



# County of Fresno

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## Legislation Text

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**File #:** 19-1582, **Version:** 1

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**DATE:** February 4, 2020

**TO:** Board of Supervisors

**SUBMITTED BY:** David Pomaville, Director, Department of Public Health

**SUBJECT:** Retroactive Application for Assistance Revenue Agreement with the California Governor's Office of Emergency Services

### RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a retroactive grant Application/Revenue Agreement and Articles, Assurances, Certifications, and Terms and Conditions for submission to the California Governor's Office of Emergency Services for the FY 2019 Homeland Security Grant Program, September 1, 2019 through May 31, 2022 (\$1,111,303).**
- 2. Approve and authorize the Chairman to execute the Proof of Authority Letter assuring the California Governor's Office of Emergency Services that the County will provide and appropriate all matching funds, including any cash match, required for the Homeland Security Grant Program, affirming liability arising from performance of the agreement will be the County's responsibility, and that funds will not be supplanted.**
- 3. Approve and authorize the Vice-Chairman to execute the Governing Body Resolution.**
- 4. Approve and authorize the Auditor-Controller/Treasurer-Tax Collector to continue issuing payments based on written order of the Homeland Security Grant Program Approval Authority in accordance with California Governor's Office of Emergency Services Guidelines for the 2019 Homeland Security Grant Program.**

Approval of the recommended actions will allow for the submission and execution of the non-competitive grant application/revenue agreement with the California Governor's Office of Emergency Services (Cal OES) for the FY 2019 Homeland Security Grant Program (HSGP). The proposed letter fulfills the written requirement of the grant application and the Vice-Chairman's signature on the Governing Body Resolution will ensure the Chairman does not self-certify. The recommended agreement provides pass-through Federal grant funds to enhance terrorism and disaster response capabilities for the Fresno County Operational Area. The HSGP Approval Authority has the flexibility to allocate funding to participating agencies on a reimbursement basis, with no increase in Net County Cost. This item is countywide.

### ALTERNATIVE ACTION(s):

Should your Board not approve the recommended actions, the Department would not be able to pass-through funding to local agencies for terrorism preparedness and response.

### RETROACTIVE AGREEMENT:

The recommended grant application/revenue agreement was received from Cal OES on October 9, 2019 and is retroactive to September 30, 2019.

### FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The recommended revenue agreement (\$1,111,303) represents a 3.45% (\$37,092) increase over the prior year level, is non-competitive, and does not require matching funds. The Auditor-Controller/Treasurer-Tax Collector will continue to issue payments based on a written order of the HSGP Approval Authority in accordance with Cal OES Guidelines.

The County's Office of Emergency Services (County OES) administers the HSGP wherein Federal funds pass-through the County to multiple jurisdictions on a reimbursement basis. Per section 2006. Terrorism Prevention. of the Homeland Security Act of 2002, as amended (6 U.S.C., section 607), DHS/Federal Emergency Management Agency is required to ensure that at least 25% (\$277,826) of grant funding appropriated for HSGP is used for law enforcement terrorism prevention activities.

The recommended revenue agreement includes funding for partial recovery of grant administrative direct costs at 5% (\$55,565) and associated indirect costs at 9.51% of those same costs (\$5,284). The Department's current indirect cost recovery rate is 22.67% (\$12,597); the remaining indirect costs of (\$7,313) will be funded with Health Realignment.

Sufficient appropriations and estimated revenue (\$275,000) from the 2019 HSGP award are included in the Department's Org 5620 FY 2019-20 Adopted Budget. The remaining balance \$836,303 will be included in the Department's FY 2020-21 budget request.

### DISCUSSION:

The Department of Homeland Security (DHS) Appropriations Act, 2018 (Public Law No. 114-113, December 18, 2015); Section 2002 of the Homeland Security Act of 2002, as amended (Public Law No. 107-296); and DHS's FY 2018 HSGP provides funding for terrorism prevention to states, territories, urban areas, and other local and tribal governments. The funding is used to prevent, protect against, mitigate, respond to, and recover from potential terrorism and other catastrophic events. DHS continues to encourage local jurisdictions to utilize HSGP funding to build, maintain, and enhance local capabilities, such as:

- Cybersecurity;
- Infrastructure Systems;
- Access Control and Identity Verification;
- Economic Recovery; and,
- Long-term Vulnerability Reduction.

The recommended grant application/revenue agreement will be utilized for equipment, training, and planning.

HSGP funds are allocated to multiple jurisdictions within the Fresno County Operational Area by a mandated HSGP Approval Authority. The Approval Authority is comprised of stakeholders, whom represent their respective disciplines:

- Emergency Medical Services Director - Fresno County EMS;
- County Fire Chief - Fresno County Fire Protection District;
- Municipal Fire Chief - City of Clovis Fire Department;
- Sheriff - Fresno County Sheriff-Coroner's Office; and
- Municipal Chief of Police - City of Fresno Police Department.

County OES received notification of the allocation on August 30, 2019 and was required to submit a proposed spending plan by May 11, 2019 to Cal OES, contingent upon your Board's approval. The recommended grant application/revenue agreement was finalized by the Cal OES on November 10, 2019.

With your Board's approval, the recommended grant application/agreement becomes a binding agreement and is effective September 1, 2019 through May 31, 2022. The recommended grant application/revenue agreement may be suspended or terminated by Cal OES if the County fails to comply with the terms of the agreement; however, the agreement does not allow the County to terminate without cause. The terms also state the County shall be responsible for any liability arising out of the performance of this agreement.

REFERENCE MATERIAL:

BAI #56, January 23, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Cal OES for Homeland Security Grant Program  
On file with Clerk - Proof of Authority Letter

CAO ANALYST:

Raul Guerra