) is an opportunity to enhance catastrophic incident preparedness across the nation. By focusing on Urban Areas and catastrophic planning scenarios, the RCPGP grant program recognizes that catastrophic events have dramatic impact both within the region of occurrence and in other regions outside of the event. As the catastrophic event and response unfolds, the regions outside of that area may provide the closest mutual aid or public safety resources, sanctuary for the masses displaced from the event or other critical resources expected within the first hours and days of the event. Recognizing that catastrophic events, in some cases, have not been fully understood until Katrina, the RCPGP grant program provides an opportunity and funding support to address planning gaps within our region and expand that capacity to include the communities and regions outside of the Bay Area SUASI that may be impacted by a catastrophic event in the BAY AREA.

In January of 2006, The United States Department of Homeland Security (DHS) combined the three Urban Areas of San Francisco, Oakland, and San Jose governmental entities a combined Bay Area Urban Area or Super-UASI region for the purpose of application for and distribution of grant funds. A regional governance structure 2010 was formed with the signing of a Memorandum of Understanding between City and County of San Francisco; City of Oakland; City of San Jose; Alameda County; and Santa Clara County. This Memorandum of Understanding is in effect until 2010 and has served as a model of collaboration for the Nation. This MOU, attached with this document, outlines the UAWG. Approval Authority, Advisory Group and Working Group structure that supports the regional coordination and collaboration necessary to building and sustaining prevention, response and recovery capabilities. By unanimous vote of the Approval Authority the structures, processes and mechanisms specified in the MOU in applying for, allocating, distributing federal grant funds shall be used as the mechanism and structure to administer, direct and coordinate this joint planning effort for the Regional Catastrophic Planning Grant. The Advisory Group shall be expanded by the General Manager to include other emergency management leaders from the counties or operational areas outside of our normal ten Bay Area Advisory Group that may be impacted by a catastrophic event. Working Groups and the Advisory Groups will expand membership to include transportation, NGO's and private sector subject matter experts for purposes of effective coordination/collaboration throughout this grant performance period.

B. Mission: The mission of the RCPT, through the structures established in the governance structure for the SUASI, shall be to increase capabilities to prevent,

respond, and recover from catastrophic events in the Bay Area. It is through this governance structure and by our commitment to regional collaboration and cooperation that we will meet this mission.

C. Executive Sponsors:

Mayor Gavin Newsom, City of San Francisco Mayor Ron Dellums, City of Oakland Mayor Chuck Reed, City of San Jose.

- **D. Purpose and Goals:** In accordance with the RCPGP guidance and the structures established within the SUASI MOU, known as the RCPT for purposes of this grant program and charter, RCPT structure shall provide direction and strategic oversight as we collaboratively::
 - 1) Identify and resolve shortcomings of existing local, regional plans;
 - 2) Expand established collaborative planning bodies to become an expanded regional catastrophic planning community;
 - 3) Develop efficient resource allocation expectations and plans.

II. Governance Structure:

The Bay Area SUASI, established in 2006, covers the 10 counties that make up the San Francisco Bay Area: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma, The program is managed through a three tiered governance structure which includes (1) the Approval Authority; (2) the Advisory Group; and (3) Working Groups established around core capabilities.

The top tier consists of the Approval Authority that includes the three core cities of Oakland, San Francisco and San Jose and the counties in which they are located: Alameda, San Francisco and Santa Clara. The Regional Administrator for the California Office of Emergency Services Coastal Region is also a member. The Approval Authority provides policy direction to the program and is responsible for final decisions.

The Approval Authority works collaboratively with the Advisory Group composed of the Operational Area emergency management leads for the 10 Bay Area Counties, the three core cities and Coastal OES. The Advisory Group makes policy and programmatic recommendations to the Approval Authority and provides input into the planning process. For purposes of any federal grant authorized by unanimous vote of the Approval Authority to be managed/administered or coordinated through the MOU governance structure, the Approval Authority may authorize the General Manager to expand the members of the Advisory Group. For purposes of the RCPGP, the Advisory Group was expanded to include Operational Area emergency

management leads from outside of the usual ten county footprint of the SUASI (see membership list). The responsibility of the SUASI Advisory Group is to ensure that the projects are truly regional in nature and address the planning scenarios of a catastrophic earthquake and/or human generated event.

The SUASI governance structure utilizes subject matter expertise and stakeholder input in subject area working groups which meet monthly and develop the work product or projects to support the Program initiatives (managed by the Advisory and Approval Authority). The monthly working group areas are: Regional and Catastrophic Planning; Training and Exercises; CBRNE Detection and Response; Medical Surge: Mass Prophylaxis; Infrastructure Protection; Interoperable Communications; Information Sharing and Collaboration; Public Information and Warning: Mass Care; and Community Resiliency. These working groups consists of heavy membership from public safety, health, public utilities, private sector business owners, non-governmental agencies, non-profits/community based or faith based organizations, transportation, ports and our disaster partners (Red Cross). These Working Groups evolved as the SUASI and State OES developed the Regional Emergency Coordination Plan (RECP) and their years of experience allow for cross pollination in the workgroups.

The SUASI Management Team provides Project Managers who manage all grant funded projects and facilitate the work of each working group. The General Manager, reporting to the Approval Authority, is responsible for implementation of SUASI policies and goals including directing the administration and management of all projects; preparing and administering all grants and associated management and budgetary functions. The General Manager selects and directs a multi-jurisdictional, multi-discipline team of project managers/leaders to direct the activities of the working groups.

The SUASI governance structure and MOU shall define voting requirements, reporting and fiscal agent and other obligations.

III. Grant Management/Administration

A. Requirement of Voting:

- 1. The Approval Authority shall vote as a requirement to formally adopt plans, strategies, assessments, funding priorities and procedures.
- 2. The Approval Authority shall not be required to vote on routine administrative or project management matters.
- The Approval Authority shall approve allocations/spending plans associated with this grant and coordinate other funding steams from other grants.

4. The General Manager, as recommended by the expanded Advisory Group, shall present funding priorities, strategies, plans, assessments and other deliverables requiring adoption/approval to the Approval Authority.

B. Coordination:

1. The General Manager and Management Team shall coordinate information and data required to complete the projects/planning between the working groups and expanded Advisory Group.

C. Reporting:

- 1. The General Manager and Management Team members shall prepare meeting announcements, agendas, rosters and meeting minutes for each of the meetings.
- 2. The General Manager and Management Team shall provide minutes/rosters to the Approval Authority and Advisory Group and publish same on the SUASI website.

IV. Fiscal Agent

The City and County of San Francisco shall serve as Fiscal Agent for the RCPGP grant. This grant shall be administered in accordance with the obligations and administration as described in the SUASI MOU.

V. Assumptions

The SUASI MOU shall serve as the master document for the administration and management of the RCPGP grant.

VI. Changes to this Charter:

- 1. Changes to this charter must be recommended by the Advisory Group with formal adoption by the Approval Authority in accordance with any applicable public meeting laws.
- 2. All changes adopted by the Approval Authority must be indicated in the meeting minutes and require a modification of the master charter agreement.
- 3. A copy of the amended charter must be supplied to DHS.

Bay Area RCPT Membership List

Approval Authority

Area	Member	Position / Title	Agency	Discipline
} •	Gary Massetani	Assistant Chief	Fire Department	Fire
· ·	Renee Domingo	Director	Fire Department- Emergency Services	Emergency Management
City of San Jose	Kim Shunk	Director	Office of Emergency Services	Emergency Management
County of Alameda	Rich Lucia	UnderSheriff	Sheriff Department	Law Enforcement
	Kirstin Hofmann	Director	Sheriff Department	Emergency Management
County of San Francisco	Vicki Hennessy	Executive Director	Emergency Management Department	Emergency Management
	John Anderson	Regional Administrator	Cal EMA	Emergency Management

Advisory Group

Area	Member	Position / Title	Agency	
City of San Francisco	Rob Dudgeon	Acting Deputy Director	Emergency Management Department	Emergency Management
City of Oakland	Kathleen Crawford	Deputy Director	Fire Department- Emergency Services	Emergency Management
City of San Jose	Joseph Carrillo	Deputy Fire Chief	San Jose Fire Department	Fire
County of Alameda	James Baker	Assistant Sheriff	Sheriff's Office	Law Enforcement
County of Santa Clara	Bruce Lee	Director of EMS	Office of Emergency Services	Medical
County of San Francisco	Anne Kronenberg	Deputy Director	Public Health Department	Health
State of California	Cecile Rollinson	Deputy Regional Administrator	Cal EMA	Emergency Management
Napa County	Kerry Whitney	Risk Manager	County of Napa	County Government
Sonoma County	Sandy Covall- Alves	Director	Office of Emergency Services	Emergency Management
San Benito	Brian Tempero	Director	Office of Emergency Services	Emergency Management

San Mateo	Carlos Bolanos	Undersheriff	Sheriff Department	Law Enforcement
Contra Costa County	Mike Casten	Commander	Sheriff Department	Law Enforcement
Sacramento County	Meron Agonafer	Planner	Citizen Corps	Citizen Preparedness
Monterey County	Paul Ireland	Director	Office of Emergency Services	Emergency Management
Solano County	Kevin Ives	Director	Office of Emergency Services	Emergency Management
Marin County	Paul Navarro	Captain	Sheriff Department	Law Enforcement

Working Groups

Area	Member	Position / Title	Agency	Discipline
	Scott McCormick	Planner	CARD	Citizen Preparedness
County of Sonoma	Rebecca West	Planner	Human Services Department	Disaster Relief
	Karen Siemsen	Director	Volunteer Center of the East Bay	Citizen Preparedness
County of Solano	Ron Whitfield	Control Officer	Animal Control	Law
County of Santa Cruz	Bob Kennedy	Planner	Public Health	Health
Santa Clara County	Harry Reinstein	Planner	Office of Emergency Services	Emergency Management
Santa Clara County	Dorene Yamaguchi	Planner	Office of Emergency Services	Emergency Management
City of Oakland	Jean English	Planner	Fire Department	Emergency Management
State of California	Milt Yee	Planner	Department of Social Services	Disaster Relief
City of San Francisco	Rob Stengel	Planner	Department of Emergency Management	Emergency Management
City of San Jose	Saman Saffareadeh	Planner	Office of Emergency Services	Emergency Management
	Roger Doncaster	Planner	Red Cross	Disaster Relief
City of San Francisco	Ben Amyes	Planner	Human Services Agency	Disaster Relief
City of Oakland	Coleen Bell	Planner	Office of Emergency Services	Emergency Management
City of San Francisco	Amy Ramirez	Planner	Department of Emergency Management	Emergency Management
City of Santa Rosa	Ed Buonaccorsi	Facility Operations Director	Office of Emergency Services	City Government

	Tracy Stevens-	Planner	UC Davis	Disaster Planning -
Contra Costa County	Martin Rick Kovar	Planner	Office of Emergency	Animal Services Emergency Management
		***************************************	Services	
City of Sunnyvale	Cheryl	Planner	Office of Emergency Services	Emergency Management
	Sampson	Cananitant		C:4: D
	Margaret Melsh	Consultant	Silicon Valley	Citizen Preparedness
	Kelle Remmel	Consultant	Remmel Consulting	Citizen Preparedness
San Mateo County	Brian Molver	Planner	Office of Emergency Services	Emergency Management
City of Oakland	Cathey Eide	Planner		Emergency Management
,	Madelyn Macke	Planner	American Red Cross	Disaster Relief
Santa Cruz County	David McNutt	Volunteer	Medical Reserve Corps	Citizen Preparedness- Health
Solano County	Kevin Ives	Planner	Office of Emergency Services	Emergency Management
City of Vallejo	Ann Cavanaugh	Planner	Fire Department	Emergency Management
	Caroline Ng	Director	Self Help for the Elderly	Citizen Preparedness
City of Gilroy	Yvette Phillips	Planner	Fire Department	Emergency Management
City of San Francisco	Erica Arteseros	NERT Coordinator	Fire Department/NERT	Fire
Contra Costa County		Planner	Public Health	Health
City of Berkeley	 	Planner	Fire Department	Fire
City of Berkeley	Alessa Adamo		San Francisco CARD	Citizen Preparedness
	Debbie Leas	Planner	KTVU	Public Info
	Mickey Berk	Planner	KTVU	Public Info
	Rich Eisner	Planner	Fritz Institute	Non-Profit
	Leslie Krougold	Planner	CERT	Citizen Preparedness
	Brian Whitlow	Planner	San Francisco CARD	Citizen Preparedness
City of Oakland	Demetirus Wren	Planner		Emergency Management
Alameda County	Marla Blagg	Planner	Fire Department	Emergency Management
	Jack Schwartz			Emergency Management
Marin County			Services	
	Jerry Eisman	Planner	San Francisco State	Citizen Preparedness

			University	
·	Cynthia Hsu	Planner	Red Cross	Disaster Relief
State of California	Doug Wisman	Planner	Cal EMA	Emergency Management
	<u> </u>	Planner	Pacific Gas and Electric	Utilities
	Aaron Litwin	Planner	American Red Cross	Disaster Relief
Contra Costa County	Kim Cox	Planner	Health Services	Health
Alameda County	Jan McClellan	Director	Office of Emergency Services	Emergency Management
City of Rio Vista	Geoff Spinner	Firefighter	Fire Department	Fire
	Tessa Shredoff	Planner	Northern California VOAD/Red Cross	Disaster Relief
	Jeanne Perkins	Emergency Planner	Association of Bay Area Governments	Government
City of San Francisco	Kim Walsh	MMRS Coordinator	Emergency Management Department	Emergency Management
City of Fremont	1	MMRS Coordinator	Public Health	Health
City of San Jose	Kim Shunk	MMRS Coordinator	Office of Emergency Services	Emergency Management
City of Oakland	Jean English	MMRS Coordinator	Office of Emergency Services	Emergency Management
Marin County	Anju Goel	Planner	Department of Health & Human Services	Health
San Mateo County	Curtis Chan	Planner	Department of Public Health	Health
Contra Costa County	Kim Cox	Planner	Health Services Department	Health
City of Berkeley	Kathy Dervin	Planner	Department of Public Health	Health
Contra Costa County	Barbara Center	Planner	Department of Public Health	Health
Contra Costa County	Jason Gwaltney	Planner	Department of Public Health	Health
City of San Mateo	Carl Hess	Planner	Office of Emergency Services	Emergency Management
City of Cupertino	Marsha Hovey	Planner	Services	Emergency Management
Alameda County	Zerlyn Ladua	Planner	Department of Public Health	Health
City/County of San Francisco	Amy Pine	Planner	Department of Public Health	Health

Santa Cruz County	Jamie Riggs- Nagy	Planner	Department of Public Health	Health
San Mateo County	Karen Relucio	Planner	Department of Public Health	Health
Solano County	Ted Selby	Planner	Office of Emergency Services	Emergency Management
Santa Clara County	Kristen Tarabetz	Lieutenant	Sheriff's Department	Law Enforcement
Santa Clara County	Barb Walker	Planner	Department of Public Health	Health
City of Oakland	Linda Wong	Planner	Services	Emergency Management
	Marc Intermaggio	Executive Director	Building Owners Management Association	Private
City of San Francisco	Sandra Tong	Commander	Police Department	Law
City of San Francisco	Sharon Ferrigno	Lieutenant	Police Department	Law
City of San Francisco	Danny Lopez	Sergeant	Police Department	Law
City of San Francisco	Doug Chin	Lieutenant	Sheriff Department	Law
City of San Francisco	Jin Choi	Senior Deputy	Sheriff Department	Law
City of San Francisco	Rebekah Varela	Planner	Public Health	Health
City of San Francisco	Cynthia Chono	Planner	Public Works	Public Works
City of San Francisco	Win Hoblitzelle	Planner	Municipal Transportation Agency	Transit
City of San Francisco	Sidonie Sansom	Director of Security	Port of San Francisco	Port
	Steve Ohtaki		Business Executives for National Security	
City of Hayward	Thor Poulsen	Captain	Hayward Fire Department	Fire
City of Pleasanton	Genevieve Pastor-Cohen	Emergency Mgmt	Livermore/ Pleasanton Fore Department	Fire
City of San Leandro	Kathleen Ornelas	Emergency Mgmt	Office of Emergency Services	Emergency Management
City of San Rafael	Steven Hancock	Emergency Manager	Office of Emergency Services	Emergency Management
City of Santa Cruz	Robert	Emergency	Office of	Emergency

	Solick	Manager	Emergency Services	Management
W11)	Kenneth Dueker	Officer		Law
City of Petaluma	Mike Ahlin	Battalion Chief		Fire
City of Fairfield	Vince Webster	Fire Chief	Fairfield Fire Department	Fire
City of Mountain View	Lynn Brown	Emergency Manager	Mountain View	Emergency Management
City of Milpitas	Sean Simonson	Emergency Manager	City of Milpitas	Emergency Management
City of Santa Clara		Emergency Manager	City of Santa Clara	Emergency Management
City of Napa	Tim Borman	Fire Chief	City of Napa	Fire Department
City of South San Francisco	Matt Samson	Firefighter	South San Francisco Fire Dept.	Fire
City of Redwood City	Wade Greene	Fire Department	City of Redwood City	Fire
City of San Jose	Eric Sills	Captain	Police Department	Law Enforcement
City of San Jose	Jay Castellano	Deputy Director	Parks / Recreation / Neighborhood Services	Emergency Management
State of California	Richard Devylder	Advisor to the Secretary	Cal EMA	Emergency Management
City of San Francisco		Lieutenant	San Francisco Fire Dept.	Fire
City of San Francisco	Mark Kearney	Lieutenant	San Francisco Fire Dept.	Fire
City of San Francisco	Babe Franey	Sr. Deputy	San Francisco Sheriff's Office	Law Enforcement
City of San Francisco	Andrea Davis	Planner	Office of Emergency Services	Emergency Management
City of San Francisco	Connie Halog	Planner	Services	Emergency Management
City of San Francisco	Jill Raycroft	Planner	Office of Emergency Services	Emergency Management

Conduct Regional Project Seminal and Regulary Scheduled Steering Committee Meetings Incidence of 13 First Responders	Conduct Project Kick Off Meeting with Vendor and 12 Steering Committee	, Convene Steering Committee for Project Development.	10 Establish Project Steering Committee	9 Solicit Stakeholder (SME) Participation	8 Identify Stakeholders (SMEs) for Project Participation	Establish Support System	Finalize Contract and Hire Contractor to Develop.a. Regional Planning Process Inclusive of Plan Walidation Through the Use of Standardized Planning Workshop 7 Models	Select Vendor, Draft Contract and Conduct Contract 6 Negotiations	Make Recommendations to Approval Authority for Vendor 5 Selection	Convene REP Review Committee/Conduct Interviews/Select/Yendor	3 Develop REP and post on website	2 Solicit Feedback/Finalize Scope of Work	1 Develop Scope of Work	Vendor Selection	Regional Plan V Tasks
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(Plan	36 Complete Corrective Action Report (CAR) Process	35 Fix Shortcomings Identified in the Debris Removal Plan				Complete Draft Regional Planning Workshop/Debris Removal Plan Validation Plan	e	Review Validity of Applicable MOU's, Mutual Aid- Agreements/Contractual Agreements Necessary for Conducting Debris Removal Operations	Secure Applicable Venues for Planning/Workshop Activities	Identify Support Structures/Partne: Organizations that are Multi-Discipline/Multi-Jurisdictional and Cart Participate in Planning Workshop Activities	Develop a Sustainment Plan for the Continued Building of Regional Planning Processes	Develop Corrective Action Report and Improvement Plan Process	Develop Applicable Tracking Mechanisms For Identifying Planning Gaps and Correcting Same
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140 Host Monitoring Visits by EEWA	Compile/Submit Data Tou 139 Progress/Report/CAPR	Compile/Submit Data for Biann 138 Implementation Reports (BSIR	~	FEMA Grant Monitoring Process	Monitoring	Post Data A 136 This Project	Identify/Indiv	Determine Loca 134 SUASI Website	Maintain/Update Website	
T' ?	Compile/Submit Data to: Categorical Assistance Progress Report (CAPR)	Compile/Submit Data for Biannual Strategy Implementation Reports (BSIR)	Compile/Submit Data for Quarterly Financial Status Reports (FSR)	ខា	oili	Post Data Associated With All Plans Developed Under This Project	ldentify/individual(s).Responsible for Posting and Maintäining	Determine Location to Place All Plan Activity on Bay Area SUASTMebsite	lin/c	1
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Conduct Regional Project Seminar and Regularly Scheduled Steering Committee Meetings Inclusive of 13 First Responders	Conduct Project Kick Off-Weeting with Venoor and Steering Committee	சொல்கள் Steering Committee for Project Development	10 Establish Project/Steering Committee	9 Solicit Stakeholder (SME) Participation	8 Identify Stakeholders (SMEs) for Project Participation	Establish Support System	Finalize Contract and Hire Contractor to Develop a Donations Management Plan and County/City Templates	Select Vendor, Draft Contract and Conduct Contract Negotiations	Wake Recommendations to Approval Authority for Vendor Selection	Convene RFP: Review Committee/Conduct  Interviews/Select Vendor	Develop RFP and post on website	Solicit Feedback/Finalize Scope of Work	Develop Scope of Work	Vendor Selection	Logistics Planning		
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Determine the Wost Probable Means of Transportation and Routes of Travel for the Movement and Stagling of 24 Donated Commodities	dentify All Donations Management Phases Including 23 Logistics and Supply Chain Models	Develop Protocols for Donations Management Operations including Methods for Recycling and 22 Redistribution of Donated Items	Identify Mechanisms and Authorities for Activating Local, 21 State and Federal Resources.	Develop Governance Structures for the Effective  20   Utilization of Cash and Non-Cash Donations	Research Applicable Laws, Rules and Regulations Surrounding Donations Management Operations Including Acceptance/Distribution of Cash and Non-Cash) 19 Donations	Assess (Survey/Interview) the Current/Surge Capability of the Bay Area to Conduct Donations Management  18 Operations Following a Catastrophic Event.	Conduct Research to Determine Applicability to the Bay Area	Identify Plans on a National Basis and Determine Best 16 Practices	Identify/Solicitand:Gather Donations Management Plans	Review:Findings,Fram Previously Completed Hazard Identification/Risk Assessment Developed Under the 2006 SUASI Program as well as the San Francisco Bay Area Earthquake Readiness Response: Concept of 14 Operations Plan.	Development of Donations Management Plan	Regional Plan Development
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ு Identify All Aspects of Activation தந்த Deactivation	Identify Commonalities Within the Region for Possible 46 Linking of Recovery and Resiliency Resources.	Greate an Inventory of Community Based Organization/Small Businesses in the Bay Area and Ascertain Resources Used to Support These Organizations	Develop Standardized Procedures for Requesting/Providing Assistance to Community Based 44 Organizations/Small Businesses	Research Applicable Laws, Rules and Regulations Surrounding Recovery and Resiliency Operations Conducted Within Community Based Organizations/Smal Businesses	Assess (Survey/Interview) the Current/Surge Capability of the Bay Area to Conduct Recovery and Resiliency Operations Within Community Based Organizations/Small Businesses Following a Catastrophic Event	Conduct Research to Determine Applicability to the Bay Area	Identity Plans on a National Basis and Determine Best	Identify, Solicit and Gather Recovery and Resiliency. 39 Plans from Within the Bay Area	Review Findings From Previously Completed Hazard Identification/Risk Assessment Developed Under the 2006 SUASI Program as well as the San Francisco Bay Area Earthquake Readiness Response: Concept of Superations Plan	Development of Community Based Organization/Small Business Recovery and Resiliency Plan
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Development of County/Core City Plan Templates 59 Review the RECP	Review Component Modules of Each Newly Created 60 Regional Plan	Identify Criteria Needed to Develop County/Core City Local Plan Templates	62 Draft County/Core City Local Plan Templates	Solicit Plan Feedback	64 Finalize County/Core City Local Plan Templates	County/Core City Donations Management Plan Template	65 Host Regional Planner Kick Off Meeting	Develop Project Plan for County/Care City Template Roll Out	Assignments/Action Plans Developed and Given to the 67 Planners	Planners Convene Stakeholder Meetings in Assigned Areas	Monitoring/Oversight/Provided to Planners by Project Program Wanagers During Plan Development	70 Planners Draft County/Core City Plans	Solicii Plan Feedbac	72 Final Plans are Developed and Distributed
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Maintain/Update Website	hours	455 days	11/1/2009	3/1/2011		
Determine Location to Place All Plan Activity on Bay Area.	100 not	10 hours 5 days	1/1/1/2009	11/6/2009	N/A	Program Manager/Staff
identify individual(s) Responsible for Posting and 74 Waintaining	10400	10 hours 4 days	11/7/2009	17/11/2009	N/A	Program Manager/Staff
Post Data Associated With All Plans Developed Under 175 This Broject	472  houis	444 days	11/12/2009	3/1/2011	73.74	Program Manager/Staff
Monitoring	700					
FEMA Grant Monitoring Process	hours	455 days	11/1/2009	3/1/2011		
Compile/Submit/Data/for Quarterly Financial Status	220 / hours	40 days	11/1/2009	3/1/2011	14-75	Program Manager/Staff
Compile/Submit Data for Biannual Strategy 77 Implementation Reports (BSIR)	220  hours	40 days	# 11/1/2009	3/1/ <u>201</u> 1	14.75	Program Manager/Staff
Compile/Submit/Datation Categorical Assistance 78 Progress Report (CAPR)	220  hours	40 days	11/1/2009	3/1/2011	14.75	Program Manager/Staff
79 Host Moniming Visits by FEMA	40  Hours	5 days	11/1/2009	3/1/2011	NA.	Program Manager/Staff

85 Prepare and Submit Final CAPR	<b>,</b>	83 Submittal of Final Cash Reimbursemen	82 Close Out all Contracts/Agreements	81 Process all Outstanding Invoices	80 Obtain/Process Final Billing Documents from Contractors	Grant Close Out Process	Glatificace out
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# MEMORANDUM OF UNDERSTANDING BETWEEN CITY AND COUNTY OF SAN FRANCISCO; CITY OF OAKLAND; CITY OF SAN JOSE; ALAMEDA COUNTY; AND SANTA CLARA COUNTY

This Memorandum of Understanding ("MOU") dated for convenience of reference as of July 1, 2007, sets forth the agreements of the City and County of San Francisco, California ("San Francisco"), the City of Oakland, California ("Oakland"), the City of San Jose, California ("San Jose"), Alameda County, California ("Alameda"), and Santa Clara County, California ("Santa Clara"), relating to the application for and allocation and distribution of federal Urban Areas Security Initiative ("UASI") Program grant funds.

This MOU is made with reference to the following facts and circumstances:

- A. The above named cities and counties (collectively and individually, the "Parties") are committed to regional cooperation and coordination in building and sustaining capabilities to provide the highest feasible level of prevention, protection, response, and recovery from threats or acts of terrorism and other catastrophic events in the Bay Area region.
- B. On January 3, 2006, the United States Department of Homeland Security ("DHS") announced that it had combined the Parties and other Bay Area governmental entities into a combined Bay Area "Urban Area" or Super-UASI region ("SUASI region") for the purpose of application for and distribution of Fiscal Year 2006 UASI Program grant funds. DHS continued that SUASI region structure for application and distribution of Fiscal Year 2007 UASI Program grant funds. The Parties anticipate that DHS will continue to use the SUASI region structure for UASI Program grants in future fiscal years.
- C. For the Fiscal Year 2006 UASI Program, DHS required each Urban Area to establish an Urban Area Working Group ("UAWG") to act as an executive steering committee to provide overall governance of the homeland security program across the regional area encompassed within the defined Urban Area, to coordinate development and implementation of all UASI Program initiatives, and to ensure that all programmatic requirements associated with participation in the UASI Program were fulfilled. DHS continued the UAWG requirement in the Fiscal Year 2007 UASI Program.
- D. For the Fiscal Year 2006 UASI Program, DHS required also that the UAWG provide either direct or indirect representation for all the jurisdictions that comprise the Urban Area. DHS continued that requirement in the Fiscal Year 2007 UASI Program.
- E. DHS also required the UAWG to develop a methodology for allocating UASI Program funds throughout the SUASI region. That requirement continued into Fiscal Year 2007.
- F. In Fiscal Year 2006, the Parties committed to cooperate for the purposes of applying for, allocating and distributing the Fiscal Year 2006 UASI Program funds, and entered into a

Memorandum of Understanding Between City and County of San Francisco; City of Oakland; City of San Jose; Alameda County; and Santa Clara County, dated July 1, 2006 ("2006 MOU").

- G. The 2006 MOU created a layered governance structure, including an Approval Authority, an Advisory Group and a Management Team, assisted by various working groups based on the initiatives described in the SUASI region's Fiscal Year 2006 grant submission.
- H. The Parties wish to renew and update their existing agreements regarding the SUASI region mission, governance structure, responsibilities, reporting structure and financial arrangements, and to use the agreements, structures, processes and mechanisms agreed to below in applying for, allocating and distributing UASI Program grant funding for the Urban Area for Fiscal Year 2007 and future fiscal years.

## ACCORDINGLY, the Parties agree as follows:

- 1. <u>Bay Area SUASI Region Approval Authority</u>: The Bay Area SUASI Region Approval Authority ("Approval Authority"), created by the Parties in the 2006 MOU, shall continue for the purposes and on the terms and conditions set forth below.
  - a. Membership. The Parties shall appoint members to the Approval Authority as follows:
    - i. City and County of San Francisco, CA 2 members, each with full voting authority.
    - ii. City of Oakland, CA I member with full voting authority.
    - iii. City of San Jose, CA I member with full voting authority.
    - iv. Alameda County, CA I member with full voting authority.
    - v. Santa Clara County, CA I member with full voting authority.
    - vi. The Parties shall invite the California Governor's Office of Emergency Services ("OES") Coastal Region to appoint 1 advisory member to the Approval Authority. The OES member shall have authority to vote only in the event of a tie vote among the other voting members. The role of the OES member shall be to facilitate Approval Authority and Management Team coordination with the State of California homeland security and emergency preparedness departments and services.
  - b. <u>Selection of Representatives</u>. Each Party is responsible for selecting its own representative(s) to the Approval Authority.
  - c. <u>Purpose</u>. The purpose of the Approval Authority is to provide effective UASI Program direction and governance and to coordinate UASI Program development and implementation for the SUASI region. The Approval Authority shall be responsible for

developing the SUASI region homeland security strategy, developing investment identifications and justifications, establishing funding allocation methodologies, approving all UASI Program grant applications, approving all UASI-funded projects and programs, and making the final decisions on allocation and distribution of UASI Program grant funds.

- d. <u>UAWG</u>. The Approval Authority, along with the Management Team and any advisory and working groups created by the General Manager, shall constitute the UAWG for the SUASI region.
- e. Quorum. The Approval Authority shall hold meetings and conduct business only when a quorum is present. A quorum shall mean a majority of the members of the Approval Authority with full voting authority (i.e., at least four of the six members with full voting authority). The presence of the OES representative shall not count towards the quorum requirement.
- f. <u>Decisionmaking</u>. Unless otherwise specified herein, all decisions of the Approval Authority requiring a vote of the Authority shall require the affirmative vote of a majority of the full-voting members of the Authority (i.e., at least four affirmative votes). Each full-voting member present at a meeting shall vote "yes" or "no" when a question is put, unless excused from voting by a motion adopted by a majority of the full-voting members present.
- g. Voting Authority. Except as provided herein, each member of the Approval Authority shall have one vote on all issues requiring a vote of the Approval Authority under this Agreement. These issues shall include (i) developing the SUASI region homeland security strategy, (ii) developing investment identifications and justifications, (iii) establishing funding allocation methodologies, (iv) approving the grant application, (v) approving UASI Program grant-funded programs, (vi) approving allocation and distribution of UASI Program grant funds, and (vii) other issues as determined by the Approval Authority. The California OES member shall have one vote, but may vote only in the event of a tie vote between the members with full voting authority.
- h. Other Federal Grants. The Approval Authority may decide to apply the agreements, structures, processes and mechanisms specified in this MOU in applying for, allocating and distributing other types of federal grant funding for the SUASI region. Any such decision shall be by unanimous vote of the Approval Authority.
- 2. <u>City and County of San Francisco Obligations</u>. During the term of this MOU, San Francisco will provide the following services to the Approval Authority:
  - a. Designate 2 individuals as full voting members of the Approval Authority.
  - b. Chair meetings of the Approval Authority.

- c. Serve as the SUASI region point of contact with the federal DHS and the California Office of Homeland Security ("OHS") in connection with UASI Program grant funding.
- d. Serve as the Fiscal Agent for the Approval Authority, and establish procedures and provide all financial services for distribution of UASI Program grant funds within the SUASI region.
- e. Serve as the grantee for UASI funds granted by the DHS and OHS to the SUASI region, and establish procedures and execute subgrant agreements for the distribution of UASI Program grant funds to jurisdictions selected by the Approval Authority to receive grant funding.
- 3. <u>City of Oakland Obligations</u>. During the term of this MOU, Oakland will provide the following services to the Approval Authority:
  - a. Designate 1 individual as a full voting member of the Approval Authority.
- 4. City of San Jose Obligations. During the term of this MOU, San Jose will provide the following services to the Approval Authority:
  - a. Designate I individual as a full voting member of the Approval Authority.
- 5. <u>Alameda County Obligations</u>. During the term of this MOU, Alameda will provide the following services to the Approval Authority:
  - a. Designate I individual as a full voting member of the Approval Authority.
- 6. <u>Santa Clara County Obligations</u>. During the term of this MOU, Santa Clara will provide the following services to the Approval Authority:
  - a. Designate I individual as a full voting member of the Approval Authority.
- 7. General Manager for the SUASI Region Program.
  - a. Subject to subsection (b) below, the Approval Authority has the authority by vote of the Authority to select, evaluate, discipline and remove a General Manager for the SUASI Program. The Approval Authority may establish by vote of the Authority the minimum qualifications for the General Manager position, as well as desired and preferred qualifications.
  - b. The General Manager shall be an employee, consultant or contractor of a Party or another governmental entity within the SUASI region, and shall be assigned to work full-time as the SUASI Program General Manager. The General Manager position shall be funded through grant funds to the extent funds are available and allocated by the Approval Authority for that purpose.

- c. The General Manager shall be responsible for implementing and managing the policy and program decisions of the Approval Authority, and performing other duties as determined and directed by the Approval Authority. The Approval Authority may establish by vote of the Authority additional job functions, duties and responsibilities for the General Manager position.
- d. The General Manager shall establish a process to ensure either direct or indirect representation for all jurisdictions that comprise the Urban Area. The process developed by the General Manager shall ensure direct representation for at least the following jurisdictions: Marin County, Sonoma County, Napa County, Solano County, Contra Costa County, Alameda County, Santa Clara County, Santa Cruz County, San Mateo County, the City and County of San Francisco, the City of Oakland, and the City of San Jose.
- e. The General Manager may establish discipline specific and/or geographically determined working groups to make comprehensive assessments and recommendations that address the target capability strengths and weaknesses on a regional basis. The Parties shall provide adequate personnel to participate on and support any working groups established by the General Manager.
- f. The General Manager shall coordinate and collaborate with the Bay Area Metropolitan Medical Response Systems, the Bay Area Transportation Security Working Group, the Bay Area Citizen Corps Councils, the Area Maritime Security Committee, and any other stakeholders identified by the Approval Authority or Management Team. As appropriate, the General Manager may invite stakeholders to participate in any advisory or working groups established by the General Manager.

## 8. Management Team for the SUASI Region Program.

- a. In consultation with the Approval Authority, the General Manager shall select, direct and manage a Management Team to support the Approval Authority and the SUASI region's initiatives and projects, and shall makes reasonable efforts to balance regional representation on the Team. The members of this Team shall be employees, consultants, or contractors of the Parties or other governmental entities within the SUASI region, and shall be assigned to serve full-time on the Management Team. The salaries of the employees, consultants or contractors selected to serve on the Management Team shall be funded through grant funds to the extent funds are available and allocated by the Approval Authority for that purpose.
- b. In addition to the members of the Management Team selected under subparagraph (a) above, the Fiscal Agent shall identify and designate an employee, consultant or contractor of the Fiscal Agent to serve as a member of the Management Team, to act as the liaison to the Fiscal Agent for the Management Team. The salary of that employee, consultant or contractor shall be funded through grant funds to the extent funds are available and allocated by the Approval Authority for that purpose.

- c. The Management Team, under the direction of the General Manager, shall perform the follow functions and duties:
  - i. Oversee and execute all administrative tasks associated with application for and distribution of UASI Program grant funds and programs.
  - ii. Coordinate, monitor and as appropriate manage all UASI Program grant-funded
     projects and programs approved by the Approval Authority.
  - iii. Maintain all records associated with the activities of the Approval Authority, Management Team and any advisory and working groups, including but not limited to records regarding UASI Program grant application, funding and disbursement processes.
  - iv. Work with any advisory and working groups, as well as appropriate Bay Area stakeholders, to obtain input and make recommendations to the Approval Authority on application, allocation and distribution of UASI Program grant funds, and policy and programmatic objectives.
  - v. Coordinate and manage any advisory and working groups, and serve as the liaison between those groups.
- d. The Approval Authority may establish by vote of the Authority additional functions, duties and responsibilities for the Management Team.
- 9. Grants and Contracts Awarded for UASI Grant-Funded Projects. All grants and contracts awarded using UASI Program grant funds received by the SUASI region shall conform to all applicable federal and state grant and contracting requirements. Grants and contracts shall be awarded for particular projects and program, as follows:
  - a. The Approval Authority shall determine the projects and programs to be funded, and shall decide which jurisdictions in the SUASI region will receive grants funds ("subrecipients"), the amount of funds allocated and the projects or programs to be funded. A jurisdiction may decline to receive grant funds for a project allocated to that jurisdiction by the Approval Authority. If a jurisdiction does so, the Management Team shall notify the Approval Authority, which shall reallocate the grant funds for that project to an alternative subrecipient.
  - b. San Francisco shall be the primary grantee of UASI Program grant funds. The Management Team shall inform San Francisco of the Approval Authority's grant allocation determinations, and request that San Francisco disburse the funds pursuant to the Approval Authority's direction.
  - c. San Francisco shall disburse grant funds to subrecipients pursuant to guidelines and requirements established by San Francisco in its capacity as fiscal agent and primary subgrantee.

- d. Each subrecipient shall be responsible for all aspects of the UASI grant-funded projects and programs allocated to that jurisdiction by the Approval Authority, including contracting, project management, ensuring compliance with federal and state grant requirement and decisions of the Approval Authority, equipment purchase, installation and maintenance, and any permitting, environmental or other requirements necessary for any project or program approved by Approval Authority for that jurisdiction.
- e. Before issuing any Request for Proposal related to a UASI grant-funded project or program, a subrecipient shall coordinate with the Management Team to ensure that the Request For Proposal, including the scope of work, meets the SUASI Program requirements for the project or program. After approval from the Management Team, each subrecipient shall select a contractor and issue the contract under its own contracting authority and process. In addition, subrecipients shall coordinate with the Management Team as requested by the Management Team, to allow the Management Team to coordinate, monitor and as appropriate manage UASI grant-funded projects and programs across the SUASI region.
- f. For regional projects, the Management Team shall ensure coordination of the projects and programs allocated to the individual subrecipient jurisdictions.
- 10. Fiscal Agent. All requests for funding or reimbursement from the Fiscal Agent shall meet guidelines and requirements established by the Fiscal Agent. The guidelines shall include requirements for record keeping, internal audits, signature authority for approval of reimbursement requests, submission of financial reports, and compliance with professional accounting standards. The Fiscal Agent shall be entitled to reasonable costs for services performed. Periodically, the Fiscal Agent may submit request for payment, which the Approval Authority shall review and approve within thirty (30) days.
- 11. Indemnification. In lieu of and not withstanding the pro rata risk allocation that might otherwise be imposed between the Parties pursuant to Government Code Section 895.6, the Parties agree that all Losses (as defined below) incurred by a Party in connection with this MOU or the activities contemplated by this MOU shall not be shared pro rata but instead the Parties agree that pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify and hold each of the other Parties, including, without limitation, their officers, board members, employees and agents, harmless from any Losses imposed for injury (as defined by Government Code Section 810.8) arising in connection with the negligent acts or omissions or willful misconduct of the indemnifying party, including, without limitation, its officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such Party under this Agreement. No Party, including, without limitation, any officer, board member, employee or agent thereof, shall be responsible for any Losses occurring by reason of the negligent acts or omissions or willful misconduct of other Parties hereto, including, without limitation, their officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such other Parties under this Agreement. For purposes of this Section, Losses shall mean any and all claims, demands, losses, liabilities,

damages (including foreseeable and unforeseeable consequential damages to the extent arising from third party claims), liens, obligations, interest, injuries, penalties, fines, lawsuits and other proceedings, judgments and awards and costs and expenses (including, without limitation, reasonable attorneys' fees and costs, and consultants' fees and costs) of whatever kind or nature, known or unknown, contingent or otherwise.

- 12. <u>Term.</u> This MOU shall take effect on the Effective Date as described in Section 17 below and shall extend until December 31, 2010, unless sooner terminated as provided below ("Term").
- 13. <u>Termination</u>. Any Party may terminate this MOU in the event that another Party breaches a material provision hereof and the breaching Party does not cure the breach complained of within thirty (30) days following receipt of written notice of the breach. In addition, any Party may terminate its participation in this Agreement by providing 30-days advance written notice of its termination to all Parties; the Agreement shall continue in effect between with the remaining Parties.

In addition, the Approval Authority may terminate this MOU at any time, for convenience and without cause, by unanimous vote. Any such action of the Approval Authority shall specify the date on which the termination shall become effective.

- 14. <u>Jurisdiction and Venue</u>. The laws of the State of California shall govern the interpretation and performance of this MOU. Venue for any litigation relating to the formation, interpretation or performance of this MOU shall be in San Francisco, CA.
- 15. <u>Modification</u>. This MOU may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this MOU.
- 16. <u>Interpretation</u>. This MOU shall be deemed to have been prepared equally by all Parties and its individual provisions shall not be construed or interpreted more favorably for one Party on the basis that the other Parties prepared it.
- 17. Effective Date. Upon approval by the governing bodies of each of the Parties, this MOU shall become effective retroactive to July 1, 2007.
- 18. Complete Agreement. This is a complete agreement and supersedes any prior oral or written agreements of the Parties regarding the process for applying for and distributing UASI Program grant funding for the SUASI region. Specifically, this agreement supersedes the 2006 MOU.

### 19. Notice.

a. Any notices required hereunder shall be given as follows:

If to the City and County of San Francisco, to:

Laura Phillips, Executive Director Department of Emergency Management 1011 Turk Street San Francisco, CA 94102 (415) 558-3800 Laura.phillips@sfgov.org

#### and

Gary Massetani, Deputy Chief of Administration Fire Department 698 Second Street San Francisco, CA 94107 (415) 558-3411 Gary.massetani@sfgov.org

If to the City of Oakland, to:

Renee A. Domingo, Director of Emergency Services 1605 Martin Luther King Jr. Way, 2nd Floor Oakland, CA 94612 (510) 238-3939 RADomingo@oaklandnet.com

If to the City of San Jose, to:

Kimberly Shunk, Emergency Preparedness Director 855 N. San Pedro St. #404 San Jose, CA 95110-1718 (408) 277-4595 kimberly.shunk@sanjoseca.gov

If to Alameda County, to:

Richard T. Lucia, Undersheriff Alameda County Sheriff's Office 1401 Lakeside Drive 12th Floor Oakland, CA 94612 (510) 272-6868 Office rlucia@acgov.org If to Santa Clara County, to:

Bruce H. Lee, Interim Director Office of Emergency Services 55 W. Younger Avenue San Jose, CA 95110 (408) 808-7802 bruce.lee@oes.sccgov.org

If to State of California, OES, to:

John Anderson, FAIA, Regional Administrator Governor's Office of Emergency Services Coastal Region and CISN & Earthquake Program 1300 Clay Street, Suite 400 Oakland, California 94612 (510) 286-0888 john_anderson@oes.ca.gov

- b. Notices shall be deemed given when received if given in person, by facsimile or by electronic means (if a record of receipt is kept by the sending party showing the date and time of receipt) or three (3) days following deposit in the United States Mail, postage prepaid, to the address set forth above.
- c. Any Party may change its contact individual and/or address for notice by giving written notice of the change to the other Parties and the SUASI Program General Manager.

The individuals executing this MOU represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

The undersigned approve the terms and conditions of this MOU.

City of Oakland, California	
Signature: Jule Chron	
Ву:	
Title: OES Director	
City of San Jose, California	
Signature: Mani Man	APPROVED AS TO PERSON
By: Nadine Nader	Brian Doyle
Title:Assistant to the City Manager	Senior Deputy City
Alameda County, California	
Signature: Oregan & Alle	Avaidand as to Form RIGHEAD E. WINN <u>IE</u> County Counsel
Ву:	
Title: Skeriff	ay Manay Fenter
Santa Clara County, California	
Signature Rose	
BY: BRUCE H, LEE	