



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF
211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —



ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

February 14, 2017

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

29 February 14, 2017

LORI GLASGOW
EXECUTIVE OFFICER

Dear Supervisors:

**ACCEPT A GRANT AWARD FROM THE CALIFORNIA GOVERNORS OFFICE OF
EMERGENCY SERVICES FOR FISCAL YEAR 2016 HOMELAND SECURITY GRANT
PROGRAM AND APPROVE AN APPROPRIATION ADJUSTMENT
(ALL DISTRICTS) (4 VOTES)**

SUBJECT

Request Board approval authorizing the Sheriff of Los Angeles County (County) to accept and execute a grant award in the amount of \$1 million from the California Governor's Office of Emergency Services (Cal OES) for the Fiscal Year (FY) 2016 Homeland Security Grant Program (HSGP), to execute an augmentation to such grant award accepting an additional amount up to \$1,887,500 if the additional funding is awarded to the Los Angeles County Sheriff's Department (Department) by Cal OES in the future, and to approve an Appropriation Adjustment. The HSGP is funded using the Federal Department of Homeland Security funds, CFDA Number 97.067, passing through Cal OES. The grant will fund the Regional Threat Assessment Center (RTAC) Program for the prevention of terrorism and for the enhancement of all the crimes/hazards support function of the Joint Regional Intelligence Center (JRIC) fusion center.

IT IS RECOMMENDED THAT THE BOARD:

1. Delegate authority to the Sheriff, as an agent for the County, to accept \$1 million in FY 2016 HSGP federal grant funds, CFDA Number 97.067, as distributed through Cal OES, and to accept an additional amount up to \$1,887,500 if awarded to the Department by Cal OES in the future, for a total amount not to exceed \$2,887,500. There is no match requirement.
2. Adopt the attached Resolution (Attachment I) that delegates authority to the Sheriff or his designee, as an agent for the County, to execute the FY 2016 HSGP Grant Award Number 2016-0102, Cal OES ID Number 037-95066 (Agreement) with Cal OES in the amount of \$1 million

with no matching funds for the grant period from September 1, 2016, to May 31, 2019, and all future amendments, modifications, extensions, augmentations, and reimbursement requests necessary to effectuate the FY 2016 HSGP, including an augmentation that increases the grant award by an amount up to \$1,887,500 if awarded to the County by Cal OES in the future.

3. Approve an Appropriation Adjustment to increase the Department's Patrol Clearing Budget Unit in the amount of \$1 million (Salaries and Employee Benefits - \$229,000; Services and Supplies - \$605,000; Other Charges – \$166,000) for FY 2016-17 to be fully offset by grant funding. Funding from the Patrol Clearing Budget Unit will be distributed to the Patrol Specialized and Unallocated Budget Unit. The FY 2016 HSGP augmentation balance of \$1,887,500 will be included in the Department's FY 2017-18 Carryover Budget Report if such additional funding is awarded to the Department by Cal OES in the near future.

4. Delegate authority to the Sheriff, as an agent for the County, to execute funding agreements with various outside law enforcement agencies, including, but not limited to, the Los Angeles County District Attorney's Office (LADA), Los Angeles Police Department (LAPD), California Highway Patrol (CHP), and the State of California Department of Justice (DOJ) for reimbursement of FY 2016 HSGP funds, and to execute, as necessary, all future amendments, modifications, extensions, and augmentations to such funding agreements.

5. Delegate authority to the Sheriff, as an agent for the County, to apply and submit a grant application to Cal OES for the RTAC Program in future fiscal years, and to execute all required grant application documents, including assurances and certifications, when and if such future funding becomes available.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Department of Homeland Security (DHS) has released HSGP funding through Cal OES to enhance the capacity of the state and local agencies to respond to acts of terrorism, as well as natural disasters. This grant award is specifically designed for the JRIC fusion center and is managed by the Department. The grant provides funding to the County for JRIC for planning, equipment, training, organization, program management and administration for terrorism prevention, preparedness, and response personnel.

This will be the fifth year the Department will receive direct funding for the RTAC Program. Previous funding for the RTAC Program was received by the County through the Chief Executive Office as part of the general HSGP.

The adopted Board letter dated December 15, 2015 delegated authority to the Sheriff to apply and submit a grant application to Cal OES for the RTAC Program in future fiscal years, and to execute all required grant application documents, including assurances and certifications, when and if such future funding became available. The Department submitted an application for the FY 2016 HSGP funding on September 30, 2016, requesting \$1 million in funding. To date, the County has been awarded \$1 million in FY 2016 HSGP funding. However, the Department expects to receive an additional award of \$1,887,500.

The \$1 million in awarded FY 2016 HSGP grant funding will be allocated as set forth in the Budget Allocations (Attachment II). HSGP funds in the amount of \$229,000 will be utilized for Salaries and Employee Benefits to fund overtime for the Department's sworn and professional staff assisting JRIC. HSGP funds in the amount of \$771,000 will be utilized to fund training and other services and

supplies. However, if the full amount of \$2,887,500 requested by the Department is awarded, the funding will be allocated as set forth in the revised Budget Allocations (Attachment III). The additional HSGP funds in the amount of \$1,887,500 will be utilized to fund existing service agreements, training, and other services and supplies.

Implementation of Strategic Plan Goals

The recommendations are consistent with the County's Strategic Plan, Goal 1, Operational Effectiveness/Fiscal Sustainability, maximizing the effectiveness of process, structure, and operations to support timely delivery of efficient public service; and Goal 3, Integrated Services Delivery, maximizing opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

Approval of an Appropriation Adjustment is requested to increase the Department's Patrol Clearing Budget Unit in the amount of \$1 million (Salaries and Employee Benefits - \$229,000; Services and Supplies - \$605,000; Other Charges - \$166,000) for FY 2016-17 to be fully offset by grant funding, with no County match requirement. The funding from the Patrol Clearing Budget Unit will be distributed to the Patrol Specialized and Unallocated Budget Unit. The FY 2016 HSGP grant augmentation balance of \$1,887,500 will be included in the Department's FY 2017-18 Carryover Budget Report if such additional funding is awarded to the Department by Cal OES in the near future. The Department's Patrol Clearing Budget Unit will be supplemented in the amount of \$1,887,500 (Services and Supplies - \$1,887,500). The funding from the Patrol Clearing Budget Unit will then be distributed to the Patrol Specialized and Unallocated Budget Unit.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Cal OES has provided the Department with specific guidelines for the administration, management, and utilization of HSGP funds. These guidelines detail all activities and expenditures that are eligible for reimbursement under the HSGP.

Cal OES requires that the attached Resolution (Attachment I) be adopted by the Board as evidence that certain County personnel have the authority to execute, on behalf of the County, the grant award and all other necessary actions needed for the purpose of obtaining FY 2016 HSGP funding. Attachment I designates the Sheriff, the Department's Director of Financial Programs Bureau, the Captain of Criminal Intelligence Bureau, and the Department's Project Director and the Assistant Project Director for the HSGP as authorized signatories to the HSGP documents.

The Sheriff requests delegated authority to execute funding agreements with outside law enforcement agencies, including, but not limited to, the LADA, LAPD, CHP, and DOJ, for reimbursement of FY 2016 HSGP funds for services rendered by JRIC, and to execute, as necessary, all future amendments, modifications, extensions, and augmentations to such funding agreements.

The Board letter has been reviewed and the attached Resolution has been approved as to form by County Counsel.

CONTRACTING PROCESS

The County currently has a service contract related to JRIC that will be funded either in whole or in part by the HSGP.

On June 19, 2012, the Board approved Agreement Number 77775 (Agreement 77775) with SRA International, Incorporated (SRA) for JRIC Analyst Services. The Board also delegated authority to the Sheriff, or his designee, to execute amendments to Agreement 77775 that exercise option term extensions of the Agreement beyond the initial term, provided sufficient grant funding is available. On May 22, 2013, Amendment Number Two was executed to extend the term of the Agreement 77775 for the first option term from June 19, 2013, through June 18, 2014. On May 13, 2014, Amendment Number Four was executed to extend the term of Agreement 77775 for the second option term from June 19, 2014, through June 18, 2016. On June 8, 2016, Amendment Number Six was executed to extend the term for the third option term from June 19, 2015, through June 18, 2016. On June 15, 2016, Amendment Number Seven was executed to extend the fourth one-year option term from June 19, 2016, through June 18, 2017. The Department is in the process of securing a new contract for SRA.

The HSGP funds have historically provided funding in the amount of \$2 million annually for Agreement 77775 with SRA. The FY 2016 HSGP funds; however, will reduce the SRA funds in the amount of \$1,887,500 if the full amount of funding requested is awarded. If the total amount of \$1,887,500 is not allocated by Cal OES, the balance will be included in the Department's FY 2017-18 Carryover Budget Report.


IMPACT ON CURRENT SERVICES (OR PROJECTS)

The FY 2016 HSGP will have a positive impact on current services by improving and enhancing the County's ability to mitigate all threats and incidents of terrorism.

CONCLUSION

Upon Board approval, please return two individually certified copies of the adopted Board letter and two original signed Resolutions to the Department's Grants Unit.

Sincerely,



JIM McDONNELL
Sheriff

JM:AS:as

Enclosures



September 16, 2016

Jim McDonnell
Sheriff
Los Angeles County Sheriff's Department
211 W. Temple Street, 6th Floor
Los Angeles, CA 90012-3205

**SUBJECT: NOTIFICATION OF SUBRECIPIENT AWARD APPROVAL –
Joint Regional Intelligence Center
FY 2016 Homeland Security Grant Program
Grant #2016-0102, Cal OES ID#037-95066
Subrecipient Performance Period: September 1, 2016 to May 31, 2019**

Dear Sheriff McDonnell:

The California Governor's Office of Emergency Services (Cal OES) approved your FY16 Homeland Security Grant Program (HSGP) award in the amount of \$1,000,000. Once your completed application is received and approved, you may request reimbursement of eligible grant expenditures using the Cal OES Financial Management Forms Workbook available at www.caloes.ca.gov.

During the review process, a Cal OES Program Representative will examine and evaluate your FY16 HSGP grant application. Throughout the grant cycle, Cal OES will use performance milestones set in the Department of Homeland Security/FEMA Grants Reporting Tool as indicators of performance and grant management capacity and this information may be used in assessing future competitive grant applications. All activities funded with this award must be completed within the subrecipient performance period.

You are required to comply with all applicable federal, state, and local environmental and historic preservation (EHP) requirements. Additionally, Aviation/Watercraft requests, Establish/Enhance Emergency Operations Center projects, projects requiring EHP review, and sole source procurement requests and controlled equipment requests require additional approvals from Cal OES. Subrecipients must obtain written approval for these activities **prior** to incurring any costs, in order to be reimbursed for any related costs under this grant. Subrecipients are also required to obtain a performance bond prior to the purchase of any equipment item over \$250,000, including any aviation or watercraft financed with homeland security dollars. Performance bonds must be submitted to your Program Representative no later than the time of reimbursement.

Jim McDonnell
September 16, 2016
Page 2 of 2

Following acceptance of this award, you must enter your grant information into the Department of Homeland Security/FEMA Grants Reporting Tool (GRT) for the Biannual Strategy Implementation Report (BSIR) period. The GRT can be accessed online at <https://www.reporting.odp.dhs.gov/>. Your agency must prepare and submit the BSIR to Cal OES via the GRT semi-annually for the duration of the grant performance period or until you complete all activities and the grant is formally closed. Failure to submit required reports could result in grant reduction, suspension, or termination.

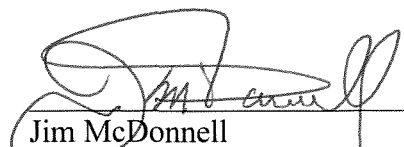
This grant is subject to all provisions of 2 CFR Part 200, Subpart F – Audit Requirements. Any funds received in excess of current needs, approved amounts, or those found owed as a result of a final review or audit, must be refunded to the State within 30 days upon receipt of an invoice from Cal OES.

Your dated signature is required on this letter. Please sign and return the original to your Cal OES Program Representative within 20 days of receipt and keep a copy for your files. For further assistance, please feel free to contact your Cal OES Program Representative or the Homeland Security Grants Unit at (916) 845-8186.

Sincerely,



MARK S. GHILARDUCCI
Director



Jim McDonnell
Los Angeles County Sheriff's Department

10-6-16
Date

**Los Angeles County Chief Executive Office
Grant Management Statement for Grants Exceeding \$100,000**

Department: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Grant Project Title and Description: Fiscal Year 2016 Homeland Security Grant Program (HSGP)

The grant provides funding for the prevention of terrorism and enhancing the all crimes/all hazards support function of the Joint Regional Intelligence Center (JRIC) fusion center.

Funding Agency: Federal Department of Homeland Security funds passing through the California Governor's Office of Emergency Services (Cal OES)

Program (Fed. Grant # /State Bill or Code #)
Grant #2016-0102
Cal OES ID# 037-95066

Grant Acceptance Deadline
Upon Board Acceptance

Total Amount of Grant Funding: \$1,000,000

County Match: \$0

Grant Period: 33 months

Begin Date: September 1, 2016

End Date: May 31, 2019

Number of Personnel Hired Under This Grant: 0

Full Time: 0 **Part Time:** 0

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant-funded program? Yes ___ No N/A

Will all personnel hired for this program be placed on temporary ("N") items? Yes ___ No N/A

Is the County obligated to continue this program after the grant expires? Yes ___ No X

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes ___ No X

b). Identify other revenue sources Yes ___ No X

(Describe) _____

c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes X No ___

Impact of additional personnel on existing space: None

Other requirements not mentioned above: None

Department Head Signature _____ **Date** _____

Governing Body Resolution
Fiscal Year 2016 Homeland Security Grant Program

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that

Sheriff of Los Angeles County OR

Director of Financial Programs Bureau, LASD OR

Criminal Intelligence Bureau Captain, RTAC Program OR

Project Director of the HSGP, RTAC Program OR

Assistant Project Director of the HSGP, RTAC Program

is hereby authorized to execute for and on behalf of the County of Los Angeles, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California.

The foregoing Governing Body Resolution was on the 14th day of February, 2017, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.



LORI GLASGOW
Executive Officer-Clerk
of the Board of Supervisors of
the County of Los Angeles

APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By:

Rachelle Smitheman
Deputy

By:

Mary C. Wickham
Principal Deputy County Counsel

FISCAL YEAR 2016 HOMELAND SECURITY GRANT PROGRAM
Budget Allocation

Category	Budget	Cost	Total	
Salary and Employee Benefits	Overtime only for Department sworn and professional personnel	\$229,375		
<i>Total Salary and Employee Benefits</i>			\$229,375	
Services and Supplies	Develop and enhance plans - STAS Planning Workshops	\$235,625		
	Information Technology, and subscriptions	\$60,000		
	Office Supplies	\$20,000		
	Training provided to JRIC personnel, and training for the Terrorism Liaison Office Program (Includes travel)	\$283,000		
	Overtime only for participating agencies' personnel			
	Los Angeles District Attorney's Office	\$6,000		
<i>Total Services and Supplies</i>			\$604,625	
Other Costs	Overtime only for participating agencies' personnel			
		Los Angeles Police Department	\$50,000	
		California Highway Patrol	\$6,000	
	Salary and employee benefits for Participating agencies' personnel			
		Salary and employee benefits for Cal DOJ personnel	\$110,000	
<i>Total Other Costs</i>			\$166,000	
Grand Total			\$1,000,000	

FISCAL YEAR 2016 HOMELAND SECURITY GRANT PROGRAM
Budget Allocation

Category	Budget	Cost	Total	
Salary and Employee Benefits	Overtime only for Department sworn and professional personnel	\$229,375		
<i>Total Salary and Employee Benefits</i>			\$229,375	
Services and Supplies	Develop and enhance plans - STAS Planning Workshops	\$235,625		
	Information Technology, and subscriptions	\$60,000		
	Office Supplies	\$20,000		
	Training provided to JRIC personnel, and training for the Terrorism Liaison Office Program (Includes travel)	\$283,000		
	Intelligence Analysis through Contract with the SRA Internantional, Incorporated	\$1,887,500		
	Overtime only for participating agencies' personnel			
	Los Angeles District Attorney's Office	\$6,000		
<i>Total Services and Supplies</i>			\$2,492,125	
Other Costs	Overtime only for participating agencies' personnel			
		Los Angeles Police Department	\$50,000	
		California Highway Patrol	\$6,000	
	Salary and employee benefits for Participating agencies' personnel			
	Salary and employee benefits for Cal DOJ personnel	\$110,000		
<i>Total Other Costs</i>			\$166,000	
Grand Total			\$2,887,500	

February 07, 2017
DEPT NO: 770

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF SHERIFF

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

**FY 2016-17
4 - VOTES**

SOURCES	USES
BA DETAIL - SEE ATTACHMENT PAGE 1	BA DETAIL - SEE ATTACHMENT PAGE 1

SOURCES TOTAL

1,834,000

USES TOTAL

1,834,000

JUSTIFICATION

Appropriation Adjustment to accept and execute a grant award in the amount of \$1,000,000 from the California Governor's Office of Emergency Services for the Fiscal Year 2016 Homeland Security Grant Program. The grant will fund the Regional Threat Assessment Center Program for the prevention of terrorism and for the enhancement of all crimes / all hazards support function of the Joint Regional Intelligence Center fusion center.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Rick Cavataio
AUTHORIZED SIGNATURE RICK CAVATAIO, DIRECTOR, SH

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED / REVISED) **#29 FEB 14 2017**

Lori Glasgow
LORI GLASGOW
EXECUTIVE OFFICER

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR---

- ACTION
- RECOMMENDATION

- APPROVED AS REQUESTED
- APPROVED AS REVISED

AUDITOR-CONTROLLER

BY *[Signature]*

CHIEF EXECUTIVE OFFICER *[Signature]* BY *[Signature]*

B.A. NO. 092

DATE Jan. 12, 2017

DATE 01/19/17

COUNTY OF LOS ANGELES
REQUEST FOR APPROPRIATION ADJUSTMENT
 DEPARTMENT OF SHERIFF

FY 2016-17
 4 - VOTES

SOURCES

USES

<p>SHERIFF - PATROL - SPECIALIZED AND UNALLOCATED A01-SH-90-9031-15681-15692 FEDERAL GRANTS INCREASE REVENUE</p>	<p>1,000,000</p>	<p>SHERIFF - PATROL CLEARING A01-SH-1000-15681-15682 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION</p>	<p>229,000</p>
<p>SHERIFF - PATROL CLEARING A01-SH-1357-15681-15682 S & EB EXPENDITURE DISTRIBUTION DECREASE APPROPRIATION</p>	<p>229,000</p>	<p>SHERIFF - PATROL CLEARING A01-SH-2000-15681-15682 SERVICES & SUPPLIES INCREASE APPROPRIATION</p>	<p>605,000</p>
<p>SHERIFF - PATROL CLEARING A01-SH-5350-15681-15682 S & S EXPENDITURE DISTRIBUTION DECREASE APPROPRIATION</p>	<p>605,000</p>	<p>SHERIFF - PATROL - SPECIALIZED AND UNALLOCATED A01-SH-5500-15681-15692 OTHER CHARGES INCREASE APPROPRIATION</p>	<p>166,000</p>
		<p>SHERIFF - PATROL - SPECIALIZED AND UNALLOCATED A01-SH-1000-15681-15692 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION</p>	<p>229,000</p>
		<p>SHERIFF - PATROL - SPECIALIZED AND UNALLOCATED A01-SH-2000-15681-15692 SERVICES & SUPPLIES INCREASE APPROPRIATION</p>	<p>605,000</p>
<p>SOURCES TOTAL</p>	<p>1,834,000</p>	<p>USES TOTAL</p>	<p>1,834,000</p>

ADOPTED
 BOARD OF SUPERVISORS
 COUNTY OF LOS ANGELES

29

FEB 14 2017

Lori Glasgow
 LORI GLASGOW
 EXECUTIVE OFFICER

BA # 092

London 1/12/17



Standard Assurances For All Cal OES Federal Grant Programs

As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management and completion of the project described in this application, within prescribed timelines.

I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:

- (a) Applicable Federal Regulations (see below);
- (b) Federal Program Notice of Funding Opportunity (NOFO);
- (c) California Supplement to the NOFO; and
- (d) Federal and State Grant Program Guidelines.

Federal Regulations

Government cost principles, uniform administrative requirements and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (CFR) and updates are issued by the Office of Management and Budget (OMB) and can be found at <http://www.whitehouse.gov/omb/>.

Significant state and federal grant award requirements (some of which appear in the documents listed above) are set forth below. The Applicant hereby agrees to comply with the following:

1. Proof of Authority

The Applicant will obtain written authorization from the city council, governing board or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

- (a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required.
- (b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board or authorized body.
- (c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board or authorized body.
- (d) The official executing this agreement is, in fact, authorized to do so.

This Proof of Authority must be maintained on file and readily available upon request.

2. Period of Performance

The Applicant will initiate work after approval of the award and complete all work within the period of performance specified in the grant.

3. Lobbying and Political Activities

As required by Section 1352, Title 31 of the U.S. Code (U.S.C.), for persons entering into a contract, grant, loan or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and §§7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

4. Debarment and Suspension

As required by Executive Orders 12549 and 12689, and 2 CFR §200.212 and codified in 2 CFR Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarment or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

5. Non-Discrimination and Equal Employment Opportunity

The Applicant will comply with all federal statutes relating to non-discrimination. These include, but are not limited to, the following:

- (a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. §2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and 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;
- (b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
- (c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. §794), which prohibits discrimination against those with disabilities or access and functional needs;
- (d) Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs;(42 U.S.C. §§ 12101-12213.);
- (e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (f) Public Health Service Act of 1912 (42 U.S.C. §§ 290), relating to confidentiality of patient records regarding substance abuse treatment;
- (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing;
- (h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin;

- (i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;
- (j) California Public Contract Code §10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;
- (k) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
- (l) The requirements of any other nondiscrimination statute(s) which may apply to the application.

In addition to the items listed in (a) through (n), the Applicant will comply with California's Fair Employment and Housing Act (FEHA). FEHA prohibits harassment and discrimination in employment because of ancestry, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth, or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave (California Government Code §§ 12940, 12945, 12945.2), military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions.

6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. §701 et seq.), the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

7. Environmental Standards

The Applicant will comply with state and federal environmental standards, which may be prescribed pursuant to the following, as applicable:

- (a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000-21177), to include coordination with the city or county planning agency;
- (b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387);
- (c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
- (d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;
- (e) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order 12898 on the Environmental Justice Act, and Executive Order 11514 on Environmental Quality;
- (f) Notification of Environmental Protection Agency (EPA) violating facilities pursuant to Executive Order 11738;
- (g) Protection of wetlands pursuant to Executive Order 11990;

- (h) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
- (i) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §1451 et seq.);
- (j) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §7401 et seq.);
- (k) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order Executive Order 11990 which requires preservation of wetlands;
- (l) The Safe Drinking Water Act of 1974, (P.L. 93-523);
- (m) The Endangered Species Act of 1973, (P.L. 93-205);
- (n) Wild and Scenic Rivers Act of 1968 (16 U.S.C. §1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.

8. Audits

For subrecipients expending \$750,000 or more in federal grant funds annually, the Applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

9. Access to Records

In accordance with 2 CFR §200.336, the Applicant will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award. The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

10. Conflict of Interest

The Applicant will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Financial Management

False Claims for Payment The Applicant will comply with 31 U.S.C §3729 which sets forth that no subgrantee, recipient or subrecipient shall submit a false claim for payment, reimbursement or advance.

12. Reporting - Accountability

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), specifically (a) the reporting of subawards obligating \$25,000 or more in federal funds and (b) executive compensation data for first-tier subawards. This includes the provisions of FFATA, which includes requirements for executive compensation, and also requirements implementing the Act for the non-federal entity at 2 CFR part 25 Financial Assistance Use of Universal Identifier and Central Contractor Registration and 2 CFR part 170 Reporting Subaward and Executive Compensation Information.

13. Whistleblower Protections

The Applicant also must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.

14. Human Trafficking

The Applicant will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from: (1) engaging in trafficking in persons during the period of time that the award is in effect: (2) procuring a commercial sex act during the period of time that the award is in effect: or (3) using forced labor in the performance of the award or subawards under the award.

15. Labor Standards

The Applicant will comply with the following federal labor standards:

- (a) Comply with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts.
- (b) Comply with the Federal Fair Labor Standards Act (29 U.S.C. § 201 et al.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.

16. Worker's Compensation

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job before commencing performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

17. Property-Related

If applicable to the type of project funded by this federal award, the Applicant will:

- (a) Comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchase.

- (b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (c) Assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. § 469a-1 et seq.).
- (d) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

- (a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications.
- (c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

19. Use of Cellular Device While Driving is Prohibited

Applicants are required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.

20. Freedom of Information Act

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Rights Act, California Government Code section 6250 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

HOMELAND SECURITY GRANT PROGRAM - PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS

21. Reporting Accusations and Findings of Discrimination

If during the past three years the recipient has been accused of discrimination on any basis the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS financial assistance office and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hq.dhs.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.

In the event any court or administrative agency makes a finding of discrimination 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 financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.

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

22. Acknowledgment 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.

23. 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.

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

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.

25. 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.

26. 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 issued in compliance with this Act.

27. 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.

28. 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

29. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 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. § 2225a.

30. Non-supplanting Requirements

All Applicants 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.

32. 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 located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

33. SAFECOM

All Applicants 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.

34. Terrorist Financing

All Applicants must comply with 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 Order and laws.

35. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the Applicant's currently active grants, cooperative agreements, and procurement contracts from all federal assistance office exceeds \$10,000,000 for any period of time during the period of performance of this federal award, the Applicant must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the terms and conditions of your award.

36. 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.

IMPORTANT

The purpose of the assurance is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. The Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in this assurance. This assurance is binding on the Applicant, its successors, transferees, assignees, etc. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the subrecipient may be ineligible for award of any future grants if the Cal OES determines that any of the following has occurred: (1) the recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers, including contracts under grants and cooperative agreements and subcontracts. All recipients are bound by the Department of Homeland Security Standard Terms and Conditions 2016, Version 6.0, hereby incorporated by reference, which can be found at: <https://www.dhs.gov/sites/default/files/publications/Fiscal%20Year%202016%20DHS%20General%20Terms%20and%20Conditions.pdf>

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the said Applicant.

Applicant: _____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____