



**District Attorney
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 2, 2009 - REVISED

| | | | |
|---|---|--|---|
| Public Hearing Required | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| Scheduled Public Hearing w/Clerk | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| Published Notice Required | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| Advertised Published Notice | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| Meet & Confer Required | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| Electronic file(s) has been sent | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| Budget Transfer (Aud 308) attached | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| Personnel Resolution attached | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | | | |

CONTACT PERSON: Sharman Wood PHONE: (559) 624-1054

SUBJECT: Application for continued grant funding from the California Emergency Management Agency for the Victim Witness Assistance Program.

REQUEST(S):

That the Board of Supervisors:

1. Ratify the submission of the application for continued grant funding from the California Emergency Management Agency for the Victim/Witness Assistance Program in the amount of \$281,244 for Fiscal Year 2009/2010.
2. Ratify the Board Chairman's signature on the Face Sheet Agreement and all grant application documents necessary to secure grant funds.

SUMMARY:

California Emergency Management Agency (CalEMA) issued a Request for Application for the Victim/Witness Assistance Program for the fiscal year 2009/2010. The purpose of the Victim/Witness Program is to provide mandated services to victims of violent crime in Tulare County.

The Victim/Witness Assistance Program provides decentralized services through existing community service centers in Visalia and Porterville, as well as by interacting with law enforcement agencies to facilitate services in rural areas.

The program receives referrals from all local law enforcement agencies, as well as our own Deputy District Attorney's, Child Protective Services, Adult Protective

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Services, the Public Guardian's Office, funeral homes, hospitals, rape crisis centers, domestic violence shelters, and other service providers.

In order to increase program awareness throughout the County, staff networks with other agencies and service providers, and attends interagency meeting, health fairs, and related events. The program is promoted through radio, newspaper, and television PSAs.

The Victim/Witness Assistance Program includes providing victims with services such as crisis intervention, court support, case status and update, assistance in filing for benefits from the Victim Compensation and Government Claims Board, and orientation to the criminal justice system.

The program involves the dedication of 3.0 FTEs Victim Witness Workers/Advocates, 1.0 FTE Victim Witness Supervisor, 1.0 FTE Legal Office Assistant, and 0.35 FTE Project Coordinator.

Monies for this grant are provided through the State Victim Witness Act funds and Federal Victim of Crime Act funds. The grant period will be July 1, 2009 through June 30, 2010.

FISCAL IMPACT/FINANCING:

This grant allocation is expected to be \$281,244, which will be included in the FY 2009/2010 budget for the Office of the District Attorney. 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 Safety and Security initiatives to provide for the safety and security of the public. Continued grant funding from CalEMA helps to fulfill this initiative. Through the Victim/Witness Assistance Program, dedicated staff provides 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.

ALTERNATIVES:

N/A

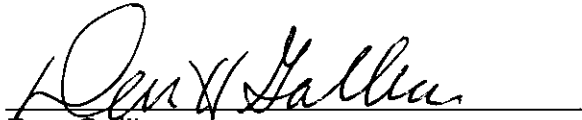
INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

N/A

SUBJECT: Application for continued grant funding from the California Emergency Management Agency for the Victim Witness Assistance Program.

DATE: June 2, 2009

ADMINISTRATIVE SIGN-OFF:

A handwritten signature in black ink, appearing to read "Don Gallian", is written over a horizontal line.

Don Gallian
Assistant District Attorney

Cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s):
Attachment 1: Grant Application Face Sheet
Attachment 2: Certifications and Assurances

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

APPLICATION FOR CONTINUED)
GRANT FUNDING FROM THE)
CALIFORNIA EMERGENCY)
MANAGEMENT AGENCY FOR THE)
VICTIM WITNESS ASSISTANCE)
PROGRAM)

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: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Ratified the submission of the application for continued grant funding from the California Emergency Management Agency for the Victim/Witness Assistance Program in the amount of \$281,244 for Fiscal Year 2009/2010.
2. Ratified the Board Chairman's signature on the Face Sheet Agreement and all grant application documents necessary to secure grant funds.

CALIFORNIA EMERGENCY MANAGEMENT AGENCY GRANT AWARD FACE SHEET (CalEMA 2-101)

The California Emergency Management Agency, hereafter designated Cal EMA, hereby makes a grant award of funds to the following:

1. **Grant Recipient:** Tulare County

hereafter designated Recipient, in the amount and for the purpose and duration set forth in this grant award.

2. **Implementing Agency:** District Attorney

3. **Project Title:** Victim/Witness Assistance Program

4. **Grant Period:** 07/01/09 to 06/30/10

*Select the Grant year and fund source(s) from the lists below or type the appropriate acronym in box 9. Enter the amount(s) from each source. Please do not enter both State and Federal fund sources on the same line. Add any cash match(s). Block 10G is the Grant Award total amount.

| Grant Year | Fund Source | A. State | B. Federal | C. Total | D. Cash Match | E. In-Kind Match | F. Total Match | G. Total Project Cost |
|------------|-------------|-----------|------------|-----------|---------------|------------------|----------------|----------------------------|
| 09/10 | 5. VOCA | | \$128,679 | | | | \$0 | |
| 09/10 | 6. VWA0 | \$152,565 | | | | | \$0 | |
| Select | 7. Select | | | | | | \$0 | |
| Select | 8. Select | | | | | | \$0 | |
| Select | 9. | | | | | | \$0 | |
| | 10. TOTALS | \$152,565 | \$128,679 | \$281,244 | \$0 | \$0 | \$0 | 10. Grand Total: \$281,244 |

11. This grant award consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurance of Compliance forms which are being submitted. I hereby certify I am vested with the authority, and have the approval of the City/County Financial Officer, City Manager, County Administrator, or Governing Board Chair, to enter into this grant award agreement; and all funds received pursuant to this agreement will be spent exclusively on the purposes specified. The grant recipient signifies acceptance of this grant award and agrees to administer the grant project in accordance with the statute(s), the CalEMA Program Guidelines, the CalEMA Recipient Handbook, the Federal OJP Financial Guide and Program Guidelines (if applicable), and the CalEMA audit requirements, as stated in the applicable RFP or RFA. The grant recipient further agrees to all legal conditions and terms incorporated by reference in the applicable RFP or RFA, and agrees that the allocation of funds is contingent on the enactment of the State Budget.

12. **Official Authorized to Sign for Applicant/Grant Recipient:**

Federal Employer ID Number: 94-6000-545

Name: Phillip A. Cox

Title: Chairman of the Board of Supervisors

Payment Mailing Address: 221 So. Mooney Blvd. Rm 224

City: Visalia Zip: 93291

Telephone: (559) 636-5000
(area code)

FAX: (559) 733-6898
(area code)

Email: grants@co.tulare.ca.us

Signature

Date:

5/7/09

[FOR CalEMA 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.

CalEMA Fiscal Officer

Date

CalEMA Director (or designee)

Date

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Victims of Crime Act (VOCA) Fund

I, Phillip Cox hereby certify that
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: County of Tulare

IMPLEMENTING AGENCY: Office of the District Attorney

PROJECT TITLE: Victim/Witness Assistance Program

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by CalEMA including, but not limited to, the following areas:

I. *Equal Employment Opportunity – (Recipient Handbook Section 2151)*

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). CalEMA-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.

Please provide the following information:

Equal Employment Opportunity Officer: Wyleen Luoma

Title: Affirmative Action Officer

Address: 2900 West Burrell Ave., Visalia, CA 93291

Phone: (559) 733-6266

Email: WLuoma@co.tulare.ca.us

II. *Drug-Free Workplace Act of 1990 – (Recipient Handbook, Section 2152)*

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

III. *California Environmental Quality Act (CEQA) – (Recipient Handbook, Section 2153)*

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all CalEMA funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

IV. Lobbying – (Recipient Handbook Section 2154)

CalEMA grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

V. Debarment and Suspension – (Recipient Handbook Section 2155)

(This applies to federally funded grants only.)

CalEMA-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VI. Proof of Authority from City Council/Governing Board

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of CalEMA, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and CalEMA disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from CalEMA shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

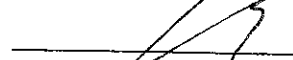
VII. Special Condition for Grant Awards with Victims of Crime Act (VOCA) Fund

The grant recipient agrees to administer the grant in accordance with the VOCA, the VOCA Program Guidelines, and the Office of Justice Programs Financial Guide.

All appropriate documentation must be maintained on file by the project and available for CalEMA or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the CalEMA determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: 

Authorized Official's Typed Name: Philip Cox

Authorized Official's Title: Chairman, Board of Supervisors

Date Executed: May 7, 2009

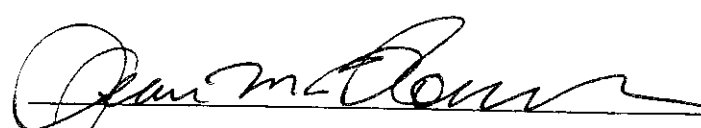
Federal Employer ID #: 94-6000545 Federal DUNS # 788523777 (DA's Office)

Current Central Contractor Registration Yes ☒ No ☐

Executed in the City/County of: Tulare

AUTHORIZED BY: (not applicable to State agencies)

- | | |
|--|---|
| <input type="radio"/> City Financial Officer | <input type="radio"/> County Financial Officer |
| <input type="radio"/> City Manager | <input checked="" type="radio"/> County Manager |
| <input type="radio"/> Governing Board Chair | |

Signature: 

Typed Name: Jean M. Rousseau

Title: County Administrative Officer