



**District Attorney
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: June 23, 2020

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"/>
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 checked="" type="checkbox"/>	N/A <input type="checkbox"/>

CONTACT PERSON: Dan Underwood PHONE: 636-5494

SUBJECT: Approve an amendment to an Agreement with the California Governor's Office of Emergency Services

REQUEST(S):

That the Board of Supervisors:

1. Approve an amendment to Agreement No. 29349 with the California Governor's Office of Emergency Services for the Victim Witness Assistance Program grant to reduce the total project amount from \$822,829 to \$738,886 retroactively, for the project period of October 1, 2019 through September 30, 2020, due to the recent opportunity presented by the California Governor's Office of Emergency Services to reduce the County's cash match;
2. Find that the Board had authority to enter into the proposed amendment as of October 1, 2019, and that it was in the County's best interest to enter into the amendment on that date; and
3. Authorize the Chairman to sign the Amendment.

SUMMARY:

On August 20, 2019, the Board approved Agreement No. 29349 (Resolution No. 2019-0738) with the California Governor's Office of Emergency Services (Cal OES) in the amount of \$822,829 for the Victim Witness Assistance Program (VW Program) for the project period of October 1, 2019 through September 30, 2020. The amount included \$724,077 in grant funding, and \$98,752 in match funding.

The Department was recently notified that Cal OES, as a result of the COVID-19

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pandemic's affect on local revenue, is allowing all grant recipients to waive the remainder of the cash match that has not been paid to date. For the VW Program, the amount waived will be \$83,943, which represents the amount of match not yet paid. The new total project amount is \$738,886, which includes \$724,077 in grant funding, and \$14,809 in match funding.

The reduction will not place a hardship on the program, as two staff vacancies will result in a program savings of over \$90,000. This Amendment will reduce the Net County Cost from \$98,752 to \$14,809.

The following terms of the original agreement deviate substantively from the standard County boilerplate: 1. The agreement is contingent on the availability of funds to the state and federal governments. In the event of insufficient funding, Cal OES can immediately reduce or cancel the County's funding under the Agreement; 2) The County, not the State, is solely responsible for any liability that results from the Agreement; 3) The Agreement is subject to state and/or federal laws and regulations, even if they are enacted after the Agreement is executed; 4) The County must comply with federal and state record-keeping requirements, and the relevant federal and state officials and agencies have a right to access records under the Agreement; 5) The County must submit the following to Cal OES: (a) audit reports and (b) progress reports regarding activities under the Agreement. Cal OES may conduct site visits at the County to ensure compliance. If the County does not meet these requirements, it may lose current and/or future funding under the Agreement; 6) Cal OES, not the County, owns all the intellectual property rights that stem from the Agreement; 7) The County is prohibited from assigning its rights under the Agreement, but this prohibition does not extend to the State; and 8) The County signs the Agreement first.

The proposed amendment to the agreement does not include any additional deviations from the standard County boilerplate. The only changes to the original agreement, as amended to date, are a change in the dollar amount of the agreement, from \$822,829 to \$738,886. The price for services has not changed.

FISCAL IMPACT/FINANCING:

Through this grant amendment, the total VW Program budget will be reduced from \$822,829 to a total amount of \$738,886, which includes \$724,077 in grant funding and \$14,809 in match funding. The Department has met its obligated match, therefore there will be no additional net County cost for the remainder of Fiscal Year 2019/20 or Fiscal Year 2020/21.

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. This grant program provides advocacy services to victims of crime, helping to fulfill this initiative.

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ADMINISTRATIVE SIGN-OFF:

/s/ Yun-Gyung Park-Moore

Yun-Gyung Park-Moore
Fiscal Manager

cc: County Administrative Office

Attachment(s) Grant Subaward Amendment

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

IN THE MATTER OF APPROVE AN
AMENDMENT TO AN AGREEMENT
WITH THE CALIFORNIA GOVERNOR'S
OFFICE OF EMERGENCY SERVICES

)
) Resolution No. _____
) 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: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved an amendment to Agreement No. 29349 with the California Governor's Office of Emergency Services for the Victim Witness Assistance Program grant to reduce the total project amount from \$822,829 to \$738,886 retroactively, for the project period of October 1, 2019 through September 30, 2020, due to the recent opportunity presented by the California Governor's Office of Emergency Services to reduce the County's cash match;
2. Found that the Board had authority to enter into the proposed amendment as of October 1, 2019, and that it was in the County's best interest to enter into the amendment on that date; and
3. Authorized the Chairman to sign the Amendment.

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES**GRANT SUBAWARD AMENDMENT****SUBAWARD #:** VW19 38 0540FIPS# _____ DUNS# _____ Amendment# 1
Project # N/A Performance Period 10/01/2019 to 9/30/2020

This amendment is between the California Governor's Office of Emergency Services, hereafter called Cal OES, and the Subrecipient: _____

Grant Subaward VW19 38 0540 is hereby amended to:

Decrease the 2018 VOCA Match funds by \$83,943 from \$83,943 to \$0.

Decrease the Total Project Cost by \$83,943 from \$822,829 to \$738,886.

All other provisions of this agreement remain as previously agreed upon.

Subrecipient (Certification and Signature of Authorized Agent)	
By (Authorized Signature)	Date
Printed Name	Title
Address	
Governor's Office of Emergency Services (For Cal OES use only)	
By Director or Designee	Date
Printed Name	Title
Amount Encumbered by this Document	Fund Source Labels
Prior Amount Encumbered	
Total Amount Encumbered to Date	
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.	
Signature of Cal OES Fiscal Officer	Date