



**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:** July 21, 2020-REVISED

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. 29486 with the California Governor’s Office of Emergency Services for the Elder Abuse Program grant, to reduce the total project amount from \$238,018 to \$190,414 retroactively, for the period January 1, 2020 through December 31, 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 January 1, 2020, 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 November 19, 2019, the Board approved Agreement No. 29486 (Resolution No. 2019-0966) with the California Governor’s Office of Emergency Services (Cal OES) in the amount of \$238,018 for the Elder Abuse Program (XE Program), for the project period January 1, 2020 through December 31, 2020. The amount included \$190,414 in grant funding, and \$47,604 in match funding.

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The Department was recently notified that Cal OES, as a result of the COVID-19 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 XE Program, the amount waived will be \$47,604, which represents the amount of match not yet paid. The new total project amount is \$190,414, which includes \$190,414 in grant funding, and \$0 in match funding.

The reduction will not place a hardship on the program, as one staff in this program has been out on an extended leave, resulting in a program savings of approximately \$32,000. This Amendment will reduce the Net County Cost from \$47,604 to \$0.

A prior agreement, Agreement No. 29486, identical except for the dollar value, was approved as to form by County Counsel on November 6, 2019.

The substantive deviations from the standard County boilerplate identified in the prior agenda item were: 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 from the prior agreement, as amended to date, are a change in the dollar value of the agreement, from \$238,018 to \$190,414. The price for services has not changed.

**FISCAL IMPACT/FINANCING:**

Through this grant amendment, the total XE Program budget will be reduced from \$238,018 to \$190,414, which now includes only the grant award of \$190,414. There will be no cash match required. There will be no net County cost.

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

The County's five-year Strategic Business Plan and Management System include

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Safety and Security initiatives to provide for the safety and security of the public. This grant program provides advocacy services to elder victims of crime, helping to fulfill this initiative.

**ADMINISTRATIVE SIGN-OFF:**

/s/ Dan Underwood

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Dan Underwood  
Chief Deputy District Attorney

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 ) Resolution No. \_\_\_\_\_  
WITH THE CALIFORNIA GOVERNOR'S ) Agreement No. \_\_\_\_\_  
OFFICE OF EMERGENCY SERVICES )  
)

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

\* \* \* \* \*

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2. Found that the Board had authority to enter into the proposed amendment as of January 1, 2020, and that it was in the County's best interest to enter into the amendment on that date; and
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