County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

March 17, 2009

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

43 MARCH 17, 2009

SACHI A. HAMAI
EXECUTIVE OFFICER

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

Dear Supervisors:

ACCEPT A GRANT AWARD FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY, LAW ENFORCEMENT AND VICTIMS SERVICES DIVISION, FOR THE CALIFORNIA MULTI-JURISDICTIONAL METHAMPHETAMINE ENFORCEMENT TEAM PROGRAM (ALL DISTRICTS) (3 VOTES)

SUBJECT

Execute the attached Certification of Assurance of Compliance Cal-MMET Projects Methamphetamine Laboratory Operations to authorize the Sheriff to accept a grant award in the amount of $818,804 from the California Emergency Management Agency (Cal EMA) for the California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET) Program. This is an ongoing program in its third year of funding.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Request the Chairman of the Board of Supervisors to provide a wet signature to the Certification of Assurance of Compliance Cal-MMET Projects Methamphetamine Laboratory Operations (Attachment 1), as required by Cal EMA and as part of the application process, authorizing the Sheriff to accept a grant award from Cal EMA, for Fiscal Year (FY) 2008-09, in the amount of $818,804 with no matching funds.

2. Authorize the Sheriff or his designee to sign and execute any subsequent documents including amendments, modifications, extensions, and other grant documents.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles County Sheriff's Department (Department) submitted a grant application to Cal EMA, formerly called the Office of Emergency Services (OES), for the third year of State Cal-MMET Program funding. Cal EMA requires that a "Certification of Assurance of Compliance Cal-MMET Projects Methamphetamine Laboratory Operations" form be signed to accept the grant award. This form incorporates "Proof of Authority from City Council/Governing Board" in place of a resolution, as well as facilitates compliance with the provisions of the National Environmental Policy Act relating to clandestine methamphetamine laboratories.

Funding to county sheriff's departments across the state to support their efforts in combating methamphetamine distribution and sales is provided through the State Cal-MMET Program. The Program will provide $818,804 for the Department to implement a Countywide multi-jurisdictional methamphetamine enforcement team. This team of investigators will be utilized to target and eradicate methamphetamine manufacturers and traffickers who produce and/or sell significant quantities of methamphetamine, including precursor trafficking, within the Los Angeles County area, with the ultimate goal of dismantling these organizations. The required "Certification of Compliance Cal-MMET Projects Methamphetamine Laboratory Operations" certifies compliance with federal, state, and local environmental, health, and safety laws and regulations applicable to the seizure and/or removal of clandestine methamphetamine laboratories.

The Cal-MMET multi-jurisdictional task force is comprised of personnel from the Department, as well as outside agencies within the county. One sergeant, one bonus II investigator, and one civilian staff member from the Department's Narcotics Bureau will be dedicated to the program. Participation from other agencies includes one investigator from the State Bureau of Narcotic Enforcement and one investigator from municipal police departments from each of the following cities: Glendale, La Verne, Culver City, and Glendora. A lieutenant from the Department will oversee the team and be assisted by a bonus II deputy. Neither item will be grant funded.

Additional assistance and support will be provided to Cal-MMET as needed by the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (LA-IMPACT), who is certified to respond to clandestine methamphetamine laboratories for the purposes of cleanup, prosecution, and further investigation, and by the Los Angeles County Regional Criminal Information Clearinghouse (LACRCIC), an intelligence-gathering entity linked to State and Federal networks.

Implementation of Strategic Plan Goals

The Cal-MMET Program conforms to the Los Angeles County's Strategic Plan, Goal 1, Service Excellence, as it provides the Department with the ability to respond to public need, thereby providing public services that are beneficial and responsive; Goal 5, Children and Families' Well-Being; and Goal 6, Community Services, as it improves the quality of life for residents of Los Angeles County by targeting and dismantling methamphetamine manufacturing and distribution organizations in their communities.

FISCAL IMPACT/FINANCING

The Department has included funding for this program in the Department's Fiscal Year 2008-09 budget. The term of the 2008 Cal-MMET grant award is from October 1, 2008, through June 30, 2009.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under the requirements of Cal EMA, the applicant must complete a "Certification of Assurance of Compliance" form signed by the Governing Body that includes details regarding Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, and "Proof of Authority from a City Council/Governing Board." The applicant is required to submit the necessary assurances before finalization of the grant awards agreement. The Department submitted the application on November 26, 2008, and will submit, upon Board approval, the Board-signed Certification to complete the application process.

This Board letter has been reviewed by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This grant funding will have a positive impact on current services as it provides the Department's Narcotics Bureau the fiscal ability to fund a team of investigators to identify and arrest methamphetamine manufacturers and traffickers and work toward achieving the ultimate goal of dismantling these organizations within Los Angeles County.

This Board Letter was forwarded to the District Attorney's Office, the Public Defender's Office, and the Alternate Public Defender's Office for review. Prior to Board filing, no impact statements were received from those departments.

CONCLUSION

Upon your Board approval, please return four (4) individually certified copies of the Board-adopted letter and one copy of the Certification to the Department's Grants Unit.

Sincerely,

LEROY D. BACA
SHERIFF

ATTACHMENT #1

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Cal-MMET PROJECTS
METHAMPHETAMINE LABORATORY OPERATIONS

The applicant must complete a Certification of Assurance of Compliance (OES 656), which includes details regarding Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board. and compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratories. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Award Agreement. In signing the Grant Award Face Sheet, the applicant formally notifies OES that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VI, entitled, "Proof of Authority from City Council/Governing Board." The Applicant is required to obtain written authorization (original signature) from the City Council/Governing board that the official executing the agreement is, in fact, authorized to do so, and will maintain said written authorization on file and readily available upon demand. This requirement does not apply to state agencies.

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Cal-MMET PROJECTS
METHAMPHETAMINE LABORATORY OPERATIONS

I, Leroy D. Baca hereby certify that
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: County of Los Angeles

IMPLEMENTING AGENCY: Sheriff's Department

PROJECT TITLE: Cal - Multi-Jurisdictional Methamphetamine Enforcement Team

is responsible for reviewing the G*rant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by OES including, but not limited to, the following areas:

I. Equal Employment Opportunity – (Recipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **OES-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: Darrell Bolin

Title: Lieutenant

Address: 4700 Ramona Boulevard, Monterey Park, CA 91754

Phone: (323) 526-5671

Email: dbbolin@lasd.org

II. Drug-Free Workplace Act of 1990 – *(Recipient Handbook, Section 2152)*

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

III. California Environmental Quality Act (CEQA) – *(Recipient Handbook, Section 2153)*

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.)* requires all OES funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEAQ requirements.

IV. Lobbying – (*2006 Recipient Handbook Section 2154)*

OES grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, 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 the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

V. Debarment and Suspension – *(Recipient Handbook Section 2155)*

(This applies to federally funded grants only.)

OES-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VI. Proof of Authority from City Council/Governing Board

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from OES shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

SPECIAL CONDITIONS OF Cal-MMET PROJECTS
METHAMPHETAMINE LABORATORY OPERATIONS

This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratories, including the seizure and/or removal of clandestine methamphetamine laboratories [hereinafter, "meth lab operations"].

The United States Environmental Protection Agency (USEPA) has determined that, "law enforcement responsibilities terminate when the law enforcement official notifies the property owner of record, the state, and the local environmental or public health agencies in writing of a possible site contamination at a clandestine lab."

Law enforcement personnel may seize as evidence and remove any bottles, cans, jugs and other containers, as well as contaminated apparatus and chemical samples from a clandestine drug site, however, law enforcement agencies are not responsible for the cleanup/remediation of any rooms, buildings or surrounding environments, including septic systems, rivers, streams or contaminated soils.

(Check one of the following two boxes)

☐ Will accept the Cal-MMET funds for the period of Enter the correct grant cycle., and comply with Federal, State, and local environmental, health, and safety laws and regulations applicable to the **seizure** of clandestine methamphetamine laboratories. Said compliance will include the following mitigation measures:

1. Recipient will provide medical screening of personnel assigned or to be assigned by the recipient to the seizure of clandestine methamphetamine laboratories;

2. Recipient will provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to the seizure of clandestine methamphetamine laboratories;

3. Recipient will equip personnel, as determined by their specific duties, with OSHA required protective wear and other required safety equipment;

4. Recipient will notify the Department of Toxic Substances Control (DTSC), and send written notification to the property owner of record, and the local Environmental Management and/or Public Health Department whenever a clandestine methamphetamine laboratory is seized; and

5. Recipient will enter into a written agreement with the local Social Services Department to notify the local Social Services Department whenever a minor is found at a clandestine methamphetamine laboratory site, and, if determined to be necessary, require that qualified personnel be dispatched to the site and, if determined to be necessary:

    (i) Respond to the minor's health needs that relate to methamphetamine toxicity;
    (ii) Take the minor into protective custody unless the minor is criminally involved in the clandestine methamphetamine laboratory activities or is subject to arrest/detention for other criminal violations;
    (iii) Arrange for medical testing for methamphetamine toxicity; and
    (iv) Arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

OR

☒ Will accept the Cal-MMET funds for the period of Oct 1, 08-Jun 30, 08 and comply with Federal, State, and local environmental, health, and safety laws and regulations applicable to the **seizure and/or removal** of clandestine methamphetamine laboratories. Said compliance will include the following mitigation measures:

1. Recipient will provide medical screening of personnel assigned or to be assigned by the recipient to the seizure and/or removal of clandestine methamphetamine laboratories;

2. Recipient will provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to the seizure and/or removal of clandestine methamphetamine laboratories;

3. Recipient will equip personnel, as determined by their specific duties, with OSHA required protective wear and other required safety equipment;

4. Recipient will send written notification to the property owner of record, and the local Environmental Management and/or Public Health Department whenever a clandestine methamphetamine laboratory is seized;

5. Recipient will enter into a written agreement with the local Social Services Department to notify the local Social Services Department whenever a minor is found at a clandestine methamphetamine laboratory site, and, if determined to be necessary, require that qualified personnel be dispatched to the site and, if determined to be necessary:

    (v) Respond to the minor's health needs that relate to methamphetamine toxicity;

    (vi) Take the minor into protective custody unless the minor is criminally involved in the clandestine methamphetamine laboratory activities or is subject to arrest/detention for other criminal violations;

    (vii) Arrange for medical testing for methamphetamine toxicity; and

    (viii) Arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

6. Recipient will assign properly trained personnel to prepare a Hazard Assessment and Recognition Plan (HARP) for the clandestine methamphetamine laboratory site;

7. Recipient or DTSC will utilize qualified disposal personnel to remove the chemicals, associated glassware, equipment, and contaminated materials and wastes from the clandestine methamphetamine laboratory site;

8. Recipient or DTSC will dispose of the chemicals, associated glassware, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licenses recycling facilities; and

    Recipient or DTSC will monitor the records involving the transport, disposal and recycling components of subparagraphs numbered 7 and 8 immediately above in order to ensure proper compliance.

All appropriate documentation must be maintained on file by the project and available for 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 Recipient may be ineligible for award of any future grants if the 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.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: Leroy D. Baca

Authorized Official's Name: Leroy D. Baca

Authorized Official's Title: Sheriff

Date Executed: 11/25/08

Federal Employer ID Number: 95-6000927

Executed in the City/County of: Los Angeles

AUTHORIZED BY:

- City/County Financial Officer or
- City/County Manager or
- Governing Board Chair

Signature:

Name: Don Knabe

Title: Chairman

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By Michele Jackson
Deputy

Los Angeles County Chief Administrative Office
Grant Management Statement for Grants Exceeding $100,000

Department: Sheriff's Department

Grant Project Title and Description: California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET)

This project, implemented by the Department's Narcotic Bureau, is a multi-jurisdictional task force that targets methamphetamine manufacturers and traffickers who produce or sell significant quantities of methamphetamine, including precursor trafficking, to disrupt and dismantle their clandestine labs and organization. The jurisdiction of this project covers the entire County of Los Angeles.

Funding Agency	**Program** (Fed. Grant # /State Bill or Code #)	**Grant Acceptance Deadline**
California Emergency Management Services (Cal EMA)	MH 08030190	December 2008

Total Amount of Grant Funding: $818,804 **County Match:** $0
Grant Period: 9 months **Begin Date:** October 1, 2008 **End Date:** June 30, 2009
Number of Personnel Hired Under This Grant: 3 **Full Time:** 3 **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 X No __

Will all personnel hired for this program be placed on temporary ("N") items? Yes X No __

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: There is no impact on existing space.

Other requirements not mentioned above: None

Department Head Signature Lee Baca **Date** 3/05/09