

# SAN FRANCISCO FIRE COMMISSION

**Fire Commission Regular Meeting**  
**Wednesday, October 11, 2017 – 9:00 a.m. – 12:00 p.m.**

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416 ■ San Francisco ■ California ■ 94102

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## AGENDA

*Item No.*

**1. ROLL CALL**

President	Ken Cleaveland
Vice President	Stephen A. Nakajo
Commissioner	Michael Hardeman
Commissioner	Francee Covington
Commissioner	Joe Alioto Veronese
Chief of Department	Joanne Hayes-White

**2. GENERAL PUBLIC COMMENT**

Members of the public may address the Commission for up to three minutes on any matter within the Commission's jurisdiction and does not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Commissioners are not to enter into debate or discussion with a speaker. The lack of a response by the Commissioners or Department personnel does not necessarily constitute agreement with or support of statements made during public comment.

**3. APPROVAL OF THE MINUTES *[Discussion and possible action]***

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on September 27, 2017.

**4. CHIEF OF DEPARTMENT'S REPORT *[Discussion]***

REPORT FROM CHIEF OF DEPARTMENT, JOANNE HAYES-WHITE

Report on current issues, activities and events within the Department since the Fire Commission meeting on September 27, 2017, including budget, academies, special events, communications and outreach to other government agencies and the public and introducing the 4 San Francisco Fire Department members that were finalists on the TV series "F Word".

REPORT FROM OPERATIONS, DEPUTY CHIEF MARK GONZALES

Report on overall field operations, including greater alarm fires, Emergency Medical Services, Bureau of Fire Prevention & Investigation, and Airport Division.

**5. RESOLUTION 2017-04 *[Discussion and possible action]***

Discussion and possible action regarding proposed Resolution 2017-04, recommending that the Board of Supervisors authorize the San Francisco Fire Department to accept and expend Fiscal Year 2016 Fire Prevention and Safety Grant Program funding in the amount of \$215,380 from the Federal Emergency Management Agency for resources for the Fire Department's Youth Firesetter Prevention & Intervention Program.

**6. COMMISSION REPORT *[Discussion]***

Report on Commission activities since last meeting of September 27, 2017.

**7. AGENDA FOR NEXT FIRE COMMISSION MEETING [Discussion]**

Discussion regarding agenda for the October 25, 2017 regular meeting.

**8. PUBLIC COMMENT ON ITEM 9**

Public comment on all matters pertaining to Item 9 below, including public comment on whether to hold Items 9 (b), (c) and (d) in closed session.

**9. POSSIBLE CLOSED SESSION REGARDING PERSONNEL MATTERS**

**a. VOTE ON WHETHER TO CONDUCT ITEMS 9(b), (c) and (d) IN CLOSED SESSION [Action]**

The Commission may hear Items 9(b), (c) and (d) regarding personnel matters in closed session pursuant to Government Code Section 54957(b) and Administrative Code Section 67.10(b).

**b. EMPLOYEE DISCIPLINE CASE NO. 2017-07.** Commission to consider and possibly take action on proposed stipulated settlement agreement concerning member's suspension appeal filed on *June 27, 2017* appealing a 2-day suspension for the following alleged rule violations:

Section 3921- Inattention to Duty  
Section 3939 – Loss of Damage of Tools and/or Equipment  
CD2 Memo 00-05 – Locking of Ambulances

**c. EMPLOYEE DISCIPLINE CASE NO. 2017-02.** Commission to consider and possibly take action on proposed stipulated settlement agreement concerning member's suspension appeal filed on *March 1, 2017* appealing a 4-day suspension for the following alleged rule violations:

Section 3909- False Reports

**d. EMPLOYEE DISCIPLINE CASE NO. 2017-05.** Commission to consider and possibly take action on proposed stipulated settlement agreement concerning member's suspension appeal filed on *May 23, 2017* appealing a 2-day suspension for the following alleged rule violations:

Section 2901- Journal & Log Book  
Section 3001 – Inspection, Maintenance, Service & Operation  
Section 3948 - Congregating

**10. REPORT ON ANY ACTION TAKEN IN CLOSED SESSION [Discussion]** as specified in California Government Code Section 54957.1(a) and San Francisco Administrative Code section 67.12(b).

**11. VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSIONS HELD IN CLOSED SESSION,** as specified in San Francisco Administrative Code Section 67.12(a).  
**[Action]**

**12. ADJOURNMENT**

MINUTES FOR ADOPTION

SAN FRANCISCO FIRE COMMISSION

**FIRE COMMISSION REGULAR MEETING  
DRAFT MINUTES**

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**Wednesday, September 27, 2017 - 5:00 p.m.  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400, San Francisco, California, 94102**

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The Video can be viewed by clicking this link:  
[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=180&clip\\_id=28850](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=28850)

President Cleaveland called the meeting to order at 5:00 PM.

**1. ROLL CALL**

Commission President	Ken Cleaveland	Present
Commission Vice President	Stephen Nakajo	Present
Commissioner	Michael Hardeman	Present
Commissioner	Francee Covington	Present
Commissioner	Joe Alioto Veronese	Present
Chief of Department	Joanne Hayes-White	Present
Raemona Williams	Deputy Chief – Administration	
Dan De Cossio	Bureau of Fire Prevention	
Tony Rivera	Support Services	
Andy Zano	EMS	
Shane Francisco	Homeland Security	
Rudy Castellanos	Airport Division	
Jeff Columbini	Division of Training	
Assistant Chiefs		
Robert Postel	Division 2	
Nicol Juratovac	Division 3	
Staff		
Mark Corso	Deputy Director of Finance	

**2. PUBLIC COMMENT**

There was no public comment.

**3. APPROVAL OF THE MINUTES *[Discussion and possible action]***  
Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on September 13, 2017.

Commissioner Covington Moved to approve the meeting Minutes as amended. Commissioner Hardeman Seconded. Motion to approve above Minutes as amended was unanimous.

There was no public comment.

#### **4. PRESENTATION FROM SAN FRANCISCO FIRE IN SAFETY EDUCATION**

##### **[Discussion]**

Presentation by Firefighter DeWayne Eckerdt, member of SFFISE (San Francisco Firefighters in Safety Education), in conjunction with the SFFD and the Alisa Ann Ruch Burn Foundation (AARBF), a program providing important safety information to school children in San Francisco.

Chief Hayes-White introduced Firefighter DeWayne Eckerdt. Firefighter Eckerdt introduced Ann Hildebrand, Regional Manager of Northern California for the Alisa Ann Ruch Burn Foundation and Firefighter Christian Ozo, lead intern. He went on to provide a general update on the San Francisco Firefighters in Safety Education program attached here:

He mentioned that the program is a collaboration between the Alisa Ann Ruch Burn Foundation and the San Francisco Fire Department that delivers fire safety burn prevention education for children since 2001. Ms. Hildebrand added that in 1971, the Alisa Ann Ruch Burn Foundation was founded and they are a nonprofit organization serving burn survivors and working in prevention education. She explained that the program started when eight-year-old Alisa Ann Ruch was fatally injured in a backyard barbecue accident and her family used this tragedy as a catalyst for change and a huge part of their mission is reducing burn injuries through prevention education. Their vision for the future of the program is a safer California and the continued partnership with the San Francisco Fire Department educating the children of San Francisco. Firefighter Eckerdt explained in detail how the program works. Mr. Ozo discussed the data they have collected since 2008, and added that they have instructed over 84,000 students with over 652 presentations on fire safety education.

Vice President Nakajo excused himself at 5:21 p.m. as he was not feeling well.

President Cleaveland thanked them for their educational and important presentation. He also thanked the volunteers who spend many countless hours instructing youth across the city.

Chief Hayes-White echoed President Cleaveland's thoughts and thanked the Alisa Ann Ruch Burn Foundation and their volunteers and acknowledged the phenomenal job they have done. She presented them all with certificates of recognition and acknowledged each of them; DeWayne who has educated 3,838 children over the past year; Hashim Anderson, 489 children; Nicole Kabod, 2,329 children; Jonathan Honda, 811 children; Aram Maravillas, 192 children; Lorge Quant, 210 children; Patrick Reyes, 3,149 children; Lieutenant Patricia Lui, 779 children; and Lt. Mary Shea, 111 children.

Commissioner Veronese stated that he thought it was a great program because for years to come, the kids will remember the interaction with the firefighters as a positive interaction and something they will continue to talk about.

Commissioner Covington thanked them for their presentation and all the great and inspiring work they are doing. She asked what their current operating budget was and Ms. Hildebrand explained that because she was new to the program, she did not know that information but would find out and provide it to Commissioner Covington. Commissioner Covington confirmed that their funding source comes from fundraising efforts as well as a FEMA Grant, and that they raised \$80,000.00 at the recent burn relay race.

Commissioner Hardeman thanked them for their presentation and stated it's a great program and the Fire Commission is in support of the work they do. Mr. Eckerdt thanked the Commission for their continued support and mentioned that the Commission was instrumental in allowing the San Francisco Unified School District mandate the program last year.

There was no public comment.

## **5 CHIEF OF DEPARTMENT'S REPORT [Discussion]**

### **REPORT FROM CHIEF OF DEPARTMENT, JOANNE HAYES-WHITE**

Report on current issues, activities and events within the Department since the Fire Commission meeting of September 13, 2017 including budget, academies, special events, communications and outreach to other government agencies and the public.

Chief Hayes-White reported on events since the last meeting on September 13, 2017. She acknowledged Assistant Deputy Chief Khai Ali, who replaced Assistant Deputy Chief Rudy Castellanos at the Airport. Chief Ali stated that she was truly humbled and appreciative of the opportunity to serve as the Assistant Deputy Chief at the Airport and that she has been a member of the SFFD for about 28 years.

Chief Hayes-White touched on the budget, stating that they are in the 2017-2018 budget year and they are moving forward with initiatives including the fleet and equipment purchasing plan. With the regards to academies, she announced that the 122<sup>nd</sup> academy graduated on September 8, 2017, and the 123<sup>rd</sup> academy class started on September 25, 2017.

Chief Hayes-White attended the tributes to Battalion Chief Terry Smerdel who passed away very unexpectedly on September 10, 2017 at Station 2. She also attended a leadership symposium put on by the San Francisco Veteran's Association, the memorial service for retired City treasurer Mary Callanan, she presented before the Government, Audits, and Oversight Committee related to the heat wave statistics from Labor Day Weekend along with Deputy Director Mark Corso and Assistant Deputy Chief Andy Zanoft who did a great job in preparing her for the meeting. She mentioned that one thing they would like to see as a department, is the ability for the receiving hospitals to have a mechanism by which, when there's a surge, be able to release the crews a little sooner than they did on Labor Day Weekend. She acknowledged the phenomenal work done by the members and partners during the spike in calls over the Labor Day weekend. Chief Hayes-White attended the celebration honoring the 30-year anniversary of United Fire Service Women, along with President Cleaveland and Commissioner Covington, she attended an excellent training session that was organized by Fire Marshal DeCossio entitled The Bureau of Fire Investigation Court Testimony to assist with training the members in the court of law when they're testifying and how exact they need to be when they're doing their investigations. She also attended the Mayor's Department Head meeting regarding housing and the acceleration process of making sure they stay on track in terms of meeting goals and deadlines related to the permitting process; and she attended the event at Glide Memorial where she was introduced to the new CEO, Karen Hanrahan.

Commissioner Veronese asked in regards to emergency preparedness if the Department has an early warning system. Chief Hayes-White answered that she believes the DEM, through a grant, has contracted for the early warning software and their goal would be to get it in every fire station where all the apparatus doors would come up in case of a power failure during an earthquake. Commissioner Veronese suggested that if there is some sort of warning system for tsunamis it would be nice to give members of the public a refresher update.

Commissioner Hardeman thanked Chief Hayes-White for her report and welcomed Chief Ali and stated that he took a tour of Station 3 at the airport when they had their grand opening and it's a wonderful place to visit. He mentioned what a sweet lady former City Treasurer Mary Callanan was and he also attended her service.

Commissioner Covington welcomed Chief Khai Ali and mentioned that she is very proud of the work that everyone is doing at the airport. With regards to the quick release of ambulances at receiving hospitals, Commissioner Covington asked what the Chief had in mind. Chief Hayes-White responded that since the issue has been raised, there has been a consortium of a group called the Hospital Council, represented by each of the nine receiving hospitals in the

city and they plan on presenting it to them for discussion. Commissioner Covington agreed with Commissioner Veronese about getting more information out to the public regarding earthquake safety, heat advisories and steps to take to stay safe and healthy. Chief Hayes-White responded that they are working in conjunction with Department of Public Health, the lead agency for pushing heat-related messages. With regards to the women in the fire department anniversary event, Commissioner Covington stated that Senator Feinstein regaled the participants with stories of going to three different fires and learning so much about what it is that firefighters do and she was very proud of the fact that she was wholeheartedly behind the effort to get women in to the Department.

President Cleaveland mentioned that he thinks they are all concerned about the wait time at hospitals and would like someone from the Fire Commission to attend the meeting with the Hospital Council to assist in that effort. Chief Francisco spoke about what the Department will be doing during Fleet Week as well as an update on the early warning system, which is called Shake Alert.

There was no public comment.

**REPORT FROM ADMINISTRATION, DEPUTY CHIEF RAEMONA WILLIAMS**

Report on the Administrative Divisions, Fleet and Facility status, Finance, Support Services, Homeland Security and Training within the Department.

Chief Williams' report covered activities from August 24, 2017 to September 27, 2017. She mentioned how busy the Assignment Office has been, as they completed first assignments for the newly graduated probationary firefighters from the 122<sup>nd</sup> academy class, and they worked diligently on scheduling and planning during the memorial services for Firefighter Perry Choy's funeral mass, as well as Battalion Chief Terry Smerdel's funeral. They have worked with the assistance of mutual aid to ensure staffing stayed at the highest levels so they were able to respond accordingly. She touched on Homeland Security, the Physician's Office, Support Services; and Division of Training.

Commissioner Covington thanked Chief Columbini for the wonder graduation and how exciting it was to see the newly graduated probies demonstrating their skills during the drill.

Commissioner Hardman thanked Chief Columbini again for the great sound system at the graduation and how wonderful it was to have it outside, and everything was just perfect.

There was no public comment.

**6. COMMISSION REPORT *[Discussion]***

Report on Commission activities since last meeting of September 13, 2017.

Commissioner Hardeman attended the service for Battalion Chief Smerdel and mentioned what an incredible sendoff he was given. He acknowledged the other communities who volunteered to cover the City so San Francisco Firefighters could attend the funeral. He commended the Fire Reserves for the great job they did as well as Chief Burke. Commissioner Veronese also stated it was quite a tribute to Chief Smerdel and acknowledged the other agencies that came and covered the City and asked that the Commission acknowledge them in some sort of way. Chief Hayes-White responded that they received an outpouring of condolences on the death of Chief Smerdel and she plans on responding to them all and will add signature lines for the commissioners to sign if they so wish and she will acknowledge the agencies that covered the city for that day as well.

Commissioner Veronese announced that the Director of Rec and Park, as well as Commissioner Kat Anderson stepped in to help store the antique apparatus temporarily at the Palace of Fine

Arts. He also mentioned that he was unaware of how many firefighters actually cared about this issue as he had a lot of people stop him on the street and thank him for trying to do something about it. He said they still need to find a permanent home for the antique apparatus.

**7. AGENDA FOR NEXT FIRE COMMISSION MEETING [Discussion]**

Discussion regarding agenda for the October 11, 2017 regular meeting.

- Home for antique apparatus
- Update on drone policy

**8. POSSIBLE CLOSED SESSION REGARDING LABOR NEGOTIATIONS**

**a. VOTE ON WHETHER TO CONDUCT ITEM 8(b) IN CLOSED SESSION [Action]**

The Commission may hear Item 8(b) regarding labor negotiations in closed session pursuant to Government Code Section 54957.6 and Administrative Code Section 67.10(e).

*Commissioner Covington made a motion to conduct labor negotiations in Closed Session. Commissioner Veronese seconded, and the motion was unanimously approved. (4-0; Cleaveland, Hardeman, Covington, Veronese)*

*The Commission went into closed session at 6:30 p.m.*

**b. CONFERENCE WITH NEGOTIATOR - LABOR NEGOTIATION [Discussion and possible action]**

City Negotiator: Carol Isen, Employee Relations Director

Employee Organization: San Francisco Firefighters Local 798

Anticipated Issues Under Negotiation: Procedures for implementing administrative appeals in Fire disciplinary proceedings

**9. REPORT ON ANY ACTION TAKEN IN CLOSED SESSION as specified in California Government Code Section 54957.1(a) and San Francisco Administrative Code section 67.12(b). [Discussion]**

**10. VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSIONS HELD IN CLOSED SESSION, as specified in San Francisco Administrative Code Section 67.12(a). [Action]**

*Commissioner Covington Moved to not disclose discussions held in closed session. Hardeman Seconded. The motion was unanimously approved. (4-0; Cleaveland, Hardeman, Covington, Veronese)*

*The commission reconvened in open session at 7:48 p.m.*

**11. ADJOURNMENT**

President Cleaveland adjourned the meeting in the memory of Mary Callanan at 7:50 p.m.



GENERAL ORDERS

## **Conefrey, Maureen (FIR)**

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**From:** FireChief, Secretary  
**Sent:** Friday, September 29, 2017 6:10 PM  
**Subject:** General Order 17 A-49, San Francisco Fire Department Open House Day

### SAN FRANCISCO FIRE DEPARTMENT GENERAL ORDER

File Code 17 A-49  
September 29, 2017

**From:** Chief of Department  
**To:** Distribution List "A"  
**Subject:** San Francisco Fire Department Open House Day  
**Reference:** Rules and Regulations, Sec. 402  
**Enclosures:** None

Officer Endorsement:  
Section 1108 - R. & R. \_\_\_\_\_

1. In recognition of National Fire Prevention Week, October 8-14, 2017, each Fire Station will hold a "Fire Station Open House Day" on Saturday, October 14, 2017, from 1300-1700 hours. This year's theme is "Every Second Counts: Plan 2 Ways Out". The public will be allowed to enter and tour the public areas of all Fire Stations and receive fire safety information from Department members.
2. Fire safety information and promotional materials for distribution to the public during the Open House will be provided by the Bureau of Fire Prevention. Battalion Chiefs shall pick up boxed materials from the Chief's Office at Headquarters beginning on Thursday, October 12, 2017, and distribute them to the Stations within their Battalion. Each Fire Station shall set up a table on the apparatus floor to display these materials.
3. Apparatus doors will remain open for the duration of the Open House. In the event of a response to an incident during the Open House, Station members shall direct community members to vacate the Station and then secure the facility.
4. Stations should have an existing box of Fire Prevention materials, including an Open House Day banner. Officers are directed to display the Open House Day banners starting October 8, 2017, and remove them after October 14, 2017.
5. Officers are directed to save all remaining educational fire safety materials, brochures, Open House Day banners, etc. and place them in the previously distributed educational materials storage box. This storage box shall be kept in a location that will be accessible for members to distribute literature to inquiring community members.
6. This event will be advertised to all local media via press release and to the public via the San Francisco Fire Department website.

## **Conefrey, Maureen (FIR)**

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**From:** FireChief, Secretary  
**Sent:** Tuesday, October 03, 2017 6:37 PM  
**Subject:** File Code 17 A-50. Position of Lieutenant, Support Services, ESER Bond Project

### SAN FRANCISCO FIRE DEPARTMENT GENERAL ORDER

File Code 17 A-50  
October 3, 2017

**From:** Chief of Department  
**To:** Distribution List "A"  
**Subject:** Position of Lieutenant, Support Services, ESER Bond Project  
**Reference:** Rules & Regulations, Section 402  
**Enclosure:** None

Officer Endorsement:  
Section 1108 - R. & R. \_\_\_\_\_

1. The Department is advertising for the position of Lieutenant, Division of Support Services, Earthquake Safety and Emergency Response (ESER) Bond.
2. This is a grant-funded administrative position. The selected member will be reassigned to days for the duration of the project.
3. The duration of the project is expected to be one (1) year and may be extended, based on grant-funding availability.
4. The Lieutenant will work under the supervision of, and report directly to, the Assistant Deputy Chief of the Division of Support Services, and will be responsible for oversight and facilitation of all efforts related to the ESER Bond Fire Station improvements and construction.
5. The desired qualifications for this Lieutenant position include:
  - a. Ability to evaluate various Fire House facilities and equipment
  - b. Attend daily meetings with the Department of Public Works (DPW), Architects, Builders, other trades people, etc.
  - c. Familiar with financial reports and possess the ability to extrapolate information and make recommendations
  - d. Ability to read project manuals and blueprints
  - e. Experience with coordinating and monitoring work involving DPW and other outside vendors
  - f. Ability to work with common office software products, such as Microsoft Word, Excel and PowerPoint.
  - g. Knowledge and understanding of building construction, upgrades and improvements.
  - h. Knowledge and understanding of the City's contracting, bidding and purchasing system.
  - i. Willing to take on assigned projects as necessary
  - j. Comfortable working in a collaborative environment
  - k. Provide support for the ESER Captain

6. Interested members in the rank of H-20 Lieutenant or below are encouraged to submit a General Form and updated Personal Qualification Form (PQF) to the Chief of Department by close of business on Friday, October 20, 2017.
7. Upon review of Personal Qualification Forms (PQFs), selected candidates will be contacted to participate in an interview process.

Joanne Hayes-White  
Chief of Department

RESOLUTIONS

**FIRE COMMISSION**  
**City and County of San Francisco**  
Edwin M. Lee, Mayor

Ken Cleaveland, *President*  
Stephen A. Nakajo, *Vice President*  
Michael Hardeman, *Commissioner*  
Francee Covington, *Commissioner*  
Joe Alioto Veronese, *Commissioner*



698 Second Street  
San Francisco, CA 94107  
Telephone 415.558.3451  
Fax 415.558.3413  
Maureen Conefrey, *Secretary*

**RESOLUTION 2017-03**

**RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS  
AUTHORIZE THE SAN FRANCISCO FIRE DEPARTMENT TO ACCEPT AND  
EXPEND A GRANT IN THE AMOUNT OF \$215,380 FROM THE FEDERAL  
EMERGENCY MANAGEMENT AGENCY FOR RESOURCES RELATED TO THE  
YOUTH FIRESETTER PREVENTION AND INTERVENTION PROGRAM**

WHEREAS, The San Francisco Fire Department (SFFD) responds to over 140,000 incidents each year, including fires, vehicle accidents, and medical and other emergencies; and,

WHEREAS, The Department currently has a Youth Firesetter Prevention & Intervention Program (YFPIP), under the supervision of the Bureau of Fire Investigation; and,

WHEREAS, The YFPIP is designed to identify, educate, refer and evaluate the progress of at-risk youth who are prone to fire setting/arson behavior; and,

WHEREAS, The goal of the YFPIP is to create and implement identification, prevention and intervention strategies to address fire setting behavior successfully; and,

WHEREAS, The SFFD applied for and was awarded a Federal Emergency Management Agency (FEMA) grant in the amount of \$215,380 for a project to enhance its Youth Firesetter Prevention & Intervention Program; and,

WHEREAS, The grant requires the City to provide matching funds worth 5 percent of the total Federal award, or \$10,768; and,

WHEREAS, The FEMA grant requires the SFFD to complete the grant project by August 31, 2018; and,

WHEREAS, The SFFD wishes to accept and expend the grant, to support its Bureau of Fire Investigation; now, therefore, be it

RESOLVED, That the Fire Commission recommends that the Board of Supervisors authorize the Fire Department to accept and expend a grant from FEMA in the amount of \$215,380 for resources related to its Youth Firesetter Prevention & Intervention Program.

Adopted at the Regular Fire Commission Meeting of October 11, 2017.

Ayes:

Nays:

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Maureen Conefrey, Commission Secretary

**Award Package**

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U.S. Department of Homeland Security  
Washington, D.C. 20472



# FEMA

Ms. Joanne Hayes-White  
San Francisco Fire Department  
698 2nd Street  
San Francisco, California 94107-2015

Re: Grant No.EMW-2016-FP-00834

Dear Ms. Hayes-White:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2016 Assistance to Firefighters Grant Program - Fire Prevention and Safety Grant has been approved in the amount of \$215,380.00. As a condition of this award, you are required to contribute a cost match in the amount of \$10,768.00 of non-Federal funds. The Federal share is \$215,380.00 of the approved total project cost of \$226,148.00.

**Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system.** By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2016 Assistance to Firefighters Grant Program - Fire Prevention and Safety Grant Notice of Funding Opportunity

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

**Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov).** As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

**Step 1:** Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and take it to your bank to have the bottom portion completed. Make sure your application number is on the form. After your bank has filled out their portion of the form, you must fax a copy of the form to FEMA's SF-1199 Processing Staff at 540-504-2883. You should keep the original form in your grant files. After the faxed version of your SF 1199A has been reviewed you will receive an email indicating the form is approved. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,

Bridget Bean  
Acting Assistant Administrator for Grant Programs

## Summary Award Memo

**SUMMARY OF ASSISTANCE ACTION  
ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - FIRE PREVENTION AND SAFETY GRANTS Application**

**INSTRUMENT:** GRANT  
**AGREEMENT NUMBER:** EMW-2016-FP-00834  
**GRANTEE:** San Francisco Fire Department  
**DUNS NUMBER:** 033428819  
**AMOUNT:** \$226,148.00, Fire Prevention

**Project Description**

The purpose of the Assistance to Firefighters Grant Program - Fire Prevention and Safety Grants is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program - Fire Prevention and Safety Grants program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

**Period of Performance**

01-SEP-17 to 31-AUG-18

**Amount Awarded**

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel	\$201,148.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$10,000.00
Supplies	\$15,000.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect Charges	\$0.00
Total	\$226,148.00

**NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)****FEMA Officials**

**Program Officer:** The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

**Grants Assistance Officer:** The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

**Grants Operations POC:** The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

**ADDITIONAL REQUIREMENTS (IF APPLICABLE)**

The Program Office has made the following adjustments to your grant:

Project 1. Fire & Arson Investigation-Fire & Arson Investigation - Youth Firesetter Arson Investigator at \$226,148  
Project 2. Code. Enforcement/Awareness-Code Enforcement/Awareness - Code Compliance Inspector will not be funded  
Therefore, they have recommended the award at this level:

Total budget \$226,148

Federal share \$215,379

Applicant share \$10,769

At the time of the approval of this award, San Francisco Fire Department has an ACTIVE SAM registration that expires on 1/9/2018.

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Edith Myerly at [edith.myerly@fema.dhs.gov](mailto:edith.myerly@fema.dhs.gov).

All costs appear reasonable.

#### National Environmental Policy Act

All recipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

#### Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. All recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.



# FEMA

## Agreement Articles

U.S. Department of Homeland Security  
Washington, D.C. 20472

### AGREEMENT ARTICLES

#### Assistance to Firefighters Grant Program - Fire Prevention and Safety Grants

**GRANTEE:** San Francisco Fire Department

**PROGRAM:** Assistance to Firefighters Grant Program - Fire Prevention and Safety Grants

**AGREEMENT NUMBER:** EMW-2016-FP-00834

**AMENDMENT NUMBER:**

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I. **Assurances, Administrative Requirements and Cost Principles**

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances - Non-Construction Programs. Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements and cost principles that apply to DHS award recipients originate from:

2 C.F.R. Part 200, Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 C.F.R. Part 3002.

II. **Acknowledgement of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

III. **Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

IV. **Age Discrimination Act of 1975**

All recipients must comply with the requirements of the *Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.)*, which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

V. **Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (*42 U.S.C. §§ 12101-12213*).

VI. **Best Practices for Collection and Use of Personally Identifiable Information (PII)**

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.

VII. **Title VI of the Civil Rights Act of 1964**

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.)*, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

VIII. **Civil Rights Act of 1968**

All recipients must comply with Title VIII of the *Civil Rights Act of 1968*, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (*42 U.S.C. § 3601 et seq.*), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features (see 24 C.F.R. § 100.201).

IX. **Copyright**

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

X. **Debarment and Suspension**

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

XI. **Drug-Free Workplace Regulations**

All recipients must comply with the *Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.)*, which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R. Part 3001.

XII. **Duplication of Benefits**

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs

that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

**XIII. Energy Policy and Conservation Act**

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

**XIV. Reporting Subawards and Executive Compensation**

**a. Reporting of first-tier subawards.**

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

**b. Reporting Total Compensation of Recipient Executives.**

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if-

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received-

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

**c. Reporting of Total Compensation of Subrecipient Executives.**

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if-

i. in the subrecipient's preceding fiscal year, the subrecipient received-

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- i. To the recipient.
- ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

**d. Exemptions**

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards,
- and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

**e. Definitions. For purposes of this award term:**

1. *Entity* means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward:*

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

- i. Receives a subaward from you (the recipient) under this award; and
- ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- i. *Salary and bonus.*
- ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
- v. *Above-market earnings on deferred compensation which is not tax-qualified.*
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

**XV. False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of 31 U.S.C. §3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and

statements made.

**XVI. Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.

**XVII. Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

**XVIII. Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, 15 U.S.C. §2225.

**XIX. Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

**XX. Lobbying Prohibitions**

All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt 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 any Federal action concerning the award or renewal.

**XXI. Non-supplanting Requirement**

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

**XXII. Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

**XXIII. Procurement of Recovered Materials**

All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

**XXIV. Contract Provisions for Non-federal Entity Contracts under Federal Awards**

**a. Contracts for more than the simplified acquisition threshold set at \$150,000.**

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

**b. Contracts in excess of \$10,000.**

All recipients that have contracts exceeding \$10,000 must address termination for cause and for



convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

**XXV. SAFECOM**

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

**XXVI. Terrorist Financing E.O. 13224**

All recipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

**XXVII. Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)**

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

**XXVIII. Trafficking Victims Protection Act of 2000**

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

**XXIX. Rehabilitation Act of 1973**

All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

**XXX. USA Patriot Act of 2001**

All recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act)*, which amends 18 U.S.C. §§ 175-175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

**XXXI. Use of DHS Seal, Logo and Flags**

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

**XXXII. Whistleblower Protection Act**

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

**XXXIII. DHS Specific Acknowledgements and Assurances**

All recipients must acknowledge and agree-and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree-to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.

6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

#### XXXIV. System of Award Management and Universal Identifier Requirements

##### A. Requirement for System of Award Management

Unless exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

##### B. Requirement for unique entity Identifier

If authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

##### C. Definitions

For purposes of this award term:

1. *System of Award Management (SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.
3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A Governmental organization, which is a State, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. *Subaward*:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. *Subrecipient* means an entity that:
  - a. Receives a subaward from you under this award; and
  - b. Is accountable to you for the use of the Federal funds provided by the subaward.

#### XXXV. Animal Welfare Act of 1966

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

#### XXXVI. Protection of Human Subjects

All recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or

contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

**XXXVII. Incorporation by Reference of Notice of Funding Opportunity**

The Notice of Funding Opportunity for this program is hereby incorporated into your award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained in the Notice of Funding Opportunity.

**XXXVIII. Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to [firegrants@dhs.gov](mailto:firegrants@dhs.gov).

**XXXIX. Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**XL. Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

**XLI. Environmental Planning and Historic Preservation Screening**

FPS-funded activities that involve the installation of equipment (such as permanently mounted LED/electronic signs) not specifically excluded from a FEMA Environmental and Historic Preservation (EHP) Review per the Grant Programs Directorate (GPD) Programmatic Environmental Assessment (PEA); ground-disturbing activities; or modification/renovation of existing buildings or structures must undergo a FEMA EHP Review.

FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders.

To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to our Department of Homeland Security/Federal Emergency Management Agency- website at: <https://www.fema.gov/library/viewRecord.do?id=6906>

In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1a. AGREEMENT NO. EMW-2016-FP-00834	2. AMENDMENT NO. 0	3. RECIPIENT NO. 94-6000417	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX02695N2017T
6. RECIPIENT NAME AND ADDRESS San Francisco Fire Department 698 2nd Street San Francisco California, 94107-2015	7. ISSUING OFFICE AND ADDRESS Grant Programs Directorate 500 C Street, S.W. Washington DC, 20472 POC: Marie Rosalie Isabel Vega	8. PAYMENT OFFICE AND ADDRESS FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472		
9. NAME OF RECIPIENT PROJECT OFFICER Joanne Hayes-White	PHONE NO. 4155583417	10. NAME OF PROJECT COORDINATOR Catherine Patterson	PHONE NO. 1-866-274-0960	
11. EFFECTIVE DATE OF THIS ACTION 01-SEP-17	12. METHOD OF PAYMENT SF-270	13. ASSISTANCE ARRANGEMENT Cost Sharing	14. PERFORMANCE PERIOD From:01-SEP-17 To:31-AUG-18  Budget Period From:02-MAY-17 To:30-SEP-17	

15. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXXX-XXXX- XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON- FEDERAL COMMITMENT
FP	97.044	2017-F6-C111-P4310000-4101-D	\$0.00	\$215,380.00	\$215,380.00	\$10,768.00
TOTALS			\$0.00	\$215,380.00	\$215,380.00	\$10,768.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.  
N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Assistance to Firefighters Grant - Fire Prevention and Safety Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)  
N/A

DATE  
N/A

18. FEMA SIGNATORY OFFICIAL (Name and Title)  
Marie Rosalie Isabel Vega

DATE  
31-AUG-17