



**Council Meeting: September 29, 2009**

**SUBJECT: Appropriation of Emergency Management Performance Grant Funds and Approval of Budget Modification No. 7**

**BACKGROUND**

The Federal Department of Homeland Security (DHS) provides grant funding each year to states in support of prevention and preparedness efforts related to terrorism and large scale disasters. The State of California distributes funding to counties (Operational Areas) based on population and on potential threats. As a sub-grantee of Santa Clara County, the Department of Public Safety (DPS) is eligible to receive DHS Grant funds to support training and equipment acquisition.

The Emergency Preparedness Council of Santa Clara County, serving as the Operational Area Council, appointed an Anti-terrorism Approval Authority for the purpose of distributing federal funds at the local level. The Approval Authority consists of the County Public Health Officer, the County Fire Chief, a municipal fire chief, the County Sheriff, and a municipal police chief. The purpose of the Approval Authority is to approve the distribution of federal funds at the operational area level after reviewing identified risks, federal and state mandates, and local requests.

In September 2007, Council approved Public Safety's on-going participation in the MOU which governs the distribution of the funds through the State Homeland Security Grant Program (SHSGP & EMPG) (RTC 07-327).

**EXISTING POLICY**

**4.1 Law Enforcement Sub-Element**

Goal 4.1A: Provide a safe and secure environment for people and property in the community.

Action Statement 4.1A.1d: Maintain, train and equip special response teams for extraordinary or extremely hazardous emergency incidents.

Goal 4.1B: Provide community oriented services that are responsive to citizen's needs in traditionally non-criminal areas.

Policy 4.1D.2: Provide effective and efficient management of Public Safety resources in order to meet the needs of: The community, the internal organization, and those mandated by regional, State, and Federal agencies.

Action Statement 4.1D.2b: Develop proposals and apply for appropriate governmental grants.

**DISCUSSION**

**Emergency Management Performance Grant (EMPG)**

For FY 2008, the Governor’s Office of Emergency Services awarded the County an Emergency Management Performance Grant in the amount of \$294,110 for the purpose of managing emergency planning. The City was allocated, on a per capita basis, a sum of \$14,131. This allocation was approved and appropriated in RTC 09-170.

Additional funds became available to the City of Sunnyvale following notification from the County Grant Administrator. As a participant in the MOU, DPS submitted documentation in accordance with grant guidelines and procedures and was awarded an additional \$46,501 for the grant period concluded on June 30, 2009. Of this award, DPS identified \$39,510 to augment local emergency preparedness efforts during FY 2009/10. The remainder of the funds will be recognized as revenue in the General Fund’s Budget Stabilization Fund, as these funds offset approved expenditures from FY 2008/09 and are not necessary to be appropriated for other purposes. The following equipment has been identified for the funds identified:

Emergency Supplies	Cargo Containers (4)	\$6450.00
Radio Equipment	Freq change for community radio	\$8300.00
Radio Equipment	SARES upgrades	\$8440.00
Public Information	Solar Powered Sign Boards	\$16,320.00

**FISCAL IMPACT**

Acceptance and appropriation of this grant funding will have a positive fiscal impact to the City, as only \$39,510 of the \$46,501 in funding will be appropriated for future expenditures. The remaining \$6,991 will be added to the General Fund’s Budget Stabilization Fund. The following table represents Budget Modification No. 7:

**Budget Modification No. 7  
FY 2009/2010**

	<b>Current</b>	<b>Increase/ (Decrease)</b>	<b>Revised</b>
<b>General Fund</b>			
<u>Revenues</u>			
Santa Clara County - EMPG	\$0	\$46,501	\$46,501
<u>Expenditures</u>			
New Project - EMPG Augmentation	\$0	\$39,510	\$39,510
<u>Reserves</u>			
Budget Stabilization Fund	\$27,676,672	\$6,991	\$27,683,663

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

**ALTERNATIVES**

1. Approve Budget Modification No. 7 to accept and appropriate EMPG funds.
2. Do not approve Budget Modification No. 7 to accept appropriate EMPG funds.

**RECOMMENDATION**

Staff recommends Alternative #1: Approve Budget Modification No. 7 to accept and appropriate the EMPG monies for the local emergency preparedness efforts.

Reviewed by:

Don Johnson, Director, Public Safety  
Prepared by: Jeffrey Hunter, Lieutenant, Administration

**Appropriation of Emergency Management Performance Grant Funds and Approval of Budget  
Modification No. 7  
September 29, 2009**

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Reviewed by:

Mary J. Bradley, Director, Finance

Approved by:

Gary M. Luebbers  
City Manager

**Attachments:**

- A. First Amendment to Agreement between the County of Santa Clara and the City of Sunnyvale Granting Program Funds for the Fiscal Year 2008 Emergency Management Performance Grant.

**FIRST AMENDMENT  
TO AGREEMENT BETWEEN THE COUNTY OF SANTA CLARA AND  
THE CITY OF SUNNYVALE  
GRANTING PROGRAM FUNDS FOR THE  
FISCAL YEAR 2008 EMERGENCY MANAGEMENT PERFORMANCE GRANT**

**AMENDMENT**

WHEREAS the County of Santa Clara ("County") entered into an Agreement with the City of Sunnyvale ("City") for the distribution of FY2008 Emergency Management Performance Grant ("EMPG") Funds on November 24, 2008.

Now, therefore, THIS FIRST AMENDMENT to the Agreement is made as of June 1, 2009, in Santa Clara County, California, by and between the County and the City. The language in the First Amendment supersedes any contrary language in the Agreement with respect to Article 1, Section 1. All other requirements, terms and conditions of the Agreement remain in full force and effect without amendment or change.

**RECITALS**

1. **Modification to the Agreement.** The Agreement is hereby modified as follows:

**Article 1, Section 1, "Amount of Payment" will have the following language replace the existing language in its entirety:**

Fiscal Year 2008 Emergency Management Performance Grant funds will be disbursed pursuant to the state formula for each city. The County will reimburse to the City, funds that the City expends, under Fiscal Year 2008 Emergency Management Performance Grant. The amount for the City of Sunnyvale will not exceed \$60,631.93 unless the state allocates the County additional funds under the Fiscal Year 2008 Emergency Management Performance Grant, following the execution of this agreement. If additional funds are allocated, an amendment to this MOU will follow.

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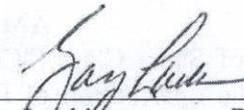
The parties hereto have executed this First Amendment to the Agreement as of the last date shown below.

Signed:

COUNTY OF SANTA CLARA

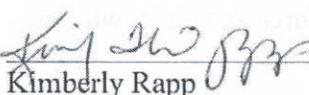
CITY OF SUNNYVALE

By  7/23/09  
Gary Graves Date  
Acting County Executive

by  7-13-09  
Gary Luebbers Date  
City Manager

Approved as to Form and Legality:

Approved as to Form and Legality:

  
Kimberly Rapp  
Deputy County Counsel

  
Asst. City Attorney

20 July 2009  
Date

7-13-09  
Date