

**Council Meeting: June 29, 2010****SUBJECT: Appropriation of \$50,577 of Emergency Management Preparedness Grant Funds and Approval of Budget Modification No. 42****GRANT SUMMARY**

In May 2010, the city manager accepted grant funds in the amount of \$50,577 to the Department of Public Safety (DPS) to assist with the enhancement, sustainment, and improvement of state, local, and tribal emergency management programs. DPS is continuing to evaluate all of the associated programs to maintain a high level of preparedness in the event of a major disaster. These funds will provide DPS the opportunity in tight economic times to manage the DPS Office of Emergency Services more effectively and provide essential equipment to the effort.

**GRANTING AGENCY**

The Federal Emergency Management Administration [FEMA] provides grant funding each year to states through the Emergency Management Performance Grant [EMPG]. FEMA provides EMPG funding to support the key components of a comprehensive national emergency management system for disasters and emergencies that may result from natural disasters and accidental or man-caused events. Activities conducted using EMPG funding should relate directly to the four elements of emergency management: prevention, protection, response, and recovery.

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, DPS is eligible to receive EMPG Grant funds to support prevention and preparedness goals.

**EXISTING POLICY****Council Policy 7.1.5 Donations, Contributions and Sponsorships:**

The city manager may apply for grants of any dollar amount, but shall notify the Council when grants are being pursued. Council approval of a budget modification to appropriate grant monies is required before funds can be expended by staff. Such a budget modification shall include the use to which the grant would be placed; the objectives or goals of the City which will be achieved through use of the grant; the local match required, if any, plus the source of the local match; any increased cost to be locally funded upon termination of the grant; and the ability of the City to administer the grant.

City policies relevant to use of these grant monies include:

- 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**

The Division of Administration in the Department of Public Safety will be responsible for the management of the grant. The Department of Finance has confirmed that the City has available resources to administer the grant.

**FISCAL IMPACT**

Required Local Match

NONE

Increased Cost To City Upon Grant Termination

NONE

**Budget Modification No. 42  
FY 2009/2010**

	<b>Current</b>	<b>Increase/ (Decrease)</b>	<b>Revised</b>
<b>General Fund</b>			
<u>Revenues</u>			
Santa Clara County - EMPG	\$23,155	\$50,577	\$73,732
<u>Expenditures</u>			
Project 828650 - Emergency Management Preparedness Grant	\$23,155	\$50,577	\$73,732

**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.42 to appropriate EMPG Funds in the amount of \$50,577.
2. Do not approve Budget Modification No.42 to appropriate EMPG Funds in the amount of \$50,577.

**RECOMMENDATION**

Staff recommends Alternative #1: Approve Budget Modification No. 42 to appropriate EMPG Funds in the amount of \$50,577.

Reviewed by:

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

Reviewed by:

Mary J. Bradley, Director of Finance

Approved by:

Gary M. Luebbers  
City Manager

**Attachments:**

- A. 2009 EMPG Amended Memorandum of Understanding

**FIRST AMENDMENT  
TO AGREEMENT BETWEEN THE COUNTY OF SANTA CLARA AND  
THE CITY OF SUNNYVALE  
GRANTING PROGRAM FUNDS FOR THE  
FISCAL YEAR 2009 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 FY2009 Emergency Management Performance Grant (“EMPG”) Funds on July 1, 2009.

Now, therefore, THIS FIRST AMENDMENT to the Agreement is made as of May 1, 2010, 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 2009 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 2009 Emergency Management Performance Grant. The amount for the City of Sunnyvale will not exceed \$73,731.75 unless the state allocates the County additional funds under the Fiscal Year 2009 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.

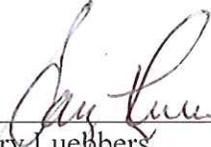
**Signed:**

COUNTY OF SANTA CLARA

CITY OF SUNNYVALE

By \_\_\_\_\_  
Gary Graves  
Chief Operating Officer

Date

by  \_\_\_\_\_  
Gary Luebbers  
City Manager

Date

5/17/10

Approved as to Form and Legality:

Approved as to Form and Legality:

\_\_\_\_\_  
Kimberly Rapp  
Deputy County Counsel

  
for \_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

5/13/10  
\_\_\_\_\_  
Date