



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
SHERIFF'S OFFICE



DATE: 11/06/2008
BOARD MEETING DATE: November 18, 2008
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: 4/5ths

TO: Honorable Board of Supervisors
FROM: Sheriff Greg Munks
SUBJECT: Memoranda of Understanding with and for Northern California High Intensity Drug Trafficking Area (NCHIDTA) and Northern California Regional Terrorism Threat Assessment Center (NCRTTAC) Fusion Center.

RECOMMENDATION:

Adopt a Resolution authorizing the execution of:

- (1) A Memorandum of Understanding (MOU) with the Northern California High Intensity Drug Trafficking Area (NCHIDTA) Executive Board, for the continued support of the NCHIDTA and the **Northern California Regional Terrorism Threat Assessment Center (NCRTTAC) Fusion Center** for the term July 1, 2008 through June 30, 2011, and
- (2) An Agreement with the City and County of San Francisco for the distribution of federal FY2007 Super Urban Area Security Initiative (SUASI) grant funds in the amount of \$1,604,712 and authorization for the Sheriff to sign grant assurances related to the SUASI grant funds for the term October 12, 2007 through September 30, 2009, and
- (3) Approving an Appropriation Transfer Request in the amount of \$1,347,097, establishing a budget appropriation and revenue for the FY08-09 for the 2007 SUASI grant projects.

VISION ALIGNMENT:

Commitments: Ensure basic health and safety for all; and Responsive, effective, and collaborative government.

Goals 7 and 22: Maintain and enhance the public safety of all residents and visitors; and County and local governments effectively communicate, collaborate, and develop strategic approaches to issues affecting the entire County.

The collaborative regional public safety undertaking set forth in the proposed MOU embodies and exemplifies the intent of Goal No. 22 to seek strategic regional solutions to major issues, and will also directly lead to safer communities by improving cooperation and information-sharing between regional law enforcement agencies.

Performance Measure(s):

Measure	FY 2006-07 Actual	FY 2007-08 Estimated	FY 2008-09 Projected
Number of investigations performed annually by collaborative multi-jurisdictional initiatives	482	488	475
Number of arrest made annually by collaborative multi-jurisdictional initiatives	216	192	200

BACKGROUND:

For the past eleven (11) years, the NCHIDTA program has provided a stable source of federal funding, and collaborative regional leadership, to combat organized drug trafficking, related gang violence, and money laundering. In 2004, the Northern California Regional Terrorism Threat Assessment Center (NCRTTAC) was established under NCHIDTA management to develop collaborative relationships among local, state, and federal law enforcement and allied public safety agencies for the purpose of identifying and assessing terrorist threats in high-risk metropolitan areas such as the San Francisco Bay Area. The well-established and successful NCHIDTA was the natural collaborative model for the new NCRTTAC, and thus NCRTTAC was co-located with NCHIDTA to form an information "Fusion Center" for the Bay Area and Coastal Counties of Northern California. NCHIDTA administrative & fiscal staff supports both programs within the Fusion Center.

However, NCHIDTA is a funding stream and not a legal entity, and therefore the San Mateo County Sheriff's Office has served as the lead agency for both NCHIDTA and NCRTTAC, since their inception. NCHIDTA operations are provided by independent contractors and unclassified county employees, and NCHIDTA utilizes county purchasing, fiscal, and legal services, in exchange for payments drawn from the federal HIDTA funds. This relationship has been memorialized by a series of resolutions authorizing the County to provide support, staff and services to NCHIDTA, and agreements that specified the County's support and staff of NCHIDTA, as well as the payments received for those services. The agreements expired in 2007. Both NCHIDTA and NCRTTAC are regularly audited by the County, and separately by their governing agencies, with positive findings.

Fusion Centers have already been established in the majority of large metropolitan areas, including California. Each center is unique in configuration and operation, yet all share certain common missions, funding sources, and general operational activities. The United States Department of Homeland Security and the State of California Office of Homeland Security has designated the NCHIDTA/NCRTTAC as the regional Fusion Center for the San Francisco Bay Area.

In October 2007 the Bay Area Super Urban Area Security Initiative (SUASI) was awarded \$27,300,000 for Homeland Security Initiatives in the Bay Area SUASI region, which is comprised of three (3) core cities: San Francisco, Oakland, and San Jose; ten (10) Bay Area counties, and over one-hundred (100) incorporated cities. The Bay Area SUASI has designated \$1,604,712 to support NCHIDTA/NCRTTAC Fusion Center operations. Although the funding was awarded in October of 2007 the Agreement between the City and County of San Francisco and the County of San Mateo was not received by the County of San Mateo until October of 2008.

DISCUSSION:

The proposed MOU's are with City and County of San Francisco for the acceptance of Super Urban Area Security Initiative Funding by the County as the fiduciary of the NCHIDTA Executive Board, and for the renewal of the agreement between County and the NCHIDTA. Staffing for the NCHIDTA and NCRTTAC Fusion Center will include existing San Mateo County and affiliated agency staff, and new officers/agents/analysts from many affiliated Northern California public safety agencies. NCHIDTA and NCRTTAC are collocated in the federal building in San Francisco. The MOU has been constructed so that all new San Mateo County costs associated with the fusion center are fully reimbursed, including service charges from County service departments and administrative agencies. Other costs involving other agencies,

such as non-County staff cost reimbursements and the fusion center operating expenses, will be pass-through in nature – fully reimbursable through NCHIDTA and NCRTTAC contractual funding. No fusion center expenditures will be incurred until both the NCHIDTA MOU and the SUASI funding MOU, are in place.

The proposed MOU includes all provisions that are required by County ordinance and administrative memoranda, including but not limited to insurance, hold harmless, non-discrimination, equal benefits, and a contractor jury service policy. County Counsel and Risk Management have reviewed and approved this document as to form.

As additional funding is received, amendments to the agreements will be presented to the Board for consideration and approval.

FISCAL IMPACT:

All new or additional costs associated with the NCHIDTA and NCRTTAC operation will be fully and 100% reimbursable from contractual funds. All existing NCHIDTA and NCRTTAC administrative costs are already fully reimbursed, except for a moderate residual cost for one management position, to account for the fact that Bay Area personnel costs are higher than the national average upon which a reimbursement cap is based. This funding has been annually budgeted within the Sheriff's Office budget for the past eleven (11) years. There will be no additional Net County General Fund Cost incurred as a result of approval of this MOU.

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