



**District Attorney  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** October 9, 2018

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign Off	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Dave Alavezos    PHONE: 636-5494

**SUBJECT:** Approve a revised resolution for Agreement Number 27522

**REQUEST(S):**

That the Board of Supervisors:

1. Approve a revised resolution for Agreement Number 27522 for the Elder Abuse Program.
2. Adopt a revised resolution which adds items 3 through 6 below and puts the department in compliance with requirements under the Elder Abuse Program. The revised resolution will supersede resolution 2016-0137.
3. Recognize the Chair of the Tulare County Board of Supervisors as having authority to submit the application for the Elder Abuse Program to the California Governor's Office of Emergency Services, and as having authority to execute on behalf of the County of Tulare the Grant Subaward, including any extensions or amendments thereof.
4. Agree to provide all matching funds required for the project, including any extensions or amendments thereof.
5. Agree to abide by the rules and regulations of the California Governor's Office of Emergency Services.
6. Agree that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

**SUBJECT:** Approve a revised resolution for Agreement Number 27522

**DATE:** October 9, 2018

**SUMMARY:**

The District Attorney's office has received grant funding from The California Governor's Office of Emergency Services (Cal OES) to operate the Elder Abuse Program (XE Program) since 2016.

During the period of July 18 through July 19, 2018, Cal OES staff completed a programmatic site review to evaluate the XE Program's project performance, provide technical information, and review grant requirements to ensure compliance with Cal OES' rules and regulations. On August 1, 2018, Cal OES issued a Site Visit Performance Assessment Report, which listed its findings based on the XE Program site review. One of its finding was that our current resolution does not include information cited as required in section 1350 of the Cal OES 2018 Subrecipient Handbook. This Board agenda item includes the language from section 1350 as requests 4 through 6.

At the February 23, 2016 Board meeting, your Board approved an agreement for the Elder Abuse Program for Fiscal Years 2016/2017 and 2017/2018 as Agreement number 27522. With this Board agenda item, we are seeking to obtain a revised resolution – containing all of the information from section 1350 of the Subrecipient Handbook – in order to be in compliance with Cal OES. The resolution will supersede resolution 2016-0137.

**FISCAL IMPACT/FINANCING:**

This agenda item is to add language to the resolution to comply with the funding source. There is no Net County Cost associated with this request.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year Strategic Business Plan and Management System include Safety and Security initiatives to provide for the safety and security of the public. Continued grant funding from Cal OES helps to fulfill this initiative. Through the Elder Abuse Program, dedicated staff will provide services to victims of crime, including supportive services throughout the criminal justice proceedings, and by connecting them with financial assistance through the Victim Compensation and Government Claims Board.

**ADMINISTRATIVE SIGN-OFF:**



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Yun Gyung Park-Moore  
Fiscal Manager

Cc: County Administrative Office

Attachments: 1) Agreement Number 27522  
2) Cal OES 2018 Subrecipient Handbook section 1350

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE A )  
REVISED RESOLUTION FOR AGREEMENT ) Resolution No. \_\_\_\_\_  
NUMBER 27522 ) Agreement No. \_\_\_\_\_  
 )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

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1. Approved a revised resolution for Agreement Number 27522 for the Elder Abuse Program.
2. Adopted a revised resolution which adds items 3 through 6 below and puts the department in compliance with requirements under the Elder Abuse Program. The revised resolution will supersede resolution 2016-0137.
3. Recognized the Chair of the Tulare County Board of Supervisors as having authority to submit the application for the Elder Abuse Program to the California Governor's Office of Emergency Services, and as having authority to execute on behalf of the County of Tulare the Grant Subaward, including any extensions or amendments thereof.
4. Agreed to provide all matching funds required for the project, including any extensions or amendments thereof.
5. Agreed to abide by the rules and regulations of the California Governor's Office of Emergency Services.
6. Agreed that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

(Cal OES Use Only)			
Cal OES#	FIPS#	VS #	Subaward #

## CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES GRANT SUBAWARD FACE SHEET

The California Governor's Office of Emergency Services (Cal OES), makes a Grant Subaward of funds set forth to the following:

1. Subrecipient: County of Tulare 1a. DUNS#: 07-186-1884  
 2. Implementing Agency: Office of the District Attorney 2a. DUNS#: 78-852-3777  
 3. Implementing Agency Address: 221 S. Mooney Blvd. Rm 224 Visalia 93291-4543  
Street City Zip+4  
 4. Location of Project: Visalia Tulare 93291-4543  
City County Zip+4  
 5. Disaster/Program Title: Elder Abuse Program 6. Performance Period: 7/1/2016 to 6/30/201  
 7. Indirect Cost Rate:  N/A;  10% de minimis;  Federally Approved ICR \_\_\_\_\_ %

Grant Year	Fund Source	A. State	B. Federal	C. Total	D. Cash Match	E. In-Kind Match	F. Total Match	G. Total Project Cost
2015	8. VOCA		\$ 400,000		\$ 100,000		\$ 100,000	\$ 500,000
Select	9. Select						\$ 0	\$ 0
Select	10. Select						\$ 0	\$ 0
Select	11. Select						\$ 0	\$ 0
Select	12. Select						\$ 0	\$ 0
	<b>TOTALS</b>	\$ 0	\$ 400,000	\$ 400,000	\$ 100,000	\$ 0	\$ 100,000	12. G Total Project Cost: \$ 500,000

13. This Grant Subaward consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurances/Certifications. I hereby certify I am vested with the authority to enter into this Grant Subaward, and have the approval of the City/County Financial Officer, City Manager, County Administrator, Governing Board Chair, or other Approving Body. The Subrecipient certifies that all funds received pursuant to this agreement will be spent exclusively on the purposes specified in the Grant Subaward. The Subrecipient accepts this Grant Subaward and agrees to administer the grant project in accordance with the Grant Subaward as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal OES policy and program guidance. The Subrecipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget.

14. Official Authorized to Sign for Subrecipient: Mike Ennis 15. Federal Employer ID Number: 94-6000596  
 Name: Mike Ennis Title: Chairman, Tulare County Board of Supervisors  
 Telephone: (559) 636-5000 FAX: (559) 636-5000 Email: grants@co.tulare.ca.us  
(area code) (area code)  
 Payment Mailing Address: 221 S. Mooney Blvd., Room 224 City: Visalia Zip+4: 93291-4543  
 Signature: *Mike Ennis* Date: 2-11-16

[FOR Cal OES USE ONLY]

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.

Cal OES Fiscal Officer	Date	Cal OES Director (or designee)	Date
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APPROVED AS TO FORM:  
 COUNTY COUNSEL  
 BY *Jim M...* 2/16/16  
 Deputy  
 2016-222

# BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AUTHORIZE THE )  
SUBMISSION OF A GRANT APPLICATION )  
AND RATIFY AND APPROVE A GRANT ) Resolution No. 2016-0137  
SUBAWARD WITH THE CALIFORNIA ) Agreement No. 27522  
GOVERNOR'S OFFICE OF EMERGENCY )  
SERVICES )

UPON MOTION OF SUPERVISOR VANDER POEL, SECONDED BY SUPERVISOR COX, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD FEBRUARY 23, 2016, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS ISHIDA, VANDER POEL, COX, WORTHLEY AND ENNIS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE



ATTEST: MICHAEL SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: *Debra A. Ybane*  
Deputy Clerk

1. Authorized the submission of a grant application and ratify and approve the Grant Subaward with the California Governor's Office of Emergency Services for the Elder Abuse Program in an amount not to exceed \$400,000, with a match not to exceed \$100,000, for the period of July 1, 2016 through June 30, 2018.
2. Ratified and approved the Chairman's signature on the Grant Award Face Sheet and the Certification of Assurance of Compliance.
3. Ratified and approved the County Administrative Officer's signature on the Certification of Assurance of Compliance.

District Attorney  
Co. Counsel  
Auditor

DAY  
2/24/16

## **1320 Terms of the Program**

The applicable Request for Proposal (RFP) and/or the Request for Application (RFA) must be accessible by the project on-site (an internet link to the Cal OES website is acceptable). These key documents contain the applicable guidelines that define the terms of the program. Failure to adhere to these requirements, i.e. enabling legislation, funding regulations, service standards, program guidelines, etc., may result in the withholding or disallowance of grant payments on current or future Cal OES grants and/or a reduction in funding or termination of the Grant Subaward and/or the denial of future funding. In the event the terms of the program are inconsistent with the provisions of this Subrecipient Handbook, the terms of the program supersede the provisions of this Subrecipient Handbook.

### **1320.1 Special Conditions**

Special Conditions may be applied to an application before final Cal OES approval. Special Conditions are applied at Cal OES's discretion to modify the terms of the program or funding as defined in the RFP or RFA. Special Conditions may include, but are not limited to: a change to the fund source, fund amount, and/or the fund expiration date and/or a reduction to the liquidation period, etc. If a Special Condition is applied, it will be fully explained on a colored sheet of paper that is included in the Subrecipient's fully executed Grant Subaward. By signing the Grant Subaward, the Subrecipient agrees to the terms of the Special Condition.

## **1330 Supplanting Prohibited**

Supplanting means to deliberately reduce the amount of federal, state, or local funds currently being appropriated to an existing program or activity, because a Cal OES grant has also been awarded for the same purposes. When the Subrecipient replaces funds in this manner, it reduces the total amount that would have been available for the stated grant purpose, and the substitution results in supplanting.

Cal OES funds should be used to supplement existing funds for program activities and not replace funds that have been appropriated for the same purpose. Supplanting is strictly prohibited for all Cal OES grant funds. However, if both state and federal funds are allocated for the same line-item, state funds shall be expended first.

## **1340 Grant Subaward Changes**

Changes made in the Grant Subaward during the grant year must be fully documented in accordance with the procedures described in this Subrecipient Handbook. Oral agreements are not binding.

## **1350 Proof of Authority**

The "Proof of Authority from the City Council/Governing Board" has been incorporated into the Certification of Assurance of Compliance, Section VII. All Subrecipients, except for State Agencies, are required to obtain written authorization from the city council/governing board that the official executing the agreement (e.g. a Resolution, Board Minutes, or a letter from the Board Chair) is, in fact, authorized to do so and includes any amendments, extensions, thereof. Subrecipients must maintain this written authorization on file and make it available upon demand. Whenever possible, it is best to use the official's title rather than the

person's name to avoid having to seek further authorization from the governing agency if the person named is transferred or leaves an agency/organization.

#### **1400 FUND AVAILABILITY**

Allocation of funds is contingent on the enactment of the state budget. Cal OES does not have the authority to disburse any funds until the budget is passed and the Grant Subaward is fully executed. Any expenditure incurred prior to authorization is made at the Subrecipient's own risk and may be disallowed. Cal OES employees are not able to authorize an applicant to incur expenses or financial obligations prior to the execution of a Grant Subaward. However, once the Grant Subaward is finalized the Grant Subrecipient may claim reimbursement for expenses incurred on, or subsequent to, the start of the Grant Subaward period.

If, during the term of the Grant Subaward, the state and/or federal funds appropriated for the purposes of the Grant Subaward are reduced or eliminated by the California Legislature or by the United States Government, or in the event revenues are not collected at the level appropriated, Cal OES may immediately terminate or reduce the Grant Subaward upon written notice to the project. No such termination or reduction shall apply to allowable costs already incurred by the project to the extent that state or federal funds are available for payment of such costs.

The Grant Subaward entered into with Cal OES is subject to any applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government subsequent to execution of the Grant Subaward.