



County of Los Angeles
Chief Executive Office

PUBLIC SAFETY CLUSTER AGENDA REVIEW MEETING

FESIA A. DAVENPORT
Acting Chief Executive Officer

DATE: Wednesday, October 28, 2020
TIME: 10:00 a.m.

**DUE TO CLOSURE OF ALL COUNTY BUILDING, TO PARTICIPATE IN THE MEETING CALL
TELECONFERENCE NUMBER: (323) 776-6996 ID: 400 176 838#**

TELEPHONIC PUBLIC COMMENT - (30 minutes)

**The public may address the Board deputies during the virtual meeting on all regular agenda items.
PLEASE INDICATE ITEM TO BE ADDRESSED.**

AGENDA

Members of the Public may address the Public Safety Cluster on any agenda item by submitting a written request prior to the meeting. Two (2) minutes are allowed per person in total for each item.

- 1. CALL TO ORDER**
- 2. GENERAL PUBLIC COMMENT**
- 3. INFORMATIONAL ITEM(S)** [Any Information Item is subject to discussion and/or presentation at the request of two or more Board offices with advance notification]:
 - A. Board Letter:**
ACCEPT A GRANT AWARD FROM THE DEPARTMENT OF HOMELAND SECURITY,
FEDERAL EMERGENCY AGENCY FOR THE 2020 PORT SECURITY GRANT
PROGRAM
Speaker(s): Brad Molner & Elida Rodriguez (Sheriff)
 - B. Board Letter:**
AUTHORIZE THE DISTRICT ATTORNEY TO COMPLETE AND ACCEPT GRANT
FUNDING FROM THE CALIFORNIA STATE DEPARTMENT OF INSURANCE FOR THE
LIFE AND ANNUITY CONSUMER PROTECTION PROGRAM FOR FISCAL YEAR (FY)
2020-21
Speaker(s): Renee Rose & Michael Au-Yeung (District Attorney)
 - C. Board Letter:**
AUTHORIZE THE DISTRICT ATTORNEY TO COMPLETE THE APPLICATION
PROCESS AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA OFFICE OF
EMERGENCY SERVICES (Cal OES) FOR THE ELDER ABUSE (XE) PROGRAM FOR
PERFORMANCE PERIOD OF JANUARY 1, 2021 TO DECEMBER 31, 2021
Speaker(s): Michele Daniels & Michael Au-Yeung (District Attorney)

- D.** Board Letter:
AUTHORIZE THE DISTRICT ATTORNEY TO COMPLETE THE APPLICATION PROCESS AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (Cal OES) FOR HUMAN TRAFFICKING ADVOCACY PROGRAM (HA) FOR PERFORMANCE PERIOD OF JANUARY 1, 2021 TO DECEMBER 31, 2021.
Speaker(s): Michele Daniels & Michael Au-Yeung (District Attorney)
- E.** Board Letter:
AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO COMPLETE THE APPLICATION PROCESS AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE UNSERVED/UNDERSERVED VICTIM ADVOCACY & OUTREACH PROGRAM AND APPROVE APPROPRIATION ADJUSTMENT FOR THE PERFORMANCE PERIOD BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021
Speaker(s): Michele Daniels & Michael Au-Yeung (District Attorney)
- F.** Board Letter:
AUTHORIZE THE DISTRICT ATTORNEY TO ENTER INTO GRANT AWARD AGREEMENTS (GAA) WITH THE STATE OF CALIFORNIA, DEPARTMENT OF INSURANCE (CDI) FOR THE WORKERS' COMPENSATION INSURANCE FRAUD (WCIF), DISABILITY AND HEALTHCARE INSURANCE FRAUD (DHIF), AUTOMOBILE INSURANCE FRAUD (AIF), AND HIGH IMPACT INSURANCE FRAUD (HIIF) PROGRAMS FOR FISCAL YEAR (FY) 2020-21
Speaker(s): Marc Beaart & Michael Yglecias (District Attorney)
- G.** Board Letter:
AUTHORIZE THE COUNTY OF LOS ANGELES DISTRICT ATTORNEY'S OFFICE TO COMPLETE THE APPLICATION PROCESS AND TO ACCEPT FEDERAL FUNDS FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES THROUGH VICTIMS OF CRIME ACT FOR THE COUNTY VICTIM SERVICES (XC) PROGRAM FOR THE GRANT PERIOD OF JANUARY 1, 2021 THROUGH DECEMBER 31, 2021; DELEGATE AUTHORITY TO ENTER INTO, AND APPROVE OF, SOLE SOURCE AGREEMENTS WITH COMMUNITY-BASED ORGANIZATIONS FOR THE PROVISION OF VICTIM SERVICES WITHIN THE COUNTY; APPROVE OF THE UTILIZATION OF XC GRANT FUNDS TO CONTINUE MAINTENANCE OF A UNIFIED SYSTEM FOR THE COLLECTION AND DISTRIBUTION OF COURT-ORDERED VICTIM RESTITUTION; AND APPROVE AN APPROPRIATION ADJUSTMENT FOR FY 2020-2021
Speaker(s): Michele Daniels & Michael Au-Yeung (District Attorney)
- H.** Board Letter:
FIRE STATION 166 BUDGET INCREASE BOARD LETTER, CAPITAL PROJECT NO. 89084
Speaker(s): Ron Bleier (Fire) Sokin Yoon (ISD)

Wednesday, October 28, 2020

4. PRESENTATION/DISCUSSION ITEM(S):

- A.** Board Letter:
ADVANCE NOTIFICATION OF INTENT TO ENTER INTO NEGOTIATIONS FOR A
SOLE SOURCE AMENDMENT TO EXTEND AGREEMENT NUMBER 77742 WITH
HEALTHRIGHT 360 FOR A GENDER-RESPONSIVE REHABILITATION PROGRAM
FOR FEMALE OFFENDERS
Speaker(s): Kimberly Unland & Irma Santana (Sheriff)

5. ADJOURNMENT

CLOSED SESSION:

CS-1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

Estate of Ricardo Cendejas et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:18-CV-09560.

Department: Sheriff's Department

CS-2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of Subdivision (d) of Government Code section 54956.9)

Andrew Wilson v. City of Los Angeles, et al.,
United States District Court Case No. 2:18-CV-05775.

Department: District Attorney

6. UPCOMING ITEMS:

**The Public Safety Cluster Agenda Review will be cancelled on
November 4, 2020.**

IF YOU WOULD LIKE TO EMAIL A COMMENT ON AN ITEM ON THE PUBLIC SAFETY
CLUSTER AGENDA, PLEASE USE THE FOLLOWING EMAIL AND INCLUDE THE
AGENDA NUMBER YOU ARE COMMENTING ON:

PUBLIC_SAFETY_COMMENTS@CEO.LACOUNTY.GOV

November 10, 2020

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

Dear Supervisors:

**ACCEPT A GRANT AWARD FROM THE DEPARTMENT OF HOMELAND
SECURITY, FEDERAL EMERGENCY AGENCY FOR THE
2020 PORT SECURITY GRANT PROGRAM
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

Request the Board's approval authorizing the Sheriff of Los Angeles County (County) to accept and execute a grant award in the amount of \$240,000 from the Department of Homeland Security, Federal Emergency Management Agency (FEMA), Catalog of Federal Domestic Assistance (CFDA) Number 97.056 for the 2020 Port Security Grant Program (Program).

IT IS RECOMMENDED THAT THE BOARD:

1. Delegate authority to the Sheriff, or his designee, as an agent for the County, to accept and execute the attached Grant Award Agreement Number EMW-2020-PU-00161-S01 (Agreement) with FEMA in the amount of \$240,000 for the grant period of September 1, 2020 through August 31, 2023. A required match not to exceed \$80,000 will be funded by the Los Angeles County Sheriff's Department (Department).
2. Delegate authority to the Sheriff, or his designee, as an agent for the County, to execute and submit all required grant documents including but not limited to, agreements, modifications, extensions, and payment requests that may be necessary for completion of the Program.

3. Delegate authority to the Sheriff, or his designee, as an agent for the County, to apply and submit a grant application to FEMA for this Program in future Fiscal Years (FY), and to execute all required grant application documents, including assurances and certifications, when and if such future funding becomes available.
4. Delegate authority to the Sheriff, or his designee, as an agent for the County, to accept all grand awards for the Port Security Grant Program in future FY, if awarded by FEMA, and all required grand award documents, including but not limited to, agreements, modifications, extensions, and payment that may be necessary for completion of the Program in future FY.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to accept \$240,000 in grant funding from FEMA for the Program with a required match of \$80,000. The objective of the Program is to support all core capabilities in the prevention, protection, mitigation, response, and recovery from threats and hazards that pose a great risk to the United States. The Department provides the first layer of protection by patrolling the entire coastline of the County including San Clemente and Santa Catalina Islands, screening incoming ships for chemical, biological, radiological, nuclear, and explosive (CBRNE) materials prior to their entry into the Ports of Los Angeles, Long Beach, Marina Del Rey Harbor, and various other piers and docks along the County's coast.

The grant funds will enhance the Department's port security capabilities by providing for personnel backfill and overtime (Personnel – \$320,000 including required match) for Maritime Training and to support the operation of the CBRNE screening boats.

As required by the County grants manual, the Department shall obtain the Board's approval and authorization to accept the grant funding. The procedure for requesting the Board's approval requires a minimum of six weeks. The current conditions have required more time for the complete process for the final Board approval. FEMA requires 60 days to accept the grant funding from the award date. Failure to accept a grant award within the required 60 days may result in de-obligation of funds.

The Sheriff requests delegated authority to accept all grant awards in future FY, if awarded by FEMA and to execute all required grant award documents, including but not limited to , agreements, modifications, extensions, and payment request that may be necessary for completion of the Program in future FY.

Implementation of Strategic Plan Goals

Approval of the recommended action is consistent with the County's Strategic Plan, Goal II.2.3, Foster Vibrant and Resilient Communities; Support the Wellness of Our Communities, by Prioritizing Environmental Health Oversight and Monitoring. The grant funds will be directed toward enhancing the capabilities of the Department's Port Security Program, which strengthens the County's capacity to effectively prevent, prepare for, and respond to emergent environmental and natural hazards, and reduce impacts to disproportionately affected communities.

FISCAL IMPACT/FINANCING

This will be the tenth grant award for the Program. The total Program cost is \$320,000 that includes a required match of \$80,000, which will be funded by the Department's Patrol Clearing Account Budget Unit (Salary and Employees Benefits - \$80,000). Funding will be distributed to the Special Operations Division Clearing.

The Federal grant award funds in the amount of \$240,000 will be used for salary and employees benefits (overtime).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On April 16, 2020, the Department submitted an application in response to FEMA's Program grant solicitation. Upon review of the Department's application, FEMA selected the Department to be a grant recipient of \$240,000 with a required cash match of \$80,000.

The term of the Agreement is for a period of three years from September 1, 2020 through August 31, 2023.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This Board Letter was forwarded to the Offices of the District Attorney, the Public Defender, and the Alternate Public Defender for review. Upon review of the Board letter, the Offices of the District Attorney determined that this program is not expected to have a significant impact on the department. The Public Defender and the Alternate Public Defender have confirmed that the Program will have no impact on their services.

The grant funding will have a positive impact on current services as it enhances the capabilities of the Department's Program for Maritime Training backfill and operating Port Integrated UAS, Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) ship screening and enforcement platforms.

The Honorable Board of Supervisors
November 10, 2020
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CONCLUSION

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

Sincerely,

ALEX VILLANUEVA, SHERIFF

TIMOTHY K. MURAKAMI
UNDERSHERIFF

DRAFT

AV:MK:as
(Financial Programs Bureau-Grants Unit)

- c: Board of Supervisors, Justice Deputies
Celia Zavala, Executive Officer, Board of Supervisors
Fesia Davenport, Acting Chief Executive Officer
Sheila Williams, Senior Manager, Chief Executive Office (CEO)
Rene Phillips, Manager, CEO
Jocelyn Ventilacion, Principal Analyst, CEO
Anna Petrosyan, Analyst, CEO
Mary C. Wickham, County Counsel
Elizabeth D. Miller, Chief Legal Advisor, Legal Advisory Unit
Michele Jackson, Principal Deputy County Counsel, Legal Advisory Unit
Timothy K. Murakami, Undersheriff
Jorge A. Valdez, Chief of Staff
James J. Hellmold, Chief, Special Operations Division
Conrad Meredith, Division Director, Administrative Services Division (ASD)
Glen C. Joe, Assistant Division Director, ASD
Richard F. Martinez, Assistant Division Director, ASD
Joseph J. Williams, Captain, Special Enforcement Bureau (SEB)
Karen J. Anderson, Assistant Director, Financial Program Bureau (FPB)
Bradd A. Molner, Lieutenant, Special Enforcement Bureau (SEB)
Vanessa C. Chow, Sergeant, ASD
Elida Rodriguez, Administrative Services Manager III, FPB, Grants Unit
Erica M. Saavedra, Deputy ASD
Colleen Murphy, Grants Supervisor, FPB, Grants Unit
Aelena Stanfield, Grant Analyst, Grants Unit
(Grants – Port Security Program 11-10-20)

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: 2020 Port Security Grant Program

The objective of the program is to support all core capabilities in the prevention, protection, mitigation, response and recovery from threats and hazards that pose the greatest risk to United States security. The Department provides the first layer of protection by patrolling the entire coastline of the County including San Clemente and Catalina Islands, screening incoming ships for chemical, biological, radiological, nuclear and explosive (CBRNE) materials prior to their entry into the Ports of Los Angeles and Long Beach, Marina del Rey Harbor, and other piers and docks along the County's coast.

Funding Agency United States Department of Homeland Security, Federal Emergency Management Agency	Program (Fed. Grant # /State Bill or Code #) EMW-2020-PU-00161-S01	Grant Acceptance Deadline November 20, 2020
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Total Amount of Federal Grant Funding: \$240,000	County Match: \$80,000
Grant Period: 36 Months Begin Date: September 1, 2020	End Date: August 31, 2023
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 n/a No

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

b). Identify other revenue sources Yes X No

(Describe) Grant funds

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

Impact of additional personnel on existing space: N/A.

Other requirements not mentioned above: None

Department Head Signature _____ **Date** _____



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

AGREEMENT ARTICLES
Port Security Grant Program

GRANTEE: County of Los Angeles
PROGRAM: Port Security Grant Program
AGREEMENT NUMBER: EMW-2020-PU-00161-S01

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Article I - Summary Description of Award

The terms of the approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA of the award budget. Investments not listed in this Agreement Article are not approved for funding under this award.

Investment 2: Los Angeles County Sheriff's Department Port Training and Enforcement Initiative is fully funded for \$240000.

Article II - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article III - DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must 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 reviews or compliance investigations 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 federal financial assistance award 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. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. After the initial submission for the first award under which this term applies, recipients are required to provide this information once every two (2) years as long as they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements

contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

6. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article IV - Acknowledgement of Federal Funding from DHS

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

Article V - Activities Conducted Abroad

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.

Article VI - Age Discrimination Act of 1975

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article VII - Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), 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.

Article VIII - Best Practices for Collection and Use of Personally Identifiable Information (PII)

Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. 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. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article IX - Civil Rights Act of 1964 - Title VI

Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 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. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article X - Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, 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 (see 42 U.S.C. section 3601 et seq.), as implemented by the U.S. 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. Part 100, Subpart D.)

Article XI - Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XII - Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XIII - Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101-8106).

Article XIV - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XV - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide 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. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article XVI - Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XVII - False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

Article XVIII - 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.)

Article XIX - Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article XX - Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 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. section 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.

Article XXI - 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. section 2225a, 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, (codified as amended at 15 U.S.C. section 2225.)

Article XXII - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. section 2000d et seq.) 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.

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>.

Article XXIII - Lobbying Prohibitions

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance 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 related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XXIV - National Environmental Policy Act

Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require 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.

Article XXV - 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. 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.

Article XXVI - Non-Supplanting Requirement

Recipients receiving federal financial assistance 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.

Article XXVII - Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article XXVIII - Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

Article XXIX - Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.)

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.

Article XXX - Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. section 794,) which provides that no otherwise qualified handicapped individuals 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.

Article XXXI - Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients 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 award terms and conditions.

Article XXXII - Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXIII - SAFECOM

Recipients receiving federal financial assistance 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.

Article XXXIV - Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article XXXV - Trafficking Victims Protection Act of 2000 (TVPA)

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

Article XXXVI - Universal Identifier and System of Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article XXXVII - USA PATRIOT Act of 2001

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. sections 175-175c.

Article XXXVIII - Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO 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.

Article XXXIX - Whistleblower Protection Act

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

Article XL - 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. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.

Article XLI - 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. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), 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.


Article XLII - 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. Section 200.313.

BUDGET COST CATEGORIES

Personnel	\$320,000.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Indirect Charges	\$0.00
Other	\$0.00

Obligating Document for Award/Amendment

1a. AGREEMENT NO. EMW-2020-PU-00161-S01	2. AMENDMENT NO. ***	3. RECIPIENT NO. 956000927G	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX03529N2020T		
6. RECIPIENT NAME AND ADDRESS County of Los Angeles 211 W. Temple Street Los Angeles , CA, 90012 - 4086	7. ISSUING FEMA OFFICE AND ADDRESS FEMA-GPD 400 C Street, SW, 3rd floor Washington, DC 20472-3645 POC: 866-927-5646		8. PAYMENT OFFICE AND ADDRESS FEMA Finance Center 430 Market Street Winchester, VA 22603			
9. NAME OF RECIPIENT PROJECT OFFICER Aelena Stanfield	PHONE NO. 2132291809	10. NAME OF FEMA PROJECT COORDINATOR Central Scheduling and Information Desk Phone: 800-368-6498 Email: Askcsid@dhs.gov				
11. EFFECTIVE DATE OF THIS ACTION 09/01/2020	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD From: 09/01/2020 To: 08/31/2023 Budget Period 09/01/2020 08/31/2023			
1 5. DESCRIPTION OF ACTION a. (Indicate funding data for awards or financial changes)						
PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Port Security Grant Program	97.056	2020-FA-GC01-P410- -4101-D	\$0.00	\$240,000.00	\$240,000.00	See Totals
			\$0.00	\$240,000.00	\$240,000.00	\$80,000.00
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) Port Security Grant 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) ,						DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)  SHENAUZ SUBRINA WONG , Assistance Officer						DATE Fri Aug 14 13:07:50 GMT 2020



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET, LOS ANGELES, CA 90012 (213) 974-3500

November 10, 2020

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

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO COMPLETE AND ACCEPT GRANT
FUNDING FROM THE CALIFORNIA STATE DEPARTMENT OF INSURANCE FOR
THE LIFE AND ANNUITY CONSUMER PROTECTION PROGRAM FOR FISCAL
YEAR (FY) 2020-21
(ALL DISTRICTS) (3-VOTES)**

SUBJECT

This Board Letter requests authority for the District Attorney's Office to complete and accept grant funding from the California Department of Insurance (CDI) for the Life and Annuity Consumer Protection Program (LACPP) for Fiscal Year 2020-21. Therefore, the District Attorney's Office is requesting that the Chair sign the required Resolution as required by the grantor.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize the District Attorney (DA), on behalf of the County of Los Angeles, to complete and accept grant funding from CDI for the LACPP in the amount of \$127,000, which partially offsets the program cost for the period of July 1, 2020 through June 30, 2021.
2. Adopt the attached Resolution authorizing the DA to complete and accept grant funding and, as an agent for the County, to accept and execute a grant award agreement from CDI. This also includes authorization to approve any extensions or amendments to the grant award that do not affect net County cost.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to continue the DA's commitment to assist and protect consumers of life insurance and annuity products in the State of California, by both the CDI and local district attorneys.

The CDI has invited the DA's Office to participate in the application process for the LACPP grant to enhance the prosecution of life and annuity financial abuse. The District Attorney's Office will use available funding to target the prosecution of cases involving annuity and life insurance fraud, including cases involving elderly victims.

An executed Resolution is required by CDI as part of the grant application.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of the recommended actions is consistent with the Los Angeles County's Strategic Plan Goal No. 1, Make Investments that Transform Lives: aggressively address society's most complicated social, health and public safety challenges; and Goal No. 3, Realize Tomorrow's Government Today: be an innovative, flexible, effective and transparent partner focused on public service and advancing the common good.

FISCAL IMPACT/FINANCING

CDI has awarded the DA's Office grant funding in the amount of \$127,000 for the LACPP, which partially offsets the program cost. Funding is included in the DA's Fiscal Year 2020-21 budget.

If funding for this program were to be terminated, an evaluation would be conducted to determine whether the program would either be continued with costs absorbed by the department or discontinued with the reallocation of staff to any vacant budgeted positions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The funds for the LACPP are generated by a \$1 fee assessed on all new individual life and annuity products sold to California residents. The fee is assessed on any life and annuity policy issued by an insurer admitted to transact insurance in California. The LACPP allows 50% of the funds to be distributed to district attorneys selected to receive

funds which will enable them to make an impact in the area of life and annuity financial abuse.

Under the direction of the Insurance Commissioner, the CDI administers the LACPP and distribution of funds to district attorneys for the investigation and prosecution of life insurance and annuity financial abuse by insurance licensees, or persons holding themselves out to be insurance licensees, or any person purporting to be engaged in the business of insurance.

The Resolution has been approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

CDI has awarded the DA's Office grant funding, and the program does not propose any attorney staff augmentation. Therefore, the DA's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return three copies of the adopted Board letter and three Resolutions, with wet signatures, to Mr. Dennis Blanco, Grants and Contract Section, District Attorney's Office, 211 West Temple Street, Suite 200, Los Angeles, California 90012. Any questions may be directed to Mr. Dennis Blanco at (213) 257-2746.

Respectfully submitted,

JACKIE LACEY
District Attorney

db

Attachments

c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel

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

Department: DISTRICT ATTORNEY'S OFFICE

Grant Project Title and Description	LIFE AND ANNUITY CONSUMER PROTECTION PROGRAM (LACPP)
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The objective of this program is to enhance the criminal investigation and prosecution of life insurance and annuity financial abuse by insurance licensees or persons holding themselves out to be insurance licensees, or any person purporting to be engaged in the business of insurance in Los Angeles County. These grant funds will allow the District Attorney's Office to successfully implement this program through collaborative efforts with the State of California, Department of Insurance (SCDI), and local law enforcement agencies.

Funding Agency	Program (Fed. Grant #/State Bill or Code #)	Grant Acceptance Deadline
CALIFORNIA DEPARTMENT OF INSURANCE	CALIFORNIA INSURANCE CODE SECTION 10127.17	N/A

Total Amount of Grant Funding:		\$127,000	County Match:	\$0
Grant Period	Begin Date: July 1, 2020		End Date: June 30, 2021	
Number of Personnel Hired Under This Grant		Full Time: 0	Part Time: 3	

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 (describe below)	Yes		No	X
<hr/>				
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

John Doe

Date _____

9/30/2020

1 **BOARD OF SUPERVISORS**
2 **COUNTY OF LOS ANGELES**

3 **RESOLUTION**

4 Authorizing the District Attorney to complete a Life and Annuity Consumer
5 Protection Program grant application to the California Department of Insurance.

6 **WHEREAS**, the County of Los Angeles Board of Supervisors
7 desires to undertake a certain program designated Life and Annuity Consumer
8 Protection Program to be funded in part from funds made available through Life
9 and Annuity Consumer Protection Program – Section 10127.17 CIC and
10 administered by the California Department of Insurance.

11 **NOW, THEREFORE, BE IT RESOLVED**, that the District Attorney of the
12 County of Los Angeles is authorized to, on behalf of the Board of Supervisors,
13 complete an application to the California Department of Insurance and execute the
14 Grant Award Agreement, including any extensions or amendments thereof.

15 **BE IT FURTHER RESOLVED**, that the grant funds received
16 hereunder shall not be used to supplant expenditures previously authorized or
17 controlled by this body.

18 I hereby certify that the foregoing is a true copy of the resolution
19 adopted by the Board of Supervisors of the County of Los Angeles in a meeting
20 thereof held on the _____ day of _____, 2020, by the following:

21
22
23 **Vote**

24 Ayes:

25 Noes:

26 Absent:

1 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed
2 the seal of the Board of Supervisors of the County of Los Angeles this _____
3 day of _____, 2020.

4
5
6 County of Los Angeles

7
8 By _____
9 Chair, Board of Supervisors

10 **APPROVED AS TO FORM**
11 **BY COUNTY COUNSEL:**

12 **MARY C. WICKHAM**

13 By



14 Elizabeth Pennington
15 Deputy County Counsel
16
17
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JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET, LOS ANGELES, CA 90012 (213) 974-3500

November 10, 2020

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

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO COMPLETE THE APPLICATION
PROCESS AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA OFFICE OF
EMERGENCY SERVICES (Cal OES) FOR THE ELDER ABUSE (XE) PROGRAM FOR
PERFORMANCE PERIOD OF JANUARY 1, 2021 TO DECEMBER 31, 2021.
(ALL DISTRICTS) (3-VOTES)**

SUBJECT

This Board Letter requests authority for the District Attorney's Office to complete the grant application process for continued grant funding for the Elder Abuse (XE) Program in Calendar Year (CY) 2021. The California Office of Emergency Services (Cal OES) has awarded the District Attorney (DA) \$206,000 for the Elder Abuse (XE) Program for CY 2021. Funding is made possible through the United States Department of Justice, Victims of Crime Act, Code of Federal Domestic Assistance 16.575. Grant recipients are required to submit necessary assurances and documentation; therefore, the District Attorney requests that the Chair sign the required Certification of Assurance of Compliance form as required by the grantor.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the District Attorney (DA), on behalf of the County of Los Angeles, to complete the application and accept grant funds for the XE Program for CY 2021. The estimated total project cost is \$206,000.
2. Request the Chair of the Board to sign and affix a wet signature to the attached Certification of Assurance of Compliance Form as required by the grantor.
3. Delegate authority to the DA, or her designee, to serve as Project Director for the program. This also includes authorization to approve any subsequent

amendments, modifications, and/or extensions to the Cal OES grant documents that do not increase the Net County Cost of the program.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to continue the DA's commitment to assist victims of crime by alleviating trauma caused to elder and dependent adult victims of physical and financial abuse and neglect.

Cal OES released a Request for Application (RFA) for the XE program for performance period January 1, 2021 through December 31, 2021 on August 14, 2020. The DA is in the process of completing the application. In order to comply with the grant requirements, applicants are required to submit a Certification of Assurance of Compliance form which includes details regarding the Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, and Proof of Authority from the City Council/Governing Board. This documentation needs to be submitted before funding can be released by the funding agency.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of the recommended actions is consistent with the Los Angeles County's Strategic Plan Goal No. 1, Make Investments that Transform Lives: aggressively address society's most complicated social, health and public safety challenges; and Goal No. 3, Realize Tomorrow's Government Today: be an innovative, flexible, effective and transparent partner focused on public service and advancing the common good.

FISCAL IMPACT/FINANCING

The estimated total project cost for the XE in CY 2021 is \$206,000 (\$203,000 pro-rated to Fiscal Year 2020-21). Funding is included in the FY 2020-21 DA Budget.

If funding for this program were to be terminated, an evaluation would be conducted to determine whether the program would either be continued with costs absorbed by the department or discontinued with the reallocation of staff to any vacant budgeted positions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Board of Supervisors has designated the DA's Office, through its Victim Witness Assistance Program (VWAP), as the major provider of comprehensive services to victims of crime since 1977. Federal funds have been made available to VWAP

grantees to provide the intensive services needed by elder and dependent adult victims of physical and financial abuse and neglect.

Victim Specialists will work closely with the DA's Elder Abuse Section and coordinate with law enforcement agencies, Adult Protective Services, Los Angeles Public Guardian, mental health agencies, social service agencies, financial institutions, medical professionals, local churches, universities, colleges and other community agencies to provide victim services utilized to serve the needs of abused senior citizens. Victim Specialists will also work closely with prosecutors assigned to the DA's Victim Impact Program (VIP), who are located throughout the County and are experienced in elder and dependent adult abuse, to reach seniors in the early stages of abuse by intervening and providing advocacy before the crime escalates to further deterioration of the quality of life.

Victim Specialists will be assigned to the Elder Abuse Section and will provide mandated and optional services to elder and dependent adult crime victims throughout Los Angeles County. They will be strategically placed at two victim site locations to maximize interventions and service delivery throughout the County. A veteran VSR with extensive experience as an elder abuse advocate will be assigned as the lead Victim Specialist for BVS and will be primarily responsible for working with the Forensic Center. This will expand the capacity of this existing multidisciplinary team. The lead Victim Specialist will be placed at the DA's Elder Abuse Section, located at the Hall of Justice, providing services to the Central and Westside County Area. The second Victim Specialist will be placed at the DA's Elder Abuse Section, located at the Long Beach Branch Office, providing services to the East and South County Areas.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the DA's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two copies of the adopted Board letter and two Cal OES Certification of Assurance of Compliance Forms, with a wet (original) signature, to Kevin Lam, of the District Attorney's Office, Grants and Contracts Section at 211 W. Temple Street, Suite 200 Los Angeles, California 90012-3205

The Honorable Board of Supervisors
November 10, 2020
Page 4

Any questions may be directed to Mr. Kevin Lam at (213) 257-2738, or at
klam@da.lacounty.gov

Respectfully submitted,

JACKIE LACEY
District Attorney

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Attachments

c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel

Los Angeles County Chief Administrative Office
Grant Management Statement for Grants \$100,000 or More

Department:	DISTRICT ATTORNEY'S OFFICE
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Grant Project Title and Description	ELDER ABUSE (XE) GRANT
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The Board of Supervisors has designated the District Attorney's Office, through its Victim Witness Assistance Program (VWAP), as the major provider of comprehensive services to victims of crime since 1977. Federal funds have been made available to VWAP grantees to expand the multidisciplinary community response to elder and dependent adult abuse through the Elder Abuse (XE) grant. The XE grant will provide countywide victim services to elder and dependent adult victims of physical and financial abuse and neglect..

Funding Agency	Program (Fed. Grant #/State Bill or Code #)	Grant Acceptance Deadline
State of California Office of Emergency Services (Cal OES)	Penal Code Section 13835 et seq.	N/A

Total Amount of Grant Funding:	\$206,000	County Match:	\$0
Grant Period	Begin Date: January 1, 2021	End Date:	December 31, 2021
Number of Personnel Hired Under This Grant	Full Time: 2	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	<u>X</u>	No	_____
Will all personnel hired for this program be placed on temporary ("N") items?	Yes	<u>X</u>	No	_____
Is the County obligated to continue this program after the grant expires?	Yes	_____	No	<u>X</u>
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	<u>X</u>
b.) Identify other revenue sources (describe below)	Yes	_____	No	<u>X</u>

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


Impact of additional personnel on existing space:

None

Other requirements not mentioned above:

None

Department Head Signature



Date

9/30/2020

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program

The Applicant must complete a Certification of Assurance of Compliance-VOCA (Cal OES 2-104f), which includes details regarding federal grant funds, the Equal Employment Opportunity, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, Civil Rights Compliance, and the special conditions for Subaward with the above mentioned fund. The Applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the Applicant formally notifies Cal OES that the Applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, 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 Grant Subaward 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
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program

I, JACKIE LACEY hereby certify that
(official authorized to sign; same person as Section 15 on Grant Subaward Face Sheet)

Subrecipient: COUNTY OF LOS ANGELES

Implementing Agency: DISTRICT ATTORNEY'S OFFICE

Project Title: ELDER ABUSE PROGRAM

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

I. Federal Grant Funds

Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to Office of Management & Budget (OMB) Uniform Guidance 2 Code of Federal Regulations (CFR) Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the *Subrecipient Handbook* for more detail.

- ☒ The above named Subrecipient receives \$750,000 or more in federal grant funds annually.
- ☐ The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.

II. Equal Employment Opportunity – (Subrecipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity (EEO) by prohibiting discrimination or harassment in employment because of race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, and any other status protected by state or federal law. **Cal 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: STANLEY YEN

Title: CHIEF OF HUMAN RESOURCES DIVISION

Address: 211 W. TEMPLE ST., SUITE 200, LOS ANGELES, CA 90012-3205

Phone: (213)257-2702

Email: SYEN@DA.LACOUNTY.GOV

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

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

IV. California Environmental Quality Act (CEQA) – (*Subrecipient Handbook, Section 2153*)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal 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 CEQA requirements.

V. Lobbying – (*Subrecipient Handbook Section 2154*)

Cal 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.

VI. Debarment and Suspension – (*Subrecipient Handbook Section 2155*)

(This applies to federally-funded grants only.)

Cal 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.

VII. Proof of Authority from City Council/Governing Board – (*Subrecipient Handbook Section 1350*)

The above-named organization (Applicant) accepts responsibility for and must comply with the requirement to obtain a signed resolution from the City Council/Governing Board in support of this Program. The Applicant must provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal 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 Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal 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 Grant Subaward is, in fact, authorized to do so. The Applicant is also required to maintain said written authorization on file and readily available upon demand.

VIII. Civil Rights Compliance

The Subrecipient complies with all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

IX. Special Condition for Grant Subaward with Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program Funds

1. Applicability of Part 200 Uniform Requirements

The Subrecipient must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2019 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2019 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2019 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and Subawards ("Subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the Subrecipient must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the Subrecipient must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the Subrecipient is to contact OJP promptly for clarification.

2. Compliance with DOJ Grants Financial Guide

The Subrecipient must to comply with the DOJ Grants Financial Guide. References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The Subrecipient must comply with the DOJ Grants Financial Guide.

3. Requirements Pertaining to Prohibited Conduct Related to Trafficking in Persons (including reporting requirements and OJP authority to terminate award)

The Subrecipient must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of Subrecipients, Subrecipients ("Subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the Subrecipient or of any Subrecipient.

The details of the Subrecipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by Subrecipients and Subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

4. Civil Rights and Nondiscrimination

The Subrecipient understands that the federal statutes and regulations pertaining to civil rights and nondiscrimination and, in addition:

- a. The Subrecipient understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
- b. The Subrecipient understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110 (e)) ; section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13), which will apply to all awards made by the Office of Violence Against Women, also may apply to an award made otherwise; and

c. The Subrecipient understands they must comply with the specific assurances set out in 29 C.F.R. §§ 42.105 and 42.204.

5. Compliance with Applicable Rules Regarding Approval, Planning, and Reporting of Conferences, Meetings, Trainings, and Other Events

The Subrecipient must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

6. Compliance with General Appropriations-Law Restrictions on the Use of Federal Funds (FY 2019)

The Subrecipient must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2019, are set out at <https://ojp.gov/funding/Explore/FY19AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a Subrecipient would or might fall within the scope of an appropriations-law restriction, the Subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

7. Reporting Potential Fraud, Waste, & Abuse

The Subrecipient must promptly refer to DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, Subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct. Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 1425 New York Avenue, N.W. Suite 7100, Washington, DC

20530; and/or (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

8. Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

No Subrecipient under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

a. In accepting this award, the Subrecipient:

- o Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- o Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

b. If the Subrecipient does or is authorized under this award to make Subawards, procurement contracts, or both:

- o It represents that (1) it has determined that no other entity that the Subrecipient's application proposes may or will receive award funds (whether through a Subaward, procurement contract, or subcontract under a procurement contract) either requires or has required internal

confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and (2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

- o It certifies that, if it learns or is notified that any Subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

9. Encouragement of Policies to Ban Text Messaging while Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Subrecipient understands that DOJ encourages Subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10. OJP Training Guiding Principles

Any training or training materials that the Subrecipient develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

11. Requirement to report actual or imminent breach of personally identifiable information (PII)

The Subrecipient must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it – (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The Subrecipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The Subrecipient must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a Subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at

<https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

13. Requirement for Data on Performance and Effectiveness Under the Award

The Subrecipient must collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

14. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The Subrecipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The Subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the Subrecipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

15. Victims of Crime Act Requirements

The Subrecipient must comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 34 U.S.C. 20103(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required.

16. Demographic Data

The Subrecipient must collect and maintain information on race, sex, national origin, age, and disability of victims receiving assistance, where such information is voluntarily furnished by the victim.

17. Performance Reports

The Subrecipient must submit quarterly performance reports on the performance metrics identified by OVC, and in the manner required by OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction.

18. Access to Records

The Subrecipient must authorize the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper, or documents related to the VOCA grant.

19. All Subawards ("Subgrants") must have specific federal authorization

The Subrecipient must comply with all applicable requirements for authorization of any Subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "Subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any Subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All Subawards ("Subgrants") must have specific federal authorization), and are incorporated by reference here.

20. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award regardless of the dollar

amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used.

- a. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no Subrecipient may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

- b. Monitoring

The Subrecipient's monitoring responsibilities include monitoring of compliance with this condition.

- c. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

- d. Rules of construction

1) The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor, grant Subrecipient or -Subrecipient, agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

- 2) Nothing in this condition shall be understood to authorize or require any Subrecipient or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

21. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ, the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award is to benefit a set of individuals under 18 years of age.

The Subrecipient must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination – 28 C.F.R. Part 42

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

24. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to

Subrecipient organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to Subrecipients and Subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

25. Restrictions on "Lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the Subrecipient, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the Subrecipient to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, Subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a Subrecipient would or might fall within the scope of these prohibitions, the Subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Subgrant Award Report (SAR)

The Subrecipient must submit a SAR to OVC for each Subrecipient of the VOCA victim assistance funds, within ninety (90) days of awarding funds to the Subrecipient. Subrecipients must submit this information through the automated system.

27. Effect of Failure to Address Audit Issues

The Subrecipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the Subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other

outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

28. Additional DOJ Awarding Agency Requirements

The Subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the Subrecipient is designated as "high- risk" for purposes of the DOJ high-risk grantee list.


29. Hiring Documents

The Subrecipient must keep, maintain, and preserve all documentation (such as Form I-9s or equivalents) regarding the eligibility of employees hired using the funds.

All appropriate documentation must be maintained on file by the project 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 Subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient 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 Subaward [Section 15 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant Subrecipient 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: 
Authorized Official's Typed Name: JACKIE LACEY
Authorized Official's Title: DISTRICT ATTORNEY
Date Executed: 10/06/20
Federal Employer ID #: 95-6000927 Federal DUNS #: 781310990
Current System for Award Management (SAM) Expiration Date: 03/05/2021
Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: (not applicable to State agencies)

- | | |
|---|---|
| <input type="checkbox"/> City Financial Officer | <input type="checkbox"/> County Financial Officer |
| <input type="checkbox"/> City Manager | <input type="checkbox"/> County Manager |
| <input checked="" type="checkbox"/> Governing Board Chair | |

Signature: _____
Typed Name: KATHRYN BARGER
Title: CHAIR, COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By 
Deputy



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET, LOS ANGELES, CA 90012 (213) 974-3500

November 10, 2020

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

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO COMPLETE THE APPLICATION
PROCESS AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA OFFICE OF
EMERGENCY SERVICES (Cal OES) FOR HUMAN TRAFFICKING ADVOCACY
PROGRAM (HA) FOR PERFORMANCE PERIOD OF JANUARY 1, 2021 TO
DECEMBER 31, 2021.
(ALL DISTRICTS) (3-VOTES)**

SUBJECT

This Board Letter requests authority for the District Attorney's Office to complete the grant application process for continued grant funding for the Human Trafficking Advocacy Program (HA) in Calendar Year (CY) 2021. The California Office of Emergency Services (Cal OES) has awarded the District Attorney (DA) \$154,500 for the Human Trafficking Advocacy (HA) Program for CY 2021. Funding is made possible through the United States Department of Justice, Victims of Crime Act, Code of Federal Domestic Assistance 16.575. Grant recipients are required to submit necessary assurances and documentation; therefore, we are requesting the Chair to sign the required Certification of Assurance of Compliance form as required by the grantor.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the District Attorney (DA), on behalf of the County of Los Angeles, to complete the application and accept grant funds for the HA Program for CY 2021. The estimated total project cost is \$154,500.
2. Request the Chair of the Board to sign and affix a wet signature to the attached Certification of Assurance of Compliance Form as required by the grantor.
3. Delegate authority to the DA, or her designee, to serve as Project Director for the program. This also includes authorization to approve any subsequent

amendments, modifications, and/or extensions to the Cal OES grant documents that do not increase the Net County Cost of the program.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to continue the DA's commitment to assist victims of crime by alleviating trauma caused to sex trade and forced labor human trafficking victims, especially minors.

Cal OES released a Request for Application (RFA) on July 7, 2020 for the HA program for performance period January 1, 2021 through December 31, 2021. The DA is in the process of completing the application. In order to comply with the grant requirements, applicants are required to submit a Certification of Assurance of Compliance form which includes details regarding the Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, and Proof of Authority from the City Council/Governing Board. This documentation needs to be submitted before funding can be released by the funding agency.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of the recommended actions is consistent with the Los Angeles County's Strategic Plan Goal No. 1, Make Investments that Transform Lives: aggressively address society's most complicated social, health and public safety challenges; and Goal No. 3, Realize Tomorrow's Government Today: be an innovative, flexible, effective and transparent partner focused on public service and advancing the common good.

FISCAL IMPACT/FINANCING

The estimated total project cost for the HA in CY 2021 is \$154,500 (\$152,250 pro-rated to Fiscal Year 2020-21). Funding is included in the FY 2020-21 DA Budget.

If funding for this program were to be terminated, an evaluation would be conducted to determine whether the program would either be continued with costs absorbed by the department or discontinued with the reallocation of staff to vacant budgeted positions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Board of Supervisors has designated the DA's Office, through its Victim Witness Assistance Program (VWAP), as the major provider of comprehensive services to victims of crime since 1977. Federal funds have been made available to VWAP

grantees to provide the intensive services needed by victims of sex trade and forced labor human trafficking crimes.

Human trafficking, or “modern day slavery,” is a menacing problem throughout Los Angeles County. Though hard to quantify, estimates are that there are at least 100,000 to 300,000 commercially sexually exploited children in the United States with Los Angeles being a destination County for human trafficking. Trafficking crimes are inherently difficult to detect. When victims are rescued, cooperation with police is rarely forthcoming and many are unwilling to testify against the traffickers.

Victims of sex trade and forced labor crimes continue to be hidden in plain sight within the County’s huge geographic territory and diverse population. Sex trade victims, particularly minors, are rotated on a track of main boulevards throughout the County: from San Fernando Valley to the border of Orange County (Pomona/Norwalk); to the Figueroa corridor (Central); and South County (Compton/Long Beach), which has the highest number of trafficking interceptions. The critical need for HA services throughout Los Angeles County is underscored by the growing epidemic of children from foster care being recruited by street gangs into the prostitution life. A 2010 study by Probation found that 60 percent of minors arrested for prostitution-related charges had a previous Department of Children and Family Services (DCFS) contact.

One and a half (1.5) Victim Services Representatives (VSRs) or advocates will be assigned to the HA in CY 2021 to provide direct victim services to trafficking victims in designated hot spot areas. The HA VSRs will work collaboratively, through criminal justice and interagency efforts, to help identify trafficking victims, aid in their rescue, provide for their safety, and deliver the rehabilitative services needed to assist in rebuilding their lives.

The HA VSRs will coordinate and provide services for trafficking victims, especially minors, in South County (Compton/Long Beach), Central (greater LA), East County (Pomona/Norwalk), and North County (Sylmar/San Fernando/Antelope Valley/Pasadena). The HA VSRs will work closely with the DA’s Human Trafficking Unit prosecutors to provide victims the support needed to assist in bringing traffickers to justice. The comprehensive services provided by the HA VSRs include: crisis intervention, follow-up counseling, emergency services including witness protection and relocation, court orientation and escort, victim compensation application assistance, resource referrals, training to law enforcement agencies, community outreach, and activities that promote public awareness.

In 2019, the HA VSRs assisted 140 new trafficking victims. HA VSRs maintain long-term contact with the trafficking victims, coordinating a panoply of continuing services. These victims are often caught in multiple court systems that can include dependency,

criminal, and civil jurisdictions. To facilitate the coordinated delivery of services to this victim population, the HA VSRs participate in a number of working groups and taskforces targeting human trafficking of minors. In 2019, HA VSRs attended 43 separate multi-disciplinary meetings related to human trafficking.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the DA's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two copies of the adopted Board letter and two Cal OES Certification of Assurance of Compliance Forms, with a wet (original) signature, to Kevin Lam, of the District Attorney's Office, Grants and Contracts Section at 211 W. Temple Street, Suite 200 Los Angeles, California 90012-3205

Any questions may be directed to Mr. Kevin Lam at (213) 257-2738, or at klam@da.lacounty.gov

Respectfully submitted,

JACKIE LACEY
District Attorney

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Attachments

c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel

EXECUTIVE OFFICE – BOARD OF SUPERVISORS

AGENDA ENTRY

DATE OF MEETING:	November 10, 2020
DEPARTMENT NAME:	District Attorney's Office
BOARD LETTERHEAD	DISTRICT ATTORNEY
SUPERVISORIAL DISTRICT AFFECTED	ALL DISTRICTS
VOTES REQUIRED	3 - Votes
CHIEF INFORMATION OFFICER'S RECOMMENDATION	NONE

******* ENTRY MUST BE IN MICROSOFT WORD *******

Instructions: To comply with the Brown Act requirement the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for; with whom the action is being taken; fiscal impact, including money amounts, funding sources, and effective dates. Also, include an instruction for the Chair (man) or Director to sign when such signature is required on a document.

Recommendation: Authorize the District Attorney (DA), on behalf of the County of Los Angeles, to complete the application and accept grant funds for the Human Trafficking Advocacy Program for Calendar Year 2021. The estimated total project cost is \$154,500. Request the Chair of the Board to sign and affix a wet signature to the attached Certification of Assurance of Compliance Form as required by the grantor. Delegate authority to the DA, or her designee, to serve as Project Director for the program. This also includes authorization to approve any subsequent amendments, modifications, and/or extensions to the California Office of Emergency Services (Cal OES) grant documents that do not increase the Net County Cost of the program.

**Los Angeles County Chief Administrative Office
Grant Management Statement for Grants \$100,000 or More**

Department:	DISTRICT ATTORNEY'S OFFICE
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Grant Project Title and Description	HUMAN TRAFFICKING ADVOCACY (HA) PROGRAM
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The Board of Supervisors has designated the District Attorney's Office, through its Victim Witness Assistance Program (VWAP), as the major provider of comprehensive services to victims of crime since 1977. Federal funds have been made available to VWAP grantees to provide the intensive services needed by trafficking victims, both forced labor and sex trade, through the Human Trafficking Advocacy Program (HA). Human Trafficking, "modern day slavery," is a menacing problem throughout Los Angeles County. Although hard to quantify, estimates are that at least 100,000 to 300,000 commercially sexually exploited children are in the United States, with Los Angeles being a destination County for human trafficking. The target areas for the HA program are South County (Compton/Long Beach), East County (Pomona/Norwalk), Central (greater LA/Westside communities), and North County (Pasadena/Sylmar/San Fernando/Antelope Valley).

Funding Agency	Program (Fed. Grant #/State Bill or Code #)	Grant Acceptance Deadline
State of California Office of Emergency Services (Cal OES)	Penal Code Section 13835 et seq.	N/A

Total Amount of Grant Funding:	\$154,500	County Match:	\$0
Grant Period	Begin Date: January 1, 2021	End Date:	December 31, 2021
Number of Personnel Hired Under This Grant	Full Time: 1	Part Time:	1

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	<u>X</u>	No	_____
Will all personnel hired for this program be placed on temporary ("N") items?	Yes	<u>X</u>	No	_____
Is the County obligated to continue this program after the grant expires?	Yes	_____	No	<u>X</u>
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	<u>X</u>
b.) Identify other revenue sources (describe below)	Yes	_____	No	<u>X</u>

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

Impact of additional personnel on existing space:

None

Other requirements not mentioned above:

None

Department Head Signature



Date

9/16/2020

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program

The Applicant must complete a Certification of Assurance of Compliance-VOCA (Cal OES 2-104f), which includes details regarding federal grant funds, the Equal Employment Opportunity, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, Civil Rights Compliance, and the special conditions for Subaward with the above mentioned fund. The Applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the Applicant formally notifies Cal OES that the Applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, 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 Grant Subaward 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
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program

I, _____ hereby certify that
(official authorized to sign; same person as Section 15 on Grant Subaward Face Sheet)

Subrecipient: _____

Implementing Agency: _____

Project Title: _____

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

I. Federal Grant Funds

Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to Office of Management & Budget (OMB) Uniform Guidance 2 Code of Federal Regulations (CFR) Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the *Subrecipient Handbook* for more detail.

- ☐ The above named Subrecipient receives \$750,000 or more in federal grant funds annually.
- ☐ The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.

II. Equal Employment Opportunity – (Subrecipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity (EEO) by prohibiting discrimination or harassment in employment because of race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, and any other status protected by state or federal law. **Cal 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: _____

Title: _____

Address: _____

Phone: _____

Email: _____

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

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

IV. California Environmental Quality Act (CEQA) – (*Subrecipient Handbook*, Section 2153)

The California Environmental Quality Act (CEQA) (*Public Resources Code*, Section 21000 et seq.) requires all Cal 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 CEQA requirements.

V. Lobbying – (*Subrecipient Handbook* Section 2154)

Cal 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.

VI. Debarment and Suspension – (*Subrecipient Handbook* Section 2155)

(This applies to federally-funded grants only.)

Cal 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.

VII. Proof of Authority from City Council/Governing Board – (*Subrecipient Handbook* Section 1350)

The above-named organization (Applicant) accepts responsibility for and must comply with the requirement to obtain a signed resolution from the City Council/Governing Board in support of this Program. The Applicant must provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal 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 Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal 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 Grant Subaward is, in fact, authorized to do so. The Applicant is also required to maintain said written authorization on file and readily available upon demand.

VIII. Civil Rights Compliance

The Subrecipient complies with all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

IX. Special Condition for Grant Subaward with Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program Funds

1. Applicability of Part 200 Uniform Requirements

The Subrecipient must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2019 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2019 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2019 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and Subawards ("Subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the Subrecipient must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the Subrecipient must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the Subrecipient is to contact OJP promptly for clarification.

2. Compliance with DOJ Grants Financial Guide

The Subrecipient must to comply with the DOJ Grants Financial Guide. References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The Subrecipient must comply with the DOJ Grants Financial Guide.

3. Requirements Pertaining to Prohibited Conduct Related to Trafficking in Persons (including reporting requirements and OJP authority to terminate award)

The Subrecipient must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of Subrecipients, Subrecipients ("Subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the Subrecipient or of any Subrecipient.

The details of the Subrecipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by Subrecipients and Subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

4. Civil Rights and Nondiscrimination

The Subrecipient understands that the federal statutes and regulations pertaining to civil rights and nondiscrimination and, in addition:

- a. The Subrecipient understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
- b. The Subrecipient understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110 (e)) ; section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13), which will apply to all awards made by the Office of Violence Against Women, also may apply to an award made otherwise; and

c. The Subrecipient understands they must comply with the specific assurances set out in 29 C.F.R. §§ 42.105 and 42.204.

5. Compliance with Applicable Rules Regarding Approval, Planning, and Reporting of Conferences, Meetings, Trainings, and Other Events

The Subrecipient must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

6. Compliance with General Appropriations-Law Restrictions on the Use of Federal Funds (FY 2019)

The Subrecipient must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2019, are set out at <https://ojp.gov/funding/Explore/FY19AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a Subrecipient would or might fall within the scope of an appropriations-law restriction, the Subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

7. Reporting Potential Fraud, Waste, & Abuse

The Subrecipient must promptly refer to DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, Subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct. Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 1425 New York Avenue, N.W. Suite 7100, Washington, DC

20530; and/or (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

8. Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

No Subrecipient under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

a. In accepting this award, the Subrecipient:

- Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

b. If the Subrecipient does or is authorized under this award to make Subawards, procurement contracts, or both:

- It represents that (1) it has determined that no other entity that the Subrecipient's application proposes may or will receive award funds (whether through a Subaward, procurement contract, or subcontract under a procurement contract) either requires or has required internal

confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and (2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

- It certifies that, if it learns or is notified that any Subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

9. Encouragement of Policies to Ban Text Messaging while Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Subrecipient understands that DOJ encourages Subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10. OJP Training Guiding Principles

Any training or training materials that the Subrecipient develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

11. Requirement to report actual or imminent breach of personally identifiable information (PII)

The Subrecipient must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it – (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The Subrecipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The Subrecipient must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a Subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at

<https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

13. Requirement for Data on Performance and Effectiveness Under the Award

The Subrecipient must collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

14. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The Subrecipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The Subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the Subrecipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

15. Victims of Crime Act Requirements

The Subrecipient must comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 34 U.S.C. 20103(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required.

16. Demographic Data

The Subrecipient must collect and maintain information on race, sex, national origin, age, and disability of victims receiving assistance, where such information is voluntarily furnished by the victim.

17. Performance Reports

The Subrecipient must submit quarterly performance reports on the performance metrics identified by OVC, and in the manner required by OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction.

18. Access to Records

The Subrecipient must authorize the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper, or documents related to the VOCA grant.

19. All Subawards ("Subgrants") must have specific federal authorization

The Subrecipient must comply with all applicable requirements for authorization of any Subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "Subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any Subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All Subawards ("Subgrants") must have specific federal authorization), and are incorporated by reference here.

20. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award regardless of the dollar

amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used.

- a. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no Subrecipient may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

- b. Monitoring

The Subrecipient's monitoring responsibilities include monitoring of compliance with this condition.

- c. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

- d. Rules of construction

- 1) The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor, grant Subrecipient or -Subrecipient, agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

- 2) Nothing in this condition shall be understood to authorize or require any Subrecipient or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

21. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ, the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award is to benefit a set of individuals under 18 years of age.

The Subrecipient must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination – 28 C.F.R. Part 42

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

24. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to

Subrecipient organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to Subrecipients and Subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

25. Restrictions on "Lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the Subrecipient, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the Subrecipient to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, Subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a Subrecipient would or might fall within the scope of these prohibitions, the Subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Subgrant Award Report (SAR)

The Subrecipient must submit a SAR to OVC for each Subrecipient of the VOCA victim assistance funds, within ninety (90) days of awarding funds to the Subrecipient. Subrecipients must submit this information through the automated system.

27. Effect of Failure to Address Audit Issues

The Subrecipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the Subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other

outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

28. Additional DOJ Awarding Agency Requirements

The Subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the Subrecipient is designated as "high- risk" for purposes of the DOJ high-risk grantee list.

29. Hiring Documents

The Subrecipient must keep, maintain, and preserve all documentation (such as Form I-9s or equivalents) regarding the eligibility of employees hired using the funds.

All appropriate documentation must be maintained on file by the project 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 Subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient 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 Subaward [Section 15 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant Subrecipient 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: _____

Authorized Official's Typed Name: JACKIE LACEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: 9/23/2020

Federal Employer ID #: 95-6000927 Federal DUNS #: 781310990

Current System for Award Management (SAM) Expiration Date: 03/05/2021

Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: (not applicable to State agencies)

☐ City Financial Officer

☐ County Financial Officer

☐ City Manager

☐ County Manager

☒ Governing Board Chair

Signature: _____

Typed Name: KATHRYN BARGER

Title: CHAIR, COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By _____

Deputy



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET, LOS ANGELES, CA 90012 (213) 974-3500

November 10, 2020

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012-2726

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE
TO COMPLETE THE APPLICATION PROCESS AND ACCEPT GRANT FUNDS
FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR
THE UNSERVED/UNDERSERVED VICTIM ADVOCACY & OUTREACH PROGRAM
AND APPROVE APPROPRIATION ADJUSTMENT
FOR THE PERFORMANCE PERIOD
BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021
(ALL DISTRICTS) (4-VOTES)**

SUBJECT

This Board Letter requests authority for the County of Los Angeles District Attorney's Office (District Attorney) to complete the grant application process for continued grant funding for the Unserved/Underserved Victim Advocacy and Outreach (UV) Program for the performance period beginning January 1, 2021 and ending December 31, 2021. The UV program with Subaward number UV20 03 0190 is supported with federal funds through the United States Department of Justice (DOJ), Victims of Crime Act (VOCA), Victim Assistance Formula Grant Program 2018-V2-GX-0029 and 2019-V2-GX-0053 with Code of Federal Domestic Assistance (CFDA) number 16.575. Applicants are required to submit the necessary assurances and documentation with the grant application. Therefore, the District Attorney requests that the Chair sign the attached Certification of Assurance of Compliance Form as required by the grantor. In addition, approval of the appropriation adjustment is requested.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the District Attorney, on behalf of the County of Los Angeles, to complete the grant application process with the California Governor's Office of Emergency Services (Cal OES) for grant funds of the Unserved/Underserved Victim Advocacy and Outreach

program for the performance period beginning January 1, 2021 and ending December 31, 2021 in the amount of \$182,442.

2. Request the Chair of the Board of Supervisors to sign and affix a wet (original) signature to the attached Certification of Assurance of Compliance form required to complete the grant application.
3. Approve the attached appropriation adjustment in the amount of \$71,000 in order to align the District Attorney's budget with the grant award.
4. Delegate authority to the District Attorney or designee, upon award of grant funding by Cal OES, to accept and execute the Grant Award Agreement and serve as Project Director for the program. This also includes authorization to approve subsequent amendments, modifications, and/or extensions to the Cal OES grant agreements that have no Net County Cost impact to the County.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to continue the commitment of the District Attorney's Bureau of Victim Services (BVS) to assist unserved/underserved victims of crime by alleviating trauma caused by gang-related crime and the devastating effects of crime on the victims themselves as well as their families. The UV program will continue providing comprehensive services in the Central County area (encompassing the City of Los Angeles and unincorporated Los Angeles County), South County (including Compton/Long Beach), and East County (including Pomona/Norwalk).

On August 14, 2020, Cal OES released a Request for Application (RFA) for the UV program with the performance period of January 1, 2021 to December 31, 2021. A funding chart included in the RFA designated \$182,442 in federal funding of VOCA 18 and VOCA 19 with a local match requirement of \$45,610, and an option for match waiver up to 100 percent which would reduce the total program cost to \$182,442. All grant awards must be expended by December 31, 2021. As part of the application process, applicants are required to complete a Certification of Assurance of Compliance form which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act (CEQA), Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, Civil Rights Compliance, and the special conditions under the VOCA.

Board authorization to complete the grant application process and to accept grant funds is requested in order to comply with County and Cal OES requirements.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of the recommended action is consistent with the Los Angeles County Strategic Plan Goal No. 1, Make Investments that Transform Lives: Aggressively address society's most complicated social, health, and public safety challenges and be a highly responsive

organization capable of responding to complex societal challenges – one person at a time, and Goal No. 3, Realize Tomorrow's Government Today: Be an innovative, flexible, effective, and transparent partner focused on public service and advancing the common good.

FISCAL IMPACT/FINANCING

The District Attorney's application requests grant funding in the amount of \$182,442 with a waived local match requirement of \$45,610, for a total program cost of \$182,442 for the performance period of January 1, 2021 to December 31, 2021. Of this amount the District Attorney shall receive \$91,221 in VOCA 2018 and \$91,221 in VOCA 19 for total federal funding of \$182,442. The Cal OES shall waive \$22,805 VOCA 18 and \$22,805 VOCA 19 local match requirement for this grant. Therefore, the total cost of the UV program excluding the in-kind and/or cash match is \$182,442. There is no Net County Cost impact associated with the proposed grant award.

Approval of the attached appropriation adjustment reflecting an increase of \$71,000 is requested to align the District Attorney's budget with the grant award. This amount represents the difference between the pro-rated FY 2020-21 grant award of \$179,000 and the \$108,000 which was included in the District Attorney's FY 2020-21 Adopted Budget. All numbers in this paragraph have been rounded to the nearest thousand.

If funding for this program were curtailed or terminated, an evaluation would be conducted to determine whether the program would either be continued, with costs absorbed by the District Attorney, or discontinued with staff attrition or reallocation to any vacant budgeted positions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Board of Supervisors has designated the District Attorney's Office, through its Bureau of Victim Services, as the major provider of comprehensive services to victims of crime since 1977. Federal funds have been made available to UV grantees to provide the intensive services needed by victims of gang crime.

Gang crime continues to be a serious problem throughout Los Angeles County; it is particularly significant in the targeted areas of Central Los Angeles, Compton/Long Beach and Pomona/Norwalk. Three victim advocates will be assigned to the UV Program for the grant period beginning January 1, 2021 and ending December 31, 2021, to provide direct victim services to victims in the designated areas. Gang cases, particularly homicides, are inherently difficult to solve and often take prolonged investigation and litigation to conclude. Victim advocates focus efforts to ensure that these victims continue to receive available services during the lengthy court process.

The UV Program victim advocates will coordinate and provide services to families and next of kin survivors of gang murder victims throughout Los Angeles County. However, assigned advocates will particularly focus on cases submitted to the District Attorney's Hardcore Gang

Division originating from those communities most impacted by gang murders. The critical need for these services throughout Los Angeles County is underscored by the 98 gang murders and 26 attempted gang murders filed last year by the Hardcore Gang Division. By far the highest concentration for these gang murders, an estimated 79%, originated in the target service areas: Central County, South County, and East County.

The comprehensive services provided by the victim advocates include: crisis intervention, follow-up counseling, emergency services including witness protection and relocation, court orientation and escort, victim compensation application assistance, resource referrals, training to law enforcement agencies, community outreach, and activities that promote public awareness.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two copies of the adopted Board letter and two Cal OES Certification of Assurance of Compliance Forms, with a wet (original) signature, to Mr. Anh Vo of the District Attorney's Office, Grants and Contracts Section at 211 West Temple Street, Suite 200, Los Angeles, California 90012-3205

Any questions may be directed to Mr. Vo at (213) 257-2805, or at avo@da.lacounty.gov.

Respectfully submitted,

JACKIE LACEY
District Attorney

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Attachments

c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel

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

Department	DISTRICT ATTORNEY'S OFFICE
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Grant Project Title and Description	UNSERVED/UNDERSERVED VICTIM ADVOCACY & OUTREACH (UV) PROGRAM
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The Unserved/Underserved Victim Advocacy & Outreach (UV) Program will provide direct, comprehensive services and outreach to the underserved victims who are the surviving family members and next of kin of gang homicide victims in the Central County area (encompassing Los Angeles City and unincorporated LA), South County (including Compton/Long Beach), and East County (especially Pomona/Norwalk). Services include crisis intervention, follow-up counseling, emergency services, court support, resource referrals, Victim Compensation application assistance, as well as in-service training to law enforcement agencies and community outreach.

Funding Agency	Program (Fed. Grant #/State Bill or Code #)	Grant Acceptance Deadline
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CalOES)	PENAL CODE SECTION 13835 et seq.	Oct-09-2020

Total Amount of Grant Funding	\$182,442	County Match	\$0
Grant Period	Begin Date: January 1, 2021	End Date:	December 31, 2021
Number of Personnel Hired Under This Grant	Full Time: 3	Part Time:	0

<u>Obligations Imposed on the County When the Grant Expires</u>			
Will all personnel hired for this program be informed this is a grant-funded program?	Yes	<u>X</u>	No <u> </u>
Will all personnel hired for this program be placed on temporary ("N") items?	Yes	<u>X</u>	No <u> </u>
Is the County obligated to continue this program after the grant expires?	Yes	<u> </u>	No <u>X</u>
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	<u> </u>	No <u>X</u>
b.) Identify other revenue sources (describe below)	Yes	<u> </u>	No <u>X</u>
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div>			
c.) Eliminate or reduce, as appropriate, positions/program costs funded by the grant.	Yes	<u>X</u>	No <u> </u>

Impact of additional personnel on existing space: None

Other requirements not mentioned above: None

Department Head Signature 
 JACKIE LACEY

Date 9/9/2020

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program

The Applicant must complete a Certification of Assurance of Compliance-VOCA (Cal OES 2-104f), which includes details regarding federal grant funds, the Equal Employment Opportunity, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, Civil Rights Compliance, and the special conditions for Subaward with the above mentioned fund. The Applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the Applicant formally notifies Cal OES that the Applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, 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 Grant Subaward 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
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program

I, _____ hereby certify that
(official authorized to sign; same person as Section 15 on Grant Subaward Face Sheet)

Subrecipient: _____

Implementing Agency: _____

Project Title: _____

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

I. Federal Grant Funds

Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to Office of Management & Budget (OMB) Uniform Guidance 2 Code of Federal Regulations (CFR) Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the *Subrecipient Handbook* for more detail.

- ☐ The above named Subrecipient receives \$750,000 or more in federal grant funds annually.
- ☐ The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.

II. Equal Employment Opportunity – (*Subrecipient Handbook* Section 2151)

It is the public policy of the State of California to promote equal employment opportunity (EEO) by prohibiting discrimination or harassment in employment because of race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, and any other status protected by state or federal law. **Cal 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: _____

Title: _____

Address: _____

Phone: _____

Email: _____

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

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

IV. California Environmental Quality Act (CEQA) – (*Subrecipient Handbook*, Section 2153)

The California Environmental Quality Act (CEQA) (*Public Resources Code*, Section 21000 et seq.) requires all Cal 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 CEQA requirements.

V. Lobbying – (*Subrecipient Handbook* Section 2154)

Cal 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.

VI. Debarment and Suspension – (*Subrecipient Handbook* Section 2155)

(This applies to federally-funded grants only.)

Cal 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.

VII. Proof of Authority from City Council/Governing Board – (*Subrecipient Handbook* Section 1350)

The above-named organization (Applicant) accepts responsibility for and must comply with the requirement to obtain a signed resolution from the City Council/Governing Board in support of this Program. The Applicant must provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal 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 Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal 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 Grant Subaward is, in fact, authorized to do so. The Applicant is also required to maintain said written authorization on file and readily available upon demand.

VIII. Civil Rights Compliance

The Subrecipient complies with all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

IX. Special Condition for Grant Subaward with Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program Funds

1. Applicability of Part 200 Uniform Requirements

The Subrecipient must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2019 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2019 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2019 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and Subawards ("Subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the Subrecipient must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the Subrecipient must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the Subrecipient is to contact OJP promptly for clarification.

2. Compliance with DOJ Grants Financial Guide

The Subrecipient must to comply with the DOJ Grants Financial Guide. References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The Subrecipient must comply with the DOJ Grants Financial Guide.

3. Requirements Pertaining to Prohibited Conduct Related to Trafficking in Persons (including reporting requirements and OJP authority to terminate award)

The Subrecipient must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of Subrecipients, Subrecipients ("Subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the Subrecipient or of any Subrecipient.

The details of the Subrecipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by Subrecipients and Subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

4. Civil Rights and Nondiscrimination

The Subrecipient understands that the federal statutes and regulations pertaining to civil rights and nondiscrimination and, in addition:

- a. The Subrecipient understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
- b. The Subrecipient understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110 (e)) ; section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13), which will apply to all awards made by the Office of Violence Against Women, also may apply to an award made otherwise; and

c. The Subrecipient understands they must comply with the specific assurances set out in 29 C.F.R. §§ 42.105 and 42.204.

5. Compliance with Applicable Rules Regarding Approval, Planning, and Reporting of Conferences, Meetings, Trainings, and Other Events

The Subrecipient must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

6. Compliance with General Appropriations-Law Restrictions on the Use of Federal Funds (FY 2019)

The Subrecipient must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2019, are set out at <https://ojp.gov/funding/Explore/FY19AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a Subrecipient would or might fall within the scope of an appropriations-law restriction, the Subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

7. Reporting Potential Fraud, Waste, & Abuse

The Subrecipient must promptly refer to DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, Subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct. Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 1425 New York Avenue, N.W. Suite 7100, Washington, DC

20530; and/or (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

8. Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

No Subrecipient under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

a. In accepting this award, the Subrecipient:

- Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

b. If the Subrecipient does or is authorized under this award to make Subawards, procurement contracts, or both:

- It represents that (1) it has determined that no other entity that the Subrecipient's application proposes may or will receive award funds (whether through a Subaward, procurement contract, or subcontract under a procurement contract) either requires or has required internal

confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and (2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

- It certifies that, if it learns or is notified that any Subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

9. Encouragement of Policies to Ban Text Messaging while Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Subrecipient understands that DOJ encourages Subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10. OJP Training Guiding Principles

Any training or training materials that the Subrecipient develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

11. Requirement to report actual or imminent breach of personally identifiable information (PII)

The Subrecipient must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it – (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The Subrecipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The Subrecipient must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a Subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at

<https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

13. Requirement for Data on Performance and Effectiveness Under the Award

The Subrecipient must collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

14. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The Subrecipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The Subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the Subrecipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

15. Victims of Crime Act Requirements

The Subrecipient must comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 34 U.S.C. 20103(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required.

16. Demographic Data

The Subrecipient must collect and maintain information on race, sex, national origin, age, and disability of victims receiving assistance, where such information is voluntarily furnished by the victim.

17. Performance Reports

The Subrecipient must submit quarterly performance reports on the performance metrics identified by OVC, and in the manner required by OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction.

18. Access to Records

The Subrecipient must authorize the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper, or documents related to the VOCA grant.

19. All Subawards ("Subgrants") must have specific federal authorization

The Subrecipient must comply with all applicable requirements for authorization of any Subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "Subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any Subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All Subawards ("Subgrants") must have specific federal authorization), and are incorporated by reference here.

20. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award regardless of the dollar

amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used.

- a. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no Subrecipient may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

- b. Monitoring

The Subrecipient's monitoring responsibilities include monitoring of compliance with this condition.

- c. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

- d. Rules of construction

- 1) The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor, grant Subrecipient or -Subrecipient, agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

- 2) Nothing in this condition shall be understood to authorize or require any Subrecipient or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

21. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ, the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award is to benefit a set of individuals under 18 years of age.

The Subrecipient must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination – 28 C.F.R. Part 42

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

24. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The Subrecipient must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to

Subrecipient organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to Subrecipients and Subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

25. Restrictions on "Lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the Subrecipient, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the Subrecipient to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, Subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a Subrecipient would or might fall within the scope of these prohibitions, the Subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Subgrant Award Report (SAR)

The Subrecipient must submit a SAR to OVC for each Subrecipient of the VOCA victim assistance funds, within ninety (90) days of awarding funds to the Subrecipient. Subrecipients must submit this information through the automated system.

27. Effect of Failure to Address Audit Issues

The Subrecipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the Subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other

outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

28. Additional DOJ Awarding Agency Requirements

The Subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the Subrecipient is designated as "high- risk" for purposes of the DOJ high-risk grantee list.

29. Hiring Documents

The Subrecipient must keep, maintain, and preserve all documentation (such as Form I-9s or equivalents) regarding the eligibility of employees hired using the funds.

All appropriate documentation must be maintained on file by the project 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 Subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient 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 Subaward [Section 15 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant Subrecipient 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: _____

Authorized Official's Typed Name: JACKIE LACEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: 9-9-2020

Federal Employer ID #: 95-6000927 Federal DUNS #: 781310990

Current System for Award Management (SAM) Expiration Date: MARCH 5, 2021

Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: (not applicable to State agencies)

☐ City Financial Officer

☐ County Financial Officer

☐ City Manager

☐ County Manager

☒ Governing Board Chair

Signature: _____

Typed Name: KATHRYN BARGER

Title: CHAIR, COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

APPROVED AS TO FORM:
MARY C. WICKMAN
County Counsel

By _____

Deputy

September 22, 2020

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF CHIEF EXECUTIVE OFFICER

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 HER RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE**FY 2020-21****4 - VOTES**

SOURCES		USES	
DISTRICT ATTORNEY A01-DA-90-9031-14030 FEDERAL GRANTS INCREASE REVENUE	71,000	DISTRICT ATTORNEY A01-DA-1000-14030 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION	71,000

SOURCES TOTAL \$ **71,000****USES TOTAL** \$ **71,000****JUSTIFICATION**

The appropriation adjustment reflects an additional federal grant award from the United States Department of Justice (DOJ) through California Governor's Office of Emergency Services (Cal OES) for the Unserved/Underserved Victim Advocacy and Outreach Program. The appropriation adjustment is necessary to align the District Attorney's budget with the full grant award amount.


 AUTHORIZED SIGNATURE

Michael Au-Yeung, Chief of Budget & Fiscal

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR---☐ ACTION☐ RECOMMENDATION☐ APPROVED AS REQUESTED☐ APPROVED AS REVISED

AUDITOR-CONTROLLER

BY

CHIEF EXECUTIVE OFFICER

BY

B.A. NO.

DATE

DATE



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET, LOS ANGELES, CA 90012 (213) 974-3500

November 10, 2020

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

Dear Supervisors:

AUTHORIZE THE DISTRICT ATTORNEY TO ENTER INTO GRANT AWARD AGREEMENTS (GAA) WITH THE STATE OF CALIFORNIA, DEPARTMENT OF INSURANCE (CDI) FOR THE WORKERS' COMPENSATION INSURANCE FRAUD (WCIF), DISABILITY AND HEALTHCARE INSURANCE FRAUD (DHIF), AUTOMOBILE INSURANCE FRAUD (AIF), AND HIGH IMPACT INSURANCE FRAUD (HIIF) PROGRAMS FOR FISCAL YEAR (FY) 2020-21 (ALL DISTRICTS) (3-VOTES)

SUBJECT

The Workers' Compensation Insurance Fraud (WCIF), Disability and Healthcare Insurance Fraud (DHIF), Automobile Insurance Fraud (AIF), and High Impact Insurance Fraud (HIIF) Programs support enhanced investigation and prosecution of workers' compensation fraud cases, fraudulent disability and healthcare insurance claims, automobile insurance fraud, and automobile insurance fraud activity involving losses of over \$1,000,000, respectively. The District Attorney is requesting the Board sign the attached resolutions required to enter into Grant Award Agreements (GAA) with the State of California, Department of Insurance (CDI) for grant funds for WCIF, DHIF, AIF, and HIIF for Fiscal Year (FY) 2020-21.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached Resolutions authorizing the District Attorney to enter into an agreement for each of the WCIF, DHIF, AIF, HIIF Programs with CDI for the period of July 1, 2020 to June 30, 2021. There is no required County match for these grants.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The District Attorney's Office (DA) received the FY 2020-21 Request for Applications (RFAs) from CDI for the WCIF, DHIF, and AIF Programs on February 12, 2020 and HIIF Program on September 16, 2020. The objective of these programs is to promote coordination and active partnerships in anti-fraud efforts.

The attached Resolutions require Board adoption as part of the Grant Award Agreement (GAA). The attached Resolutions have been approved as to form by County Counsel and adoption of the Resolutions will satisfy County and State requirements.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of the recommended action is consistent with the Los Angeles County Strategic Plan, Goal No. 1, Make Investments that Transform Lives: aggressively address society's most complicated social, health, and public safety challenges and be a highly responsive organization capable of responding to complex societal challenges; and Goal No. 3, Realize Tomorrow's Government Today: be an innovative, flexible, effective, and transparent partner focused on public service and advancing the common good.

FISCAL IMPACT/FINANCING

The DA will return to the Board to request acceptance of these funds for the WCIF, DHIF, AIF, and HIIF Programs for FY 2020-21.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to Insurance Code Sections 1872.83(d) (WCIF), 1872.85 (c)(2) (DHIF), 1872.8(b)(1)(D) (AIF), and 1871.7 (HIIF), CDI is authorized to award and distribute certain funds to District Attorneys submitting plans approved by the Fraud Division for the increased investigation and prosecution of workers' compensation fraud cases, fraudulent disability and healthcare insurance claims, automobile insurance fraud, and automobile insurance fraud activity involving losses of over \$1,000,000, respectively. The DA has been awarded funding for the WCIF for the past twenty-eight years, DHIF for fifteen years, AIF for twenty-seven years, and HIIF for one year.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

These programs do not propose attorney staff augmentation. Therefore, the DA is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two (2) copies of the adopted Board Letter, and two (2) copies each of the executed Resolutions to Dennis Blanco, District Attorney's Office, 211 West Temple Street, Suite 200, California, 90012. Any questions may be directed to Mr. Blanco at (213) 257-2746.

Respectfully submitted,

JACKIE LACEY
District Attorney

db

Enclosures

c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel

1 **BOARD OF SUPERVISORS**
2 **COUNTY OF LOS ANGELES**

3 **RESOLUTION**

4 Authorization to Accept a Grant Award from the
5 State of California, Department of Insurance
6 Pursuant to California Insurance Code
7 Chapter 12, commencing with § 1871, et seq.

8 **WHEREAS**, the provisions of § 1872.83 of the California Insurance
9 Code authorize the State of California, Department of Insurance to award and
10 distribute certain funds to District Attorneys submitting plans approved by the
11 Fraud Division for the increased investigation and prosecution of fraudulent
12 workers' compensation claims, and the District Attorney is charged with providing
13 prosecution of all felony offenses committed within this County; and

14 **WHEREAS**, the Board of Supervisors of Los Angeles County recognizes
15 that fraudulent claims are costing our citizens millions of dollars annually, with
16 thousands of jobs being lost due to local business closures precipitated by escalating
17 workers' compensation costs caused by fraud; and

18 **WHEREAS**, the County of Los Angeles, acting through its Board of
19 Supervisors, desires to combat workers' compensation insurance fraud by
20 undertaking a certain project designated the "Workers' Compensation Insurance
21 Fraud Program" by the District Attorney, to be funded through funds made
22 available by the Insurance Fraud Prevention Act as provided for pursuant to
23 California Insurance Code § 1872.83, administered by the State of California,
24 Department of Insurance; and

25 **WHEREAS**, the State of California, Department of Insurance approved
26 the fraud reduction plan submitted by the District Attorney's Office for FY 2020-2021
for the Workers' Compensation Insurance Fraud Program for this specific task.

1 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of
2 the County of Los Angeles hereby authorizes and approves acceptance of grant funds
3 from the State of California, Department of Insurance, to be used exclusively for the
4 program designated the "Workers' Compensation Insurance Fraud Program" for the
5 period covering July 1, 2020 to June 30, 2021;

6 **IT IS AGREED** that any liability arising out of the performance of the
7 Grant Award Agreement, including civil court actions for damages, shall be the
8 responsibility of the grant recipient and the authorizing agency. The State of California
9 and the California Department of Insurance disclaim responsibility for any such liability.

10 **BE IT FURTHER RESOLVED** that the County of Los Angeles
11 hereby authorizes the District Attorney to serve as Project Director and to perform
12 all further tasks necessary for the completion of the project, including
13 any extensions, execution and submission of amendments, progress reports, and
14 payment requests relating to the Grant Award Agreement;

I DO HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of the County of Los Angeles, on this _____ day of _____, 2020, the foregoing Resolution was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
the seal of the Board of Supervisors of the County of Los Angeles
this _____ day of _____, 2020.

County of Los Angeles

By _____
Chair, Board of Supervisors

APPROVED AS TO FORM
BY COUNTY COUNSEL:

MARY C. WICKHAM

By 
for Elizabeth Pennington
Deputy County Counsel

1 **BOARD OF SUPERVISORS**
2 **COUNTY OF LOS ANGELES**

3 **RESOLUTION**

4 Authorization to Accept a Grant Award from the
5 State of California, Department of Insurance
6 Pursuant to California Insurance Code
7 Chapter 12, commencing with § 1871, et seq.

8 **WHEREAS**, the provisions of § 1872.85 of the California Insurance
9 Code authorize the State of California, Department of Insurance to award and
10 distribute certain funds to District Attorneys submitting plans approved by the
11 Fraud Division for the increased investigation and prosecution of fraudulent
12 disability and healthcare insurance claims, and the District Attorney is charged
13 with providing prosecution of all felony offenses committed within this County;
14 and

15 **WHEREAS**, the Board of Supervisors of Los Angeles County recognizes
16 that fraudulent healthcare and disability insurance claims are costing our citizens
17 millions of dollars annually, as reflected in higher insurance premiums and increased
18 costs for medical services and equipment; and

19 **WHEREAS**, the County of Los Angeles, acting through its Board of
20 Supervisors, desires to combat disability and healthcare insurance fraud by
21 undertaking a certain project designated the "Disability and Healthcare Insurance
22 Fraud Program" by the District Attorney, to be funded pursuant to the Insurance
23 Fraud Prevention Act as provided in California Insurance Code § 1872.85 and
24 administered by the State of California, Department of Insurance; and

25 **WHEREAS**, the State of California, Department of Insurance approved
26 the fraud reduction plan submitted by the District Attorney's Office for FY 2020-2021
for the Disability and Healthcare Insurance Fraud Program.

1 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of
2 the County of Los Angeles hereby authorizes and approves acceptance of grant funds
3 from the State of California, Department of Insurance, to be used exclusively for the
4 program designated the "Disability and Healthcare Insurance Fraud Program" for the
5 period covering July 1, 2020 to June 30, 2021;

6 **IT IS AGREED** that any liability arising out of the performance of the
7 Grant Award Agreement, including civil court actions for damages, shall be the
8 responsibility of the grant recipient and the authorizing agency. The State of California
9 and the California Department of Insurance disclaim responsibility for any such liability.

10 **BE IT FURTHER RESOLVED** that the County of Los Angeles
11 hereby authorizes the District Attorney to serve as Project Director and to perform
12 all further tasks necessary for the completion of the project, including any
13 extensions, execution and submission of amendments, progress reports, and
14 payment requests relating to the Grant Award Agreement;

1 **I DO HEREBY CERTIFY** that at a regular meeting of the Board of
2 Supervisors of the County of Los Angeles, on this _____ day of
3 _____, 2020, the foregoing Resolution was adopted.

4 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed
5 the seal of the Board of Supervisors of the County of Los Angeles this _____
6 day of _____, 2020.

7
8 County of Los Angeles

9
10 By _____
11 Chair, Board of Supervisors

12
13 **APPROVED AS TO FORM**
14 **BY COUNTY COUNSEL:**

15 **MARY C. WICKHAM**

16
17 By  _____
18 for Elizabeth Pennington
Deputy County Counsel

1 **BOARD OF SUPERVISORS**
2 **COUNTY OF LOS ANGELES**

3 **RESOLUTION**

4 Authorization to Accept a Grant Award from the
5 State of California, Department of Insurance
6 Pursuant to California Insurance Code
7 Chapter 12, commencing with §1871, et seq.

8 **WHEREAS**, the provisions of §1872.8 of the California Insurance
9 Code authorize the State of California, Department of Insurance to award and
10 distribute certain funds to District Attorneys submitting plans approved by the
11 Fraud Division for the increased investigation and prosecution of fraudulent
12 automobile insurance claims, and the District Attorney is charged with providing
13 prosecution of all felony offenses committed within this County; and

14 **WHEREAS**, the County of Los Angeles, acting through its Board of
15 Supervisors, desires to combat automobile insurance fraud by undertaking a certain
16 project designated the "Automobile Insurance Fraud Program" by the District Attorney,
17 to be funded through funds made available by the Insurance Fraud Prevention Act as
18 provided for pursuant to California Insurance Code §1872.8, administered by the State
19 of California, Department of Insurance; and

20 **WHEREAS**, the State of California, Department of Insurance approved
21 the fraud reduction plan submitted by the District Attorney's Office for FY 2020-2021
22 for the Automobile Insurance Fraud Program for this specific task.

23 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of
24 the County of Los Angeles hereby authorizes and approves acceptance of grant funds
25 from the State of California, Department of Insurance, to be used exclusively for the
26 program designated the "Automobile Insurance Fraud Program" for the period
covering July 1, 2020 to June 30, 2021;

1 **IT IS AGREED** that any liability arising out of the performance of the
2 Grant Award Agreement, including civil court actions for damages, shall be the
3 responsibility of the grant recipient and the authorizing agency. The State of California
4 and the California Department of Insurance disclaim responsibility for any such liability.

5 **BE IT FURTHER RESOLVED** that the County of Los Angeles
6 hereby authorizes the District Attorney to serve as Project Director and to
7 perform all further tasks necessary for the completion of the project, including
8 any extensions, execution and submission of amendments, progress reports, and
9 payment requests relating to the Grant Award Agreement;

10 **I DO HEREBY CERTIFY** that at a regular meeting of the Board of
11 Supervisors of the County of Los Angeles, on this _____ day of
12 _____, 2020, the foregoing Resolution was adopted.

13 **IN WITNESS WHEREOF**, I have hereunto set my hand and
14 affixed the seal of the Board of Supervisors of the County of Los Angeles
15 this _____ day of _____, 2020.

16
17 County of Los Angeles

18
19 By _____
20 Chair, Board of Supervisors

21 APPROVED AS TO FORM
22 BY COUNTY COUNSEL:

23 MARY C. WICKHAM

24 By 
25 Elizabeth Pennington
26  Deputy County Counsel

1 **BOARD OF SUPERVISORS**
2 **COUNTY OF LOS ANGELES**

3 **RESOLUTION**

4 Authorization to Accept a Grant Award from the
5 State of California, Department of Insurance
6 Pursuant to California Insurance Code
7 Chapter 12, commencing with §1871, et seq.

8 **WHEREAS**, the provisions of §1871.7 of the California Insurance
9 Code authorize the State of California, Department of Insurance to award and
10 distribute certain funds to District Attorneys submitting plans approved by the
11 Fraud Division for the increased investigation and prosecution of fraudulent
12 automobile insurance claims, and the District Attorney is charged with providing
13 prosecution of all felony offenses committed within this County; and

14 **WHEREAS**, the County of Los Angeles, acting through its Board of
15 Supervisors, desires to undertake a certain program designated the "High Impact
16 Insurance Fraud Program" by the District Attorney, to be funded through funds made
17 available by the Insurance Fraud Prevention Act as provided for pursuant to California
18 Insurance Code §1871.7, administered by the State of California, Department of
19 Insurance; and

20 **WHEREAS**, the State of California, Department of Insurance approved
21 the fraud reduction plan submitted by the District Attorney's Office for FY 2020-2021
22 for the High Impact Insurance Fraud Program for this specific task.

23 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of
24 the County of Los Angeles is authorized, on its behalf, to submit the attached proposal
25 to the California Department of Insurance and is authorized to execute on behalf of the
26 Board of Supervisors the attached Grant Award Agreement including any extensions
 or amendments thereof and approves acceptance of grant funds from the State of

1 California, Department of Insurance, to be used exclusively for the program
2 designated the "High Impact Insurance Fraud Program" for the period covering July 1,
3 2020 to June 30, 2021;

4 **IT IS AGREED** that any liability arising out of the performance of the
5 Grant Award Agreement, including civil court actions for damages, shall be the
6 responsibility of the grant recipient and the authorizing agency. The State of California
7 and the California Department of Insurance disclaim responsibility for any such liability.

8 **BE IT FURTHER RESOLVED** that the grant funds received
9 hereunder shall not be used to supplant expenditures controlled by this body.

10 **I DO HEREBY CERTIFY** that at a regular meeting of the Board of
11 Supervisors of the County of Los Angeles, on this _____ day of
12 _____, 2020, the foregoing Resolution was adopted.


13 **IN WITNESS WHEREOF**, I have hereunto set my hand and
14 affixed the seal of the Board of Supervisors of the County of Los Angeles
15 this _____ day of _____, 2020.

16
17 County of Los Angeles

18
19 By _____
20 Chair, Board of Supervisors

21 APPROVED AS TO FORM
22 BY COUNTY COUNSEL:

23 MARY C. WICKHAM

24 By 
25 for Elizabeth Pennington
26 Deputy County Counsel



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

BUREAU OF ADMINISTRATIVE SERVICES

JACKIE LACEY • District Attorney
JOSEPH P. ESPOSITO • Chief Deputy District Attorney
PAMELA BOOTH • Assistant District Attorney

TONY SERENO • Director

November 10, 2020

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

Dear Supervisors:

AUTHORIZE THE COUNTY OF LOS ANGELES DISTRICT ATTORNEY'S OFFICE TO COMPLETE THE APPLICATION PROCESS AND TO ACCEPT FEDERAL FUNDS FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES THROUGH VICTIMS OF CRIME ACT FOR THE COUNTY VICTIM SERVICES (XC) PROGRAM FOR THE GRANT PERIOD OF JANUARY 1, 2021 THROUGH DECEMBER 31, 2021; DELEGATE AUTHORITY TO ENTER INTO, AND APPROVE OF, SOLE SOURCE AGREEMENTS WITH COMMUNITY-BASED ORGANIZATIONS FOR THE PROVISION OF VICTIM SERVICES WITHIN THE COUNTY; APPROVE OF THE UTILIZATION OF XC GRANT FUNDS TO CONTINUE MAINTENANCE OF A UNIFIED SYSTEM FOR THE COLLECTION AND DISTRIBUTION OF COURT-ORDERED VICTIM RESTITUTION; AND APPROVE AN APPROPRIATION ADJUSTMENT FOR FY 2020-2021.
(ALL DISTRICTS) (4-VOTES)

SUBJECT

This Board Letter requests authority for the County of Los Angeles District Attorney's Office to complete the grant application process and accept grant funds totaling \$2,765,032 from the U.S. Department of Justice through California Governor's Office of Emergency Services (Cal OES) for federal funding of Victims of Crime Act (VOCA) for the County Victim Services Program (XC Grant) for the grant performance period of January 1, 2021 to December 31, 2021. Completion of the application process and acceptance of the grant funds is contingent upon the submission of the attached Certification of Assurance of Compliance Form. Therefore, the District Attorney requests that the Chairman sign the attached Certification of Assurance of Compliance Form as required by the grantor. In addition, approval of the attached appropriation adjustment for FY 2020-21 is requested to align the District Attorney's budget with the grant award.

A Victim Services Steering Committee (VSSC) determined that \$2,375,797 of the available funds should be distributed by the District Attorney's Office directly to community-based organizations providing victim services in Los Angeles County to help eliminate unmet needs and gaps in services. County agencies also will utilize \$80,000 in XC Grant funds for the maintenance of the Los Angeles County's Restitution Information System (LACRIS) for the collection and distribution of court-ordered victim restitution. The remaining \$309,235 will be used to fund salaries and employee benefits for two District Attorney personnel to oversee the grant program. Any unused funding may be reallocated in a manner to be determined by the VSSC.

Distribution of grant funds to community-based organizations requires delegated authority to enter into, and approval of, sole source contracts. The proposed sole source contracts with 24 community-based organizations within the County are with the only organizations that are authorized by state statute (for the Domestic Violence Shelters and Rape Crisis Centers) and by the Superior Court of Los Angeles County (for CASA), to perform proposed victim services. Furthermore, because the District Attorney will act as the fiscal agent for the XC Grant, an appropriation adjustment for FY 2020-2021 is required.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the District Attorney (DA), on behalf of the County of Los Angeles, to complete the grant application process and accept grant funds from the U.S. Department of Justice through Cal OES for federal funds of VOCA Formula Grant Program 2018-V2-GX-0029 and 2019-V2-GX-0053 with Code of Federal Domestic Assistance (CFDA) number 16.575, Subaward number XC20 03 0190, in the amount of \$2,765,032 to be fully expended between January 1, 2021 to December 31, 2021. Cal OES shall waive \$345,629 of VOCA18 and \$345,629 of VOCA19 Match requirement for this grant. The total cost of the XC Grant program is \$2,765,032.
2. Delegate authority to the DA or designee to prepare and execute contracts with the 24 community-based organizations, chosen by the VSSC and approved for funding by Cal OES, for the distribution of XC Grant funds to enhance victim services in the County. Total contract amount shall not exceed \$2,765,032 and shall be fully funded by XC Grant funds. There is no Net County Cost for these contracts.
3. Delegate authority to the DA or designee to execute change notices to the contracts referenced above that authorize modifications to or within budget categories within each budget, and corresponding service adjustments; allow for the rollover of unspent funds and/or redirection of funds; and/or corrections of errors in the contracts' terms and conditions.

4. To align the FY 2020-21 budget with the new grant funding, approval of an appropriation adjustment is requested to increase the Department's FY 2020-21 Final Adopted XC Grant budget in the amount of \$1,552,000. This amount represents the difference between the pro-rated FY 2020-21 grant award of \$3,077,000 and the \$1,525,000 which was included in the District Attorney's FY 2020-21 Adopted Budget.
5. Request the Chair of the Board of Supervisors to sign and affix a wet (original) signature to the attached Certification of Assurance of Compliance form required to complete the grant application.
6. Delegate authority to the District Attorney or designee, upon award of grant funding by Cal OES, to accept and execute the Grant Award Agreement and serve as Project Director for the program. This also includes authorization to approve subsequent amendments, modifications, and/or extensions to the Cal OES grant agreements that have no Net County Cost impact to the County.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

The purpose of the recommended actions is to continue the County's commitment to assist victims of crime in rebuilding their lives and recovering from trauma through collaborative partnerships between County agencies and community-based organizations.

On July 01, 2020, Cal OES released a Request for Application (RFA) for the XC Grant for the period January 1, 2021 through December 31, 2021. As part of the application process, applicants are required to complete a Certification of Assurance of Compliance form, which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program (EEO), Drug Free Workplace Compliance, California Environmental Quality Act (CEQA), Lobbying, Debarment and Suspension requirements, Civil rights Compliance, and Proof of Authority from City Council/Governing Board.

The purpose of the XC Grant is to provide one-time, VOCA funding to 50 counties in California, and the City of Los Angeles to fill gaps and unmet needs in local victim services. While in the past, Cal OES has provided grant funds directly to community-based providers of victim services, this grant specifically required the funds to first go to the grantee governmental entity and then distributed to the approved victim service providers. A multi-disciplinary VSSC required under the grant was established to identify the current gaps in service and unmet needs and then to develop a plan that would best utilize the XC Grant funds.

On July 23, 2020, the VSSC convened with representatives of the District Attorney's Office, Sheriff's Department, Department of Mental Health, Probation Department, Department of Children and Family Services – Child Protective

Services, Pomona Police department and community-based organizations. This group identified four gaps in service and unmet needs that are suitable for funding with the XC Grant:

1. Shelter Based Services for Domestic Violence Victims;
2. Services for Sexual Assault Victims;
3. Special Advocacy for Child Abuse Victims; and
4. Unified System for Local Collection of Direct Victim Restitution.

The first three unmet needs and gaps in service that were chosen by the VSSC to receive funding require the redistribution of XC Grant funds to community-based organizations.

The VSSC determined that Domestic Violence Shelters in Los Angeles County, as defined by Welfare and Institutions Code section 18290 et. seq., that also receive direct funding by Cal OES, were underfunded and that distribution of XC Grant funds to these Domestic Violence Shelters would improve services. There are sixteen (16) Domestic Violence Shelters in Los Angeles County that fit this statutory definition. Cal OES, as the granting agency, has approved distribution of grant funds to these Domestic Violence Shelters. The amount of XC Grant funding to be distributed to these Domestic Violence Shelters is \$1,312,000.

The VSSC determined that Rape Crisis Centers, as defined by Penal Code section 13837, were underfunded and that distribution of XC Grant funds to these Rape Crisis Centers would improve services. There are seven (7) Rape Crisis Centers in Los Angeles County that fit this statutory definition. Cal OES, as the granting agency, has approved distribution of grant funds to these Rape Crisis Centers. The amount of XC Grant funding to be distributed to these Rape Crisis Centers is \$756,000.

The VSSC determined that Court Appointed Special Advocates for Children Los Angeles (CASA) was underfunded and that distribution of XC Grant funds to CASA would improve special advocacy services for child abuse victims. CASA's mission is to mobilize community volunteers to advocate for abused and neglected children. CASA is the only organization approved by the Superior Court of Los Angeles to provide in-court child advocates. CASA shall receive, as a subrecipient, \$307,797 in XC Grant funding.

Community-based victim service providers will receive, as subrecipients, \$2,375,797 in XC Grant funds. The DA is fully prepared to monitor all aspects of the proposed contracts in accordance with the standards set by Cal OES and the Audit Division of the Auditor Controller's Office.

The District Attorney's Office will utilize \$309,235 in XC Grant funding to fund salaries and employee benefits for two (2) personnel to oversee the grant program with the 24 community-based organizations and Cal OES. If the District Attorney's

Office is unable to use all of the funding, the unused portion will be reallocated in a manner to be determined by the VSSC.

The remaining \$80,000 will be utilized by County agencies to maintain the Los Angeles County's Restitution Information System (LACRIS), a unified system for the collection and distribution of court ordered direct victim restitution in Los Angeles County.

The California Constitution guarantees victims the right to restitution. Historically, those convicted of felony offenses were either placed on probation under the supervision of the Probation Department or sentenced to State Prison. Collection of court-ordered victim restitution was overseen by either the Probation Department, for those on probation, or the California Department of Corrections and Rehabilitation, for those sentenced to state prison. With the passage of AB 109, many felons who were formerly housed in state prison began serving state prison sentences in County Jail. The passage of SB 1054 in 2016, and the Board action of September 15, 2015, allows the Sheriff's Department to collect court-ordered victim restitution from inmates serving a prison term in the County Jail. LACRIS will benefit victims, as they will be more likely to receive the restitution to which they are constitutionally entitled. LACRIS will also provide a more accurate accounting of the amounts collected and distributed, thus benefitting the defendants who owe the restitution.

Implementation of Strategic Plan Goals

Approval of the recommended action is consistent with the Los Angeles County Strategic Plan, Goal No. 1, Make Investments that Transform Lives: Aggressively address society's most complicated social, health, and public safety challenges and be a highly responsive organization capable of responding to complex societal challenges – one person at a time; and Goal No. 3, Realize Tomorrow's Government Today: Be an innovative, flexible, effective, and transparent partner focused on public service and advancing the common good.

FISCAL IMPACT/FINANCING

The District Attorney's application requests grant funding in the amount of \$2,765,032 and an option for a match waiver up to 100 percent which would reduce the required match to \$0, for a total program cost of \$2,765,032 to be expended by December 31, 2021. The sixteen (16) Domestic Violence Shelters will each receive \$82,000 in XC Grant funding. The amount of XC Grant funding to be distributed to these Domestic Violence Shelters is \$1,312,000. The seven (7) Rape Crisis Centers will each receive \$108,000 in XC Grant funding. The amount of XC Grant funding to be distributed to these Rape Crisis Centers is \$756,000. The Court Appointed Special Advocates for Children for Los Angeles (CASA) will receive \$307,797.

The VSSC has allocated \$80,000 of the XC Grant to fund the maintenance of LACRIS. Funding for LACRIS will be available through Departmental Service Order (DSO) reimbursements. The District Attorney will work with County partners to establish procedures for the required submission of invoices and progress reports, as well as the transfer of funds via DSO.

The DA's office will receive \$309,235 in XC Grant funding for Salaries and Employee Benefits of two (2) personnel to oversee the grant program and monitor the contracts with the 24 community-based organizations.

To align the FY 2020-21 budget with the new grant funding, approval of an appropriation adjustment is requested to increase the Department's FY 2020-21 Final Adopted XC Grant budget in the amount of \$1,552,000. This amount represents the difference between the pro-rated FY 2020-21 grant award of \$3,077,000 and the \$1,525,000 which was included in the District Attorney's FY 2020-21 Adopted Budget.

Prior to the commencement of any activity under the XC Grant, each subrecipient agency, whether a community-based organization or a County Department, will enter into an agreement with the District Attorney setting forth the program requirements, including the specific VOCA match requirements. No reimbursement to any subrecipient will be made unless the expenditures and match have first been approved by Cal OES.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Cal OES has historically provided grant funding directly to victim service providers. For purposes of the XC Grant, however, Cal OES has determined that the selection of recipients and distribution of grant funds should be accomplished at the local level. The District Attorney, as chosen by the VSSC, will administer this grant for Los Angeles County.

The 24 community-based organizations selected by the VSSC and approved for funding by Cal OES are the only organizations within the County that meet the criteria set forth by the VSSC and perform these essential victim services. These 24 community-based organizations are also the only organizations within the County that are authorized, by state statute (for the Domestic Violence Shelters and Rape Crisis Centers) and by the Superior Court of Los Angeles County (for CASA), to perform these victim services. For the distribution of these grant funds in accordance with the VSSC plan, as mandated by Cal OES under the terms of the grant, sole source contracts are necessary and appropriate.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the District Attorney is not subject to the Board Motion of December 15, 1998, requiring

clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Each year, tens of thousands of people will become victims of violent crimes. For these victims, and the thousands of others who are the victims of lesser crimes, the physical damage, psychological trauma, and financial setbacks of the crime can shatter lives. The County and community-based organizations that provide victim services have a long history of collaboration to ensure that victims of crime are provided services. The XC Grant provides a welcome opportunity to fill gaps in the current provision of victim services by distributing funds to established community-based organizations providing victim assistance to some of the most vulnerable victims – abused children and victims of domestic violence and sexual assault. The XC Grant will also allow the County to continue maintenance of the unified system for the collection and distribution of court-ordered victim restitution. The LACRIS will expand the number of victims served with a more effective and equitable system for the collection and distribution of court-ordered victim restitution, improving the chances that victims will receive the financial compensation to which they are entitled.

Following Board approval, it is requested that the Executive Officer, Board of Supervisors return two copies of the adopted Board letter and two Cal OES Certification of Assurance of Compliance Forms, with wet (original) signatures, to Mr. Lam Tran of the District Attorney's Office, Grants and Contracts Section at 211 West Temple Street, Suite 200, Los Angeles, California 90012-3205

Any questions may be directed to Mr. Tran at (213) 257-2806, or at lamtran@da.lacounty.gov.

Respectfully submitted,

JACKIE LACEY
District Attorney

It

Attachments

c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel
Auditor Controller

Department	DISTRICT ATTORNEY'S OFFICE
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Grant Project Title and Description	COUNTY VICTIM SERVICES (XC) PROGRAM
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Funding Agency	Program (Fed. Grant #/State Bill or Code #)	Grant Acceptance Deadline
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CalOES)	PENAL CODE SECTION 13835 et seq.	N/A

<u>Obligations Imposed on the County When the Grant Expires</u>					
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 (describe below)	Yes		No	X	
<hr/>					
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

Jackie Lacey
JACKIE LACEY

9/24/28

CERTIFICATION OF ASSURANCE OF COMPLIANCE

The applicant must complete a Certification of Assurance of Compliance (Cal OES 2-104), which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, and Civil Rights Compliance. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the applicant formally notifies Cal OES that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, 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

I, JACKIE LACEY hereby certify that
(official authorized to sign Subaward; same person as Section 15 on Subaward Face Sheet)

Subrecipient: COUNTY OF LOS ANGELES

Implementing Agency: DISTRICT ATTORNEY'S OFFICE

Project Title: COUNTY VICTIM SERVICES PROGRAM

is responsible for reviewing the *Subrecipient Handbook* and adhering to all of the Subaward requirements (state and/or federal) as directed by Cal OES including, but not limited to, the following areas:

I. Federal Grant Funds

Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the Subrecipient Handbook for more detail.

- ☒ The above named Subrecipient receives \$750,000 or more in federal grant funds annually.
- ☐ The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.

II. Equal Employment Opportunity – (Subrecipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity (EEO) by prohibiting discrimination or harassment in employment because of race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, and any other status protected by state or federal law. **Cal 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: STANLEY YEN

Title: CHIEF OF HUMAN RESOURCE DIVISION

Address: 211 WEST TEMPLE STREET, SUITE 200, LOS ANGELES, CA 90012-3205

Phone: (213) 257-2702

Email: SYEN@DA.LACOUNTY.GOV

III. Drug-Free Workplace Act of 1990 – (Subrecipient Handbook, Section 2152)

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

IV. California Environmental Quality Act (CEQA) – (Subrecipient Handbook, Section 2153)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal 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 CEQA requirements.

V. Lobbying – (Subrecipient Handbook Section 2154)

Cal 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.

VI. Debarment and Suspension – (Subrecipient Handbook Section 2155)

(This applies to federally funded grants only.)

Cal 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.

VII. Proof of Authority from City Council/Governing Board – (Subrecipient Handbook Section 1350)

The above-named organization (Applicant) accepts responsibility for and will comply with the requirement to obtain a signed resolution 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 Cal OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal 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.

VIII. Civil Rights Compliance

The Subrecipient complies with all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

All appropriate documentation must be maintained on file by the project 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 subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient 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 Subaward [Section 15 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized, legally to bind the contractor or grant Subrecipient 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: _____

Authorized Official's Typed Name: JACKIE LACEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: 9/24/20

Federal Employer ID #: 95-6000927 Federal DUNS # 781310990

Current System for Award Management (SAM) Expiration Date: MARCH 5, 2021

Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: (not applicable to State agencies)

☐ City Financial Officer

☐ County Financial Officer

☐ City Manager

☐ County Manager

☒ Governing Board Chair

Signature: _____

Typed Name: KATHRYN BARGER

Title: CHAIR, COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By _____

Deputy

September 22, 2020

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF CHIEF EXECUTIVE OFFICER

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 HER RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE**FY 2020-21****4 - VOTES**

SOURCES		USES	
DISTRICT ATTORNEY A01-DA-90-8901-14030 FED AID PUBLIC ASSISTANCE PROGRAMS INCREASE REVENUE	1,552,000	DISTRICT ATTORNEY A01-DA-1000-14030 SALARIES & EMPLOYEE BENEFITS INCREASE APPROPRIATION	72,000
		DISTRICT ATTORNEY A01-DA-2000-14030 SERVICES & SUPPLIES INCREASE APPROPRIATION	1,480,000
SOURCES TOTAL	\$ 1,552,000	USES TOTAL	\$ 1,552,000

JUSTIFICATION

The appropriation adjustment of \$1,552,000 reflects additional grant funds from the California Governor's Office of Emergency Services (Cal OES) for federal funding through Victims of Crime Act (VOCA) for the County Victim Services Program (XC Grant). This amount represents the difference between the pro-rated FY 2020-21 grant award of \$3,077,000 and the \$1,525,000 which was included in the District Attorney's FY 2020-21 Adopted Budget.


 AUTHORIZED SIGNATURE

Michael Au-Yeung, Chief of Budget & Fiscal

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR☐ ACTION☐ RECOMMENDATION

AUDITOR-CONTROLLER

BY

B.A. NO.

DATE

☐ APPROVED AS REQUESTED☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY

DATE



County of Los Angeles
INTERNAL SERVICES DEPARTMENT

1100 North Eastern Avenue
Los Angeles, California 90063

SELWYN HOLLINS
Director

"Trusted Partner and Provider of Choice"

Telephone: (323) 267-2101
FAX: (323) 264-7135

November 10, 2020

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

Dear Supervisors:

**FIRE DEPARTMENT
FIRE STATION 166 APPARATUS STAGING AREA REPLACEMENT PROJECT
APPROVE REVISED PROJECT BUDGET
CAPITAL PROJECT NO. 89084
FISCAL YEAR 2020-21
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)**

SUBJECT

Approval of the recommendations will approve the revised project budget for the Fire Station 166 Apparatus Staging Area Replacement Project.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE CONSOLIDATED FIRE PROTECTION DISTRICT:

1. Find that the recommended actions are within the scope of the previous finding of exemption for the Fire Station 166 Apparatus Staging Area Replacement Project under the California Environmental Quality Act, for the reasons stated in this letter and in the record of the project.
2. Approve the revised total project budget of \$900,000, from a previously adopted budget of \$600,000, to fully fund the scope of work.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommendations will find that the recommended actions are within the scope of the previous finding of exemption under the California Environmental Quality Act (CEQA) for the previously approved Fire Station 166 Apparatus Staging Area Replacement Project (project) and approve the revised project budget.

On June 4, 2019, the Board approved the Fire Station 166 Apparatus Staging Area Replacement Project, Capital Project No. 89084, with a project budget of \$600,000, and authorized the project to be performed using an existing Board approved Internal Services Department (ISD) Job Order Contract (JOC). The project will repair and replace the damaged asphalt pavement located in the apparatus staging area of Fire Station 166, which is used to provide fire safety demonstrations and training sessions for Fire personnel.

The preliminary cost estimate provided by the architect/engineer (A/E) on May 2017 was presented at an early discovery phase of the project prior to the receipt of a completed set of design plans. The final design included a requirement to add an 8" concrete slab for all drive approaches surrounding the station bay needed to support Fire Department's vehicles. Additionally, the project plan also includes the need to phase the project in order to maintain full functionality of the Fire Station during construction. The concrete drive and phasing requirements were confirmed after the original project budget had been established. In order to fully fund the project scope of work, an additional \$300,000 is needed.

The project is estimated to be substantially complete by April 2021, barring adverse weather conditions.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Goal III. Realize Tomorrow's Government Today, Strategy III.3 - Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, Objective III.3.2 Manage and Maximize County Assets by improving the operational effectiveness of an existing County asset by repairing the sink hole and replacing the pavement in the apparatus staging area, which will allow the Fire Department to pull their fire trucks and paramedic vehicles into the designated parking spaces within the Fire Station 166 frontward, thus improving the Fire Department's operational effectiveness.

FISCAL IMPACT/FINANCING

On June 4, 2019, the Board approved a total project budget of \$600,000. The proposed revised total project budget is increased by \$300,000 to \$900,000, which includes design, construction, change order allowance, inspection/testing, and ISD County services.

Sufficient funds are available for the recommended action in the Fiscal Year 2020-21 Capital Projects/Refurbishment Budget, Capital Project No.89084.

Operating Budget Impact

The scope of work consists of repairs made to an existing space. Therefore, following the completion of the proposed project, ISD and the Fire Department do not anticipate any one-time start-up or additional ongoing costs as a result of the proposed project.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In accordance with the Board's Local and Targeted Worker Hire Policy, updated on June 11, 2019, the proposed project will include a best efforts Local Worker hiring goal of at least thirty percent (30%). The "Targeted Worker" component will not be included as part of the proposed project.

In accordance with the Board's Civic Art Policy last amended on August 11, 2015, the proposed project is exempt from the Civic Art Allocation as it involves the replacement of existing asphalt.

ENVIRONMENTAL DOCUMENTATION

The project was previously approved on June 4, 2019 and was determined to be exempt from CEQA. The project's scope of work is still within the scope of the previous findings of exemption for the project under State CEQA guidelines Sections 15301(c) and (d) and 15302, and Classes 1(c) and (n) and 2(d) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G because it includes repairs, minor alterations, and replacements made to an existing public facility.

Upon the Board's approval of the project, ISD will file a Notice of Exemption with the Registrar-Recorder/County Clerk in accordance with section 21152 of the California Public Resources Code.

CONTRACTING PROCESS

As was previously authorized by the Board on June 4, 2019, the work on this project is being performed using an existing Board-approved ISD JOC contract. The standard Board-directed clauses, including those that provide for contract termination and hiring qualified displaced County employees, are included in all JOCs.

The JOC contractor who will perform the work is required to fully comply with applicable legal requirements, which among other things, include Chapters 2.200 (Child Support Compliance Program) and 2.203 (Contractor Employee Jury Service Program) of the Los Angeles County Code, and Section 1774 of the California Labor Code pertaining to payment of prevailing wage.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommendations will have no impact on current County services.

The Honorable Board of Supervisors
November 10, 2020
Page 4

CONCLUSION

Please return one adopted copy of the board letter to the following: ISD Facilities Operations Service, the Chief Executive Office – Capital Programs Division, and the Fire Department.

Respectfully Submitted,

Selwyn Hollins
Director

SH:ME:TR:sy

C: Executive Office, Board of Supervisors
 Chief Executive Officer
 County Counsel
 Arts Commission
 Fire Department

BOARD LETTER/MEMO – FACT SHEET PUBLIC SAFETY CLUSTER

PUBLIC SAFETY CLUSTER AGENDA REVIEW DATE	10/28/2020	
BOARD MEETING	11/10/2020	
DELEGATED AUTHORITY BOARD LETTER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
SUPERVISORIAL DISTRICT AFFECTED	1	
DEPARTMENT	Fire Department	
SUBJECT	Fire Station 166 Apparatus Staging Area Replacement Budget Increase	
PROGRAM	Fire Station 166 Apparatus Staging Area Replacement Budget Increase, Capital Project No. 89084	
SOLE SOURCE CONTRACT	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	If Yes, please explain why:	
DEADLINES/ TIME CONSTRAINTS	None	
COST & FUNDING	Total cost: \$900,000 (REVISED)	Funding source: The proposed Project is fully funded with Fire District's Accumulative Capital Outlay Fund; no NCC
	TERMS (if applicable):	
	Explanation:	
PURPOSE OF REQUEST	Approve a revised project budget from the previous Board-approved amount of \$600,000 to \$900,000, an increase of \$300,000, for the Fire Station 166 Apparatus Staging Area Replacement project, Capital Project No. 89084.	
BACKGROUND (include internal/external issues that may exist)	On June 4, 2019, the Board approved the Fire Station 166 Apparatus Staging Area Replacement Project, Capital Project No. 89084, with a project budget of \$600,000, and authorized the project to be performed using an existing Board approved Internal Services Department (ISD) Job Order Contract (JOC). The project will repair and replace the damaged asphalt pavement located in the apparatus staging area of Fire Station 166, which is used to provide fire safety demonstrations and training sessions for Fire personnel. The preliminary cost estimate provided by the architect/engineer on May 2017 was presented at an early discovery phase of the project prior to the receipt of a completed set of design plans. The final design included a requirement to add an 8" concrete slab for all drive approaches surrounding the station bay needed to support Fire Department's vehicles. Additionally, the project plan also includes the need to phase the project in order to maintain full functionality of the Fire Station during construction. The concrete drive and phasing requirements were confirmed after the original project budget had been established. In order to fully fund the project scope of work, an additional \$300,000 is needed.	
DEPARTMENTAL AND OTHER CONTACTS	Sokin Yoon, Project Manager, (917) 596-9909, syoon@isd.lacounty.gov Alex Bajarias, Senior Analyst, (213) 974-4263, abajarias@ceo.lacounty.gov	

October 28, 2020

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

Dear Supervisors:

**ADVANCE NOTIFICATION OF INTENT TO ENTER INTO NEGOTIATIONS
FOR A SOLE SOURCE AMENDMENT TO EXTEND AGREEMENT
NUMBER 77742 WITH HEALTHRIGHT 360 FOR A GENDER-RESPONSIVE
REHABILITATION PROGRAM FOR FEMALE OFFENDERS**

SUBJECT

This letter provides advance notification to the Board, pursuant to Board Policy 5.100, that the Los Angeles County (County) Sheriff's Department (Department) intends to enter into negotiations for a Sole Source Amendment (Amendment) to Agreement Number 77742 (Agreement) with HealthRIGHT 360 (HR360) to continue providing Gender-Responsive Rehabilitation Program (GRRP) Services (Services) for Female Offenders incarcerated in County jails. The objective of the program is to reduce recidivism by promoting successful rehabilitation and reintegration into society.

PURPOSE

The current Agreement expires on March 5, 2021. The Amendment is needed to extend the term of the Agreement for one-year plus an additional one-year option period, exercisable in any increment, at the County's discretion. This extension will prevent a disruption of services while the Department develops a competitive solicitation for a successor contract.

BACKGROUND

On October 5, 2010, the Department released a Request for Proposals (RFP) to solicit proposals from vendors to provide GRR Program Services for the Department.

On March 6, 2012, the County and Haight Ashbury Free Clinics, Inc. entered into the Agreement to provide a Gender-Responsive Rehabilitation Program for Female Offenders.

On February 6, 2013, Amendment Number Two was executed by the Sheriff to document the Contractor's corporate name change to HealthRIGHT 360 (HR360).

On August 15, 2017, the Board approved Amendment Number Eight to extend the term of the Agreement for an additional one-year period from September 6, 2017 through September 5, 2018, plus an additional six-month option period in any increment.

On February 5, 2019, the Board approved Amendment Number Ten to extend the term of the Agreement for an additional six-month period from March 6, 2019, through September 5, 2019, plus one additional six-month option period in any increment.

On February 18, 2020, the Board approved Amendment Number Twelve to extend the term of the Agreement for an additional one-year period from March 6, 2020 through March 5, 2021, Amendment Number Twelve has no options. The Agreement will expire on March 5, 2021.

FISCAL IMPACT/FINANCING

The proposed extension will be procured at zero net County cost. The \$1.6 million estimated cost for the proposed extension, including the option period, will be paid from the Inmate Welfare Fund.

SOLE SOURCE JUSTIFICATION

The Amendment is necessary to ensure uninterrupted Services while the Department completes its solicitation and implementation of a replacement contract.

Approval of the recommended actions will allow HR360 to continue providing gender-responsive case management and trauma-informed education services, including life-skills classes that foster personal well-being, accountability, independence, employability, and family/community cohesion among female participants housed at the Department's Century Regional Detention Facility.

The goal of the program is to promote educational and personal development utilizing various GRRP elements and gender-responsive strategies.

HR360 achieves the program objectives using a variety of resources which include, but are not limited to, handouts, self-study materials, and audio and visual aids.

Participation in the Program is voluntary and involves a Risk and Needs Assessment, Self-Evaluation Assessment, and a Treatment and Rehabilitative plan. HR360 collaborates with existing education and religious/volunteer programs offered to GRRP participants.

Based on recent events, the County has seen a prominent shift towards reducing the incarceration rates for individuals by incorporating what the Board refers to as a “care first, jail last” model. The new contract will include services that are informed by larger County-wide initiatives, such as the reconstituted Gender-Responsive Advisory Committee and the Alternatives to Incarceration Work Group, as well as various consultants assisting the Department with formulating an updated gender-responsive approach and crafting the supporting scope of work.

The Department is currently revising program requirements to meet health and safety measures precipitated by the COVID-19 pandemic.

CONCLUSION

Pursuant to Board policy, the Department will proceed with Sole Source negotiations in four weeks, unless otherwise instructed by the Board. Should you have any questions, please contact Assistant Director David Culver, Fiscal Administration Bureau, at (213) 229-3260.

Sincerely,

ALEX VILLANUEVA, SHERIFF

TIMOTHY K. MURAKAMI
UNDERSHERIFF

AV:HW:hw

(Fiscal Administration Bureau - Contracts Unit)

c: Board of Supervisors, Justice Deputies
Celia Zavala, Executive Officer, Board of Supervisors
Fesia Davenport, Acting Chief Executive Officer
Sheila Williams, Senior Manager, Chief Executive Office (CEO)
Rene Phillips, Manager, CEO
Jocelyn Ventilacion, Principal Analyst, CEO
Anna Petrosyan, Analyst, CEO
Mary C. Wickham, County Counsel
Michele Jackson, Principal Deputy County Counsel
Elizabeth D. Miller, Chief Legal Advisor, Legal Advisory Unit
Timothy K. Murakami, Undersheriff
Bruce D. Chase, Assistant Sheriff
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Hugo Macias, Captain, CSD
Melissa M. Kelley, Assistant Director, CSD
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Karen S. Dalton, Assistant Division Director (CSD)
Glen C. Joe, Assistant Division Director, ASD
Rick Cavataio, Director, Fiscal Administration Bureau (FAB)
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David Culver, Assistant Director, FAB, Contracts Unit
Vanessa C. Chow, Sergeant, ASD
Irma Santana, Manager, Contracts Unit
Erica M. Saavedra, Deputy, ASD
Cynthia T. Lopez, Senior Contract Analyst, Contracts Unit
Heather C. Wahl, Contract Analyst, Contracts Unit
(Contracts–Advance Notification – HealthRIGHT 360 10-28-20)

SOLE SOURCE CHECKLIST

Department Name: _____

☐ New Sole Source Contract

☐ Existing Sole Source Contract Date Sole Source Contract Approved: _____

Check (✓)	JUSTIFICATION FOR SOLE SOURCE CONTRACTS Identify applicable justification and provide documentation for each checked item.
	➤ Only one bona fide source (monopoly) for the service exists; performance and price competition are not available. A monopoly is an “ <i>Exclusive control of the supply of any service in a given market. If more than one source in a given market exists, a monopoly does not exist.</i> ”
	➤ Compliance with applicable statutory and/or regulatory provisions.
	➤ Compliance with State and/or federal programmatic requirements.
	➤ Services provided by other public or County-related entities.
	➤ Services are needed to address an emergent or related time-sensitive need.
	➤ The service provider(s) is required under the provisions of a grant or regulatory requirement.
	➤ Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider.
	➤ Services are needed during the time period required to complete a solicitation for replacement services; provided services are needed for no more than 12 months from the expiration of an existing contract which has no available option periods.
	➤ Maintenance and support services are needed for an existing solution/system during the time to complete a solicitation for a new replacement solution/ system; provided the services are needed for no more than 24 months from the expiration of an existing maintenance and support contract which has no available option periods.
	➤ Maintenance service agreements exist on equipment which must be serviced by the original equipment manufacturer or an authorized service representative.
	➤ It is more cost-effective to obtain services by exercising an option under an existing contract.
	➤ It is in the best economic interest of the County (e.g., significant costs to replace an existing system or infrastructure, administrative cost savings and excessive learning curve for a new service provider, etc.) In such cases, departments must demonstrate due diligence in qualifying the cost-savings or cost-avoidance associated with the best economic interest of the County.

Chief Executive Office

Date