



Board Agenda Item 51

DATE: June 22, 2021

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer
Margaret Mims, Sheriff-Coroner-Public Administrator

SUBJECT: Ratification of Coronavirus Emergency Supplemental Funding
Program Grant Agreement

RECOMMENDED ACTION(S):

1. **Ratify grant Application/Agreement for the Coronavirus Emergency Supplemental Funding Program previously executed by the County Administrative Officer, acting as the Emergency Services Director, effective March 31, 2021 through January 31, 2022 (\$892,346);**
2. **Adopt a resolution retroactively authorizing the County Administrative Officer to sign the grant Application/Agreement with BSCC for the period of March 31, 2021 through January 31, 2022, not to exceed \$892,346, subject to approval as to legal and accounting form by County Counsel and the Auditor-Controller/Treasurer-Tax Collector respectively;**
3. **Adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for Probation - Grants Org 34321990 in the amount of \$354,494 (4/5 vote);**
4. **Adopt Budget Resolution increasing the FY 2020-21 appropriations and estimated revenues for Sheriff Org 31111019 in the amount of \$537,852 (4/5 vote);**
5. **Approve and authorize the Chairman to execute a retroactive Memorandum of Understanding (MOU) with the Marjaree Mason Center Inc., effective from March 31, 2021 through January 31, 2022 (\$100,000); and**
6. **Approve and authorize the Chairman to execute a retroactive MOU with the Central California Food Bank, effective from March 31, 2021 through January 31, 2022 (\$78,471).**

There is no increase in Net County Cost associated with the recommended actions, which will ratify a retroactive grant application/agreement previously signed by the Emergency Services Director with the BSCC for funds to be utilized by Fresno County to prevent, prepare for, and respond to the coronavirus with a focus on meeting the Coronavirus Emergency Supplemental Funding Program (CESF) re-entry related needs. To meet the grant application filing deadline of February 1, 2021, the Probation Department, in collaboration with the Sheriff's Office, submitted the grant application, executed by the CAO, acting as the Emergency Services Director. On April 2, 2021, BSCC awarded the Probation Department the CESF funds for the period beginning March 31, 2021 through January 31, 2022. The agreement was executed by the CAO, acting as the Emergency Services Director, on April 7, 2021. As required by the grant, 20% of the award funds will be passed-through to local non-governmental community-based organizations impacted by the coronavirus, and the CESF Local Advisory Committee approved to pass through the monies to Marjaree Mason Center, Inc. (Marjaree Mason Center) and the Central California Food Bank. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the submitted grant application/agreement will be withdrawn, which will result in the loss of the \$892,346 grant funds.

RETROACTIVE AGREEMENT:

The grant application/agreement and associated MOUs are retroactive as the Department received the CESF Program Grant agreement on April 2, 2021. The Department is bringing this to your Board on the first available Board date within the agenda item processing deadlines. Once the CESF agreement previously executed by the Emergency Services Director is ratified, it becomes the final agreement between the County and BSCC.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Costs for services under the recommended agreement are 100% funded by the CESF Program grant. The recommended Budget Resolutions will increase appropriations and estimated revenues in the FY 2020-21 Adopted Budget for Probation's Org 3432 in the amount of \$354,494 for project numbers two and three listed in the Discussion. The FY 2020-21 Adopted Budget for the Sheriff's Org 3111 will be increased by \$537,852 to fund projects one, four, and five listed in the Discussion. Both Marjaree Mason Center and Central California Food Bank began providing services on March 31, 2021; invoices have not yet been submitted for payment. Should the projects not be completed this FY, any remaining funds will be included in the FY 2021-22 budget requests for the associated departments. There is no match requirement associated with this Program.

DISCUSSION:

A non-competitive funding opportunity became available to California counties from the BSCC on November 20, 2020, with a filing deadline of February 1, 2021. The Probation Department, in collaboration with the Sheriff's Office, prepared and submitted the application to the BSCC for grant funds available through the CESF Program.

As required to apply for funding, a CESF Local Advisory Committee was formed. In addition to the Probation Department and the Sheriff's Office, the Committee includes representation from the following Fresno County Departments: The County Administrative Office, Behavioral Health, District Attorney, and Social Services. The Committee includes the following non-County agencies: Centro La Familia Advocacy Services, Community Justice Center, Fresno Housing Authority, and Project Rebound of Fresno State. After consideration of the funding eligibility parameters, the Committee, which met on January 7, 2021, identified the five projects listed below to be undertaken to address pressing community needs with the funds awarded.

Counties must pass-through at least 20% of the CESF award (\$178,471) to non-governmental community-based organizations impacted by coronavirus and providing services in Fresno County. As indicated in Projects 4 and 5 below, Marjaree Mason Center and Central California Food Bank will receive the \$178,471 in pass-through funds.

Project 1 (\$359,381)

The Fresno County Sheriff's Office Communications Center is currently located in the basement of Sheriff headquarters and is moving into a larger empty building to allow the Sheriff's Office dispatchers appropriate social distancing space while working at their workstations. CESF funding will provide the new facility with new furnishings, including dispatch corner-style consoles, and office furniture.

Project 2 (\$54,494)

Since the arrival of the coronavirus pandemic in March 2020, the Fresno County Probation Department's ability to provide certain training and conduct Reality-Based Training (RBT) scenarios has been significantly compromised. CESF funding will provide a virtual training simulator for the ongoing training of Deputy Probation Officers (DPO) and Juvenile Correctional Officers (JCO), while complying with CDC coronavirus

guidelines. The training to be provided by a virtual training simulator may include verbal skills, threat assessment, and decision-making skills in difficult and rapidly evolving situations.

Project 3 (\$300,000)

The Juvenile Justice Campus (JJC) houses youth who are being adjudicated or fulfilling their court ordered disposition. CESF funding will provide an ultraviolet (UVC) Air Purification System for the JJC to reduce the possibility or spread of the coronavirus.

Counties must pass-through at least 20% of the CESF award to non-governmental community-based organizations impacted by the coronavirus and providing services in the County. The County of Fresno will provide \$178,471 of the CESF funds to the Marjaree Mason Center and the Central California Food Bank, as detailed in Projects 4 and 5 listed below.

Project 4 (\$100,000)

All of Marjaree Mason Center's services for victims of domestic violence were significantly impacted by the global coronavirus pandemic. To protect the health and safety of clients and staff, in-person and group services and programs were moved to remote platforms for delivery, including moving all clients out of the safe house and into off-site safe shelter in motels. Funding will enable Marjaree Mason Center to continue providing victims with emergency shelter, food, and support services, as well as provide the resources that will allow all staff to work from home, as necessary. It will also enhance the ability to maintain off-site safe housing and support services for victims of domestic violence during this unprecedented time.

Project 5 (\$78,471)

Since the start of the pandemic, the Central California Food Bank has seen a 50% increase in need across distribution throughout Fresno and neighboring counties, and over 25% of the clients have never sought emergency food services before. CESF funding will support the Central California Food Bank, in partnership with Fresno Mission, to feed Fresno County households impacted by the coronavirus.

On April 2, 2021, the BSCC awarded the County this award, which will support the Probation Department and the Sheriff's Office to prevent, prepare for, and respond to the coronavirus pandemic.

Sheriff Mims is a member of the board of directors of Marjaree Mason Center, a non-profit entity, and a recipient of the pass-through grant funds, as discussed above. This raises a potential issue under Section 41 of the Fresno County Charter, which prohibits County officers or employees from having any 'interest' in a County contract. As a result, County Counsel has reviewed the MOU with Marjaree Mason, Inc., but not yet approved the MOU as to legal form. If the Board approves the MOU, thereby waiving any issue under Section 41 of the Charter, County Counsel will approve the MOU as to legal form.

This agreement deviates from the County model contract because Central California Food Bank did not agree to integrate the County's insurance requirements with regards to reducing the Hold Harmless limit from three million dollars (\$3,000,000) annual aggregate to one million dollars (\$1,000,000), the deletion of the Molestation clause, and the reduction in the Commercial General Liability insurance limits from two million dollars (\$2,000,000) per accordance to one million dollars (\$1,000,000) along with the reduction of the four million dollars (\$4,000,000) annual aggregate to two million dollars (\$2,000,000). Risk Management has reviewed the agreement and does not agree with excluding these insurance provisions; however, the Sheriff's Office believes that the benefits of the recommended agreement outweigh any potential risks and recommends approval of the agreement as a prudent business decision.

REFERENCE MATERIAL:

BAI # 2, March 17, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Application/Agreement with BSCC
On file with Clerk - Resolution
On file with Clerk - Resolution (Org 3432)
On file with Clerk - Resolution (Org 3111)
On file with Clerk - MOU with Marjaree Mason Center
On file with Clerk - MOU with Central California Food Bank

CAO ANALYST:

Samantha Buck