



Legislation Details (With Text)

**File #:** 20-0543

**On agenda:** 9/22/2020 **Final action:** 9/22/2020

**Enactment date:** **Enactment #:**

**Title:** Approve and authorize the Chairman to re-execute the Certification of Assurance of Compliance of 2019 Coverdell Forensic Grant Application as required by CalOES given that the Certification has been revised since its submission; and approve and authorize the Clerk of the Board to execute Budget Transfer No. 2 (\$7,624) transferring appropriations within the Sheriff-Coroner-Public Administrator's Org 3111, from Account 7415 (Transportation, Travel and Education) to Account 8300 (Equipment) for the purchase of forensic ballistic testing equipment (4/5 vote)

**Attachments:** 1. Agenda Item, 2. Certification of Assurance of Compliance, 3. Budget Transfer No. 2

Date	Ver.	Action By	Action	Result
9/22/2020	1	Board of Supervisors	Approved as Recommended	Pass

**DATE:** September 22, 2020

**TO:** Board of Supervisors

**SUBMITTED BY:** Margaret Mims, Sheriff-Coroner-Public Administrator

**SUBJECT:** Re-approval of Retroactive 2019 Coverdell Forensic Grant Application and Acceptance

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to re-execute the Certification of Assurance of Compliance of 2019 Coverdell Forensic Grant Application as required by CalOES given that the Certification has been revised since its submission; and**
- 2. Approve and authorize the Clerk of the Board to execute Budget Transfer No. 2 (\$7,624) transferring appropriations within the Sheriff-Coroner-Public Administrator's Org 3111, from Account 7415 (Transportation, Travel and Education) to Account 8300 (Equipment) for the purchase of forensic ballistic testing equipment (4/5 vote).**

There is no increase in Net County Cost associated with these actions. The non-competitive 2019 Coverdell Forensic Grant Application was executed and submitted to meet California Office of Emergency Services (Cal OES) requirements, contingent on your Board's approval. Your Board approved the retroactive grant application, including the Certification of Assurance of Compliance, and the grant award on February 25, 2020. On February 27, 2020 the County was notified by Cal OES that revisions were made to the Certification of Assurance of Compliance section of the application and will be requiring re-authorization by your Board. Divisions of the Department of Justice (DOJ), such as the National Institute of Justice (NIJ) working through Cal OES, have awarded this grant to assist local forensic laboratories in improving the quality and timeliness of forensic services. The Department will use the grant funds to partially fund the purchase of forensic ballistic testing equipment. It should be noted that although the grant award was retroactive, funds have not been received or expended. This item is countywide.

ALTERNATIVE ACTION(S):

The non-approval of these actions will result in the loss of the Cal OES grant funds with an associated decrease in funding for the needed forensic ballistic testing equipment.

RETROACTIVE AGREEMENT:

The Department was notified on October 25, 2019 of the Request for Application and it was due on December 5, 2019. The non-competitive grant application was submitted to Cal OES on November 21, 2019. The grant award, following your Board's approval, on February 25, 2020 was submitted to Cal OES. On February 27, 2020, Cal OES notified the County that Cal OES had revised the Certification of Assurance of Compliance section and that they require the County to re-authorize and execute the revised Certification of Assurance of Compliance. Grant funds will not be expended prior to the re-authorization by the Board and award notification of the grant by Cal OES.

FISCAL IMPACT:

There is no increase in Net County Cost associated with these actions as it involves the re-approval and reauthorization of the revised Certification of Assurance of Compliance, a section of the 2019 Coverdell Forensic Grant application. The original award included \$53,722 for the 2019 Coverdell Forensic Grant for the period of January 1, 2020 through December 31, 2020. There is no match requirement for receipt of the funds. The grant will provide partial funding for the purchase of one comparison microscope to be used in firearms examination. The original application included \$7,624 for training opportunities for forensic staff. However, due to COVID-19 concerns, the training conference has been cancelled. Budget Transfer No. 2 reallocates \$7,624 originally appropriated for training to equipment.

DISCUSSION:

The 2019 Coverdell Forensic Grant funding offered and administered through Cal OES, will be used to address current needs in the crime lab. The grant period will run for 12 months from January 1, 2020 to December 31, 2020; however, the funds have not been received or spent. The grant funds will be used to provide a microscope to be used for forensic ballistic evaluation and that will be acquired with these grant funds and the Sheriff's Criminalistic Lab funds, established under the Health and Safety Code Sections 11350-11360 which relates to controlled substances. This Sheriff's Criminalistic Lab Fee fund was set up to collect a \$50.00 fine under these sections. Revenue from these funds shall be used exclusively to fund costs incurred by criminalistics' laboratories, such as for the purchase and maintenance of lab equipment and for continuing education.

In addition to the standard State and Federal certifications included in the Board of Supervisors' Administrative Policy No. 47, the 2019 Coverdell Forensic Grant also requires the certification summarized here: the County must complete a Certification of Assurance of Compliance-FSIA (Cal OES 2-104e), which includes details regarding Federal Grant Funds; Equal Employment Opportunity Program (EEOP); California Environmental Quality Act; Civil Rights Compliance; and Special Conditions (as listed in the Certification of Assurance) for the Subaward Eligibility Requirement Certification; and Proof of Authority from the Board of Supervisors.

Your Board approved the Certification of Assurance of Compliance for this grant on February 25, 2020. On February 27, 2020, we were notified by Cal OES that they had made revisions to the Certification of Assurance of Compliance section of the application and will be requiring re-authorization by your Board. The differences between the prior version and the current version of the Certification of Assurance of Compliance can be found in the Special Conditions section, which include the deletion of certain subsections, such as the Accreditation and the Justification of Consultant Rate subsections, and the addition of new subsections, such as the requirements for maintaining hiring documents (subsection 3) and requirements related to program income (subsection 22). Subsection 17 was revised to provide additional guidance as to how the County must report potential fraud, waste, abuse or misconduct.

REFERENCE MATERIAL:

BAI #33, February 25, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Certification of Assurance of Compliance

On file with Clerk - Budget Transfer No. 2

CAO ANALYST:

Yussel Zalapa