



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**C-10**

For the meeting of: May 9, 2017

Date: May 1, 2017

To: Board of Supervisors

From: Maggie Fleming, District Attorney *M. Fleming*

Subject: California Governor's Office of Emergency Services (Cal OES) Grant Augmentation - Fiscal Year (FY) 2016-2017 and First Quarter FY 2017-18 Victim Witness Assistance Program

RECOMMENDATION(S):

That the Board of Supervisors:

1. Authorize the Chair to sign the attached Grant Award Face Sheet, Grant Subaward Amendment and the (2) Certifications of Assurance of Compliance; and
2. Direct the Clerk of the Board to process and return the original Grant Award Face Sheet, original Grant Subaward Amendment and the (2) Certifications of Assurance of Compliance to the District Attorney's (DA) Office, attention Rachelle Davis, for submission to the State.

SOURCE OF FUNDING:

State of California - Cal OES, Office of Violence Against Women

DISCUSSION:

In June 2016, the Office of the District Attorney of Humboldt County submitted an application for annual funding through California Governor's Office of Emergency Services for FY 2016-17, for the District

Prepared by Rachelle Davis

CAO Approval *[Signature]*

|                            |                |           |              |       |
|----------------------------|----------------|-----------|--------------|-------|
| REVIEW                     |                |           |              |       |
| Auditor <i>[Signature]</i> | County Counsel | Personnel | Risk Manager | Other |

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor *Fennell* Seconded by Supervisor *Wilson*

Ayes *Fennell, Bass, Bohn, Wilson*

Nays

Abstain

Absent *Sundberg*

PREVIOUS ACTION/REFERRAL:

Board Order No. C-7

Meeting of: October 11, 2016

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: May 9, 2017  
By: *[Signature]*  
Kathy Hayes, Clerk of the Board

Attorney Victim Witness Assistance Program. The funding is available through the Victim Witness Assistance Office (VWAO) and the Victims of Crime Act (VOCA), a combination of Federal and State funds that are managed and dispersed annually to eligible counties by Cal OES. The annual application was approved for funding in the amount of \$198,153 in June 2016. The District Attorney received a grant award augmentation in the amount of \$41,523 with a VOCA match of \$13,841, in October of 2016. Cal OES is now extending another augmentation in the amount of \$40,000 in VOCA funding.

In order to receive this funding the Grant Award Face Sheet and Certification of Assurance of Compliance must be updated to the current board chair. The award of the increased funding will also require approval of the Grant Subaward Amendment which outlines the increase in VOCA funding along with the extension of the performance period through September 30, 2017. This extension will continue into the first quarter of the state fiscal year 2017-2018. By agreeing to the increase in funding and extension of the performance period will allow continual support to the victims and witnesses of crime by providing funding for first quarter salaries to Victim Witness Specialists and (extra help) position along with the updated office copier and emergency funding for victim and witness of crimes.

FINANCIAL IMPACT:

Approval of the grant augmentation will allow the County to be reimbursed up to a maximum of \$349,775 for services performed in accordance with the scope of work described in the grant for the period of July 1, 2016 through June 30, 2017, with an extension to September 30, 2017. A match in funding is required of \$82,971. This match is obtained by utilizing a portion of salary and benefit of the Program Coordinator along with a portion of the salary from the Legal Office Assistant assigned to the Victim Witness Division who provide services to all crime victims of Humboldt County. \$40,000 will be allocated toward Victim Witness Specialists and (extra help) position along with the updated office copier and emergency funding for victims and witnesses of crimes. Due to the projected budget

Approval of the requested grant augmentation for \$40,000 supports the Boards Strategic Framework by seeking outside funding sources to benefit Humboldt County needs.

OTHER AGENCY INVOLVEMENT:

Cal OES

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the grant application. This is not recommended as it would cause a loss of anticipated revenue for the District Attorney. Furthermore it would leave the community, as well as the region, without the funding to support the salaries of the first quarter of state fiscal year that will provide local service to victims and witnesses of crime.

ATTACHMENTS:

1. Grant Award Face Sheet
2. Grant Subaward Amendment
3. (2) Certifications of Assurance of Compliance

|                    |  |       |  |      |                       |
|--------------------|--|-------|--|------|-----------------------|
| (Cal OES Use Only) |  |       |  |      |                       |
| Cal OES#           |  | FIPS# |  | VS # | Subaward # VW16340120 |

## 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 Humboldt 1a. DUNS#: 034150203  
 2. Implementing Agency: Office of the District Attorney 2a. DUNS#: 034150203  
 3. Implementing Agency Address: 825 Fifth Street Eureka 95501-1107  
Street City Zip+4  
 4. Location of Project: Eureka Humboldt 95501-1107  
City County Zip+4  
 5. Disaster/Program Title: Victim Witness Assistance Program 6. Performance Period: 07/01/2016 to 09/30/2017  
 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                |
|---------------|-------------|------------|------------|------------|---------------|------------------|----------------|--------------------------------------|
| 2016          | 8. VWA0     | \$ 100,863 |            |            |               |                  | \$ 0           | \$ 100,863                           |
| 2016          | 9. VOCA     |            | \$ 331,883 |            |               |                  | \$ 0           | \$ 331,883                           |
| Select        | 10. Select  |            |            |            |               |                  | \$ 0           | \$ 0                                 |
| Select        | 11. Select  |            |            |            |               |                  | \$ 0           | \$ 0                                 |
| Select        | 12. Select  |            |            |            |               |                  | \$ 0           | \$ 0                                 |
| <b>TOTALS</b> |             | \$ 100,863 | \$ 331,883 | \$ 432,746 | \$ 0          | \$ 0             | \$ 0           | 12. G Total Project Cost: \$ 432,746 |

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: Virginia Bass 15. Federal Employer ID Number: 94-6000513  
 Name: Virginia Bass Title: Chair, Board of Supervisor  
 Telephone: 707-476-2394 (area code) FAX: 707-445-7299 (area code) Email: vbass@co.humboldt.ca.us  
 Payment Mailing Address: 825 Fifth Street, Fourth Floor City: Eureka Zip+4: 95501-1170  
 Signature: Virginia Bass Date: 5/9/17

**[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 |
|------------------------|------|--------------------------------|------|

**CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

**GRANT SUBAWARD AMENDMENT** SUBAWARD #: VW16340120

Federal Grant # \_\_\_\_\_ FIPS# 023.00000 Amendment# 1  
 Project # \_\_\_\_\_ DUNS# 034150203 Performance Period 07/01/2016 to 9/30/2017

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

Grant Subaward #VW16340120 is hereby amended to:

**AMENDMENT TO FUNDS:**

Increase the 2016 VOCA funds by \$146,799 from \$ 185,084 to \$331,883;  
 Increase the Total Project Cost by \$146,799 from \$285,947 to \$432,746;

**AMENDMENT TO END DATE:**

To change the end of Performance Period of the Subaward from 6/30/2017 to 9/30/2017.

Note: change in elected Board of Supervisor Chair, Virginia Bass

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

| Subrecipient (Certification and Signature of Authorized Agent)  |                   |                             |         |             |
|---|-------------------|-----------------------------|---------|-------------|
| By (Authorized Signature)   |                   | Date                        |         |             |
| <i>Virginia Bass</i>  |                   | 5/9/17                      |         |             |
| Printed Name  |                   | Title                       |         |             |
| Virginia Bass   |                   | Chair, Board of Supervisors |         |             |
| Address   |                   |                             |         |             |
| 825 Fifth Street, Eureka, CA 95501  |                   |                             |         |             |
| Governor's Office of Emergency Services (For Cal OES use only)  |                   |                             |         |             |
| By Director or Designee   |                   | Date                        |         |             |
|   |                   |                             |         |             |
| Printed Name  |                   | Title                       |         |             |
|   |                   |                             |         |             |
| Amount Encumbered by this Document  | Program/Component | Match                       | Item    |             |
|   |                   |                             |         |             |
| Prior Amount Encumbered   | Fund Source       | Chapter                     | Statute | Fiscal Year |
|   |                   |                             |         |             |
| Total Amount Encumbered to Date   | PCA #             | Project #                   | CFDA #  |             |
|   |                   |                             |         |             |
| 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                        |         |             |
|   |                   |                             |         |             |

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

The applicant must complete a Certification of Assurance of Compliance-VOCA (Cal OES 2-104f), which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, Civil Rights Compliance, and the special conditions for Subaward with the above mentioned fund. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the applicant formally notifies Cal OES that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, entitled, "Proof of Authority from City Council/Governing Board." The Applicant is required to obtain written authorization (original signature) from the City Council/Governing board that the official executing the agreement is, in fact, authorized to do so, and will maintain said written authorization on file and readily available upon demand. This requirement does not apply to state agencies.

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

I, Virginia Bass hereby certify that  
(official authorized to sign Subaward; same person as Section 14 on Subaward Face Sheet)

SUBRECIPIENT: County of Humboldt

IMPLEMENTING AGENCY: District Attorney

PROJECT TITLE: Victim Witness Assistance Program

is responsible for reviewing the *Subrecipient Handbook* and adhering to all of the Subaward requirements (state and/or federal) as directed by Cal OES including, but not limited to, the following areas:

**I. Federal Grant Funds**

Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the Subrecipient Handbook for more detail.

The above named Subrecipient receives \$750,000 or more in federal grant funds annually.

The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.

**II. Equal Employment Opportunity – (*Subrecipient Handbook Section 2151*)**

It is the public policy of the State of California to promote equal employment opportunity (EEO) by prohibiting discrimination or harassment in employment because of ancestry, age (over 40), color, disability (physical and mental, including HIV and AIDS), genetic information, gender, gender identity, gender expression, marital status, medical condition (genetic characteristics, cancer or a record or history of cancer), military, veteran status, national origin, race, religion (includes religious dress and grooming practices), sex (includes pregnancy, childbirth, breastfeeding and/or related medical conditions) sexual orientation, or request for family medical leave. Cal OES-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: Daniel Fulks  
Title: Human Resource Director  
Address: 825 Fifth Street, First Floor, Eureka, CA 95501  
Phone: 707-476-2349  
Email: dfulks@co.humboldt.ca.us

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

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

**IV. California Environmental Quality Act (CEQA) – (Subrecipient Handbook, Section 2153)**

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal OES 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.

**V. Lobbying – (Subrecipient Handbook Section 2154)**

Cal OES 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.

**VI. Debarment and Suspension – (Subrecipient Handbook Section 2155)**  
*(This applies to federally funded grants only.)*

Cal OES-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.

**VII. Proof of Authority from City Council/Governing Board**

The above-named organization (Applicant) accepts responsibility for and will comply with the requirement to obtain a signed resolution 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 Cal OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal OES 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.

**VIII. Civil Rights Compliance**

The Subrecipient complies with all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

## IX. Special Condition for Grant Subaward with Victims of Crime Act (VOCA) Funds

### 1. Applicability of Part 200 Uniform Requirements

The Subrecipient agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements").

### 2. Compliance with DOJ Grants Financial Guide

The Subrecipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide"), including any updated version that may be posted during the period of performance.

### 3. Requirements Pertaining to Prohibited Conduct Related to Trafficking in Persons (including reporting requirements and OJP authority to terminate award)

The Subrecipient agrees to comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of Subrecipient or individuals defined (for purposes of this condition) as "employees" of the Subrecipient.

The details of the Subrecipient's obligations regarding prohibited conduct related to trafficking in persons are posted on the OJP website at: <http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by Subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

### 4. Compliance with Applicable Rules Regarding Approval, Planning, and Reporting of Conferences, Meetings, Trainings, and Other Events

The Subrecipient agrees to comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").

### 5. Effect of Failure to Address Audit Issues

The Subrecipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the Subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

### 6. Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct

The Subrecipient agrees to promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has, in connection with funds under this award (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.



Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by:

- o Mail: Office of the Inspector General,  
U.S. Department of Justice, Investigations Division,  
950 Pennsylvania Avenue, N.W. Room 4706,  
Washington, DC 20530;
- o E-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov);
- o DOJ OIG hotline (contact information in English and Spanish): (800) 869-4499; and/or
- o DOJ OIG hotline fax: (202) 616-9881.

Additional information is available from the DOJ OIG website at <http://www.usdoj.gov/oig>.

#### 7. Compliance with General Appropriations-Law Restrictions on the Use of Federal Funds

The Subrecipient agrees to comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at <http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm>, and are incorporated by reference here.

#### 8. Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

The Subrecipient understands and agrees that no Subrecipient under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

##### a. In accepting this award, the Subrecipient:

- o Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- o Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

##### b. If the Subrecipient does or is authorized under this award to make subawards, procurement contracts, or both:

- o It represents that (1) it has determined that no other entity that the Subrecipient's application proposes may or will receive award funds (whether through a subaward, procurement contract, or subcontract

under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and (2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

- It certifies that, if it learns or is notified that any Subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

9. Encouragement of Policies to Ban Text Messaging while Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Subrecipient understands that DOJ encourages Subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10. Additional DOJ Awarding Agency Requirements

The Subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the Subrecipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

11. OJP Training Guiding Principles

The Subrecipient understands and agrees that any training or training materials developed or delivered with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.gov/funding/ojptrainingguidingprinciples.htm>.

12. Specific Post-Award Approval Required to Use a Non-Competitive Approach in any Procurement Contract that Would Exceed \$150,000

The Subrecipient agrees to comply with all applicable requirements to obtain specific advance approval to use a non-competitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$150,000). This condition applies to agreements that, for purposes of federal grants administrative requirement, OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> [Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)] and are incorporated by reference here.

13. Requirement for Data on Performance and Effectiveness Under the Award

The Subrecipient agrees to collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

14. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The Subrecipient agrees to comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The Subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the Subrecipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

15. Demographic Data

The Subrecipient agrees to collect and maintain information on race, sex, national origin, age, and disability of victims receiving assistance, where such information is voluntarily furnished by the victim.

16. Performance Reports

The Subrecipient agrees to submit (and, as necessary, require sub-Subrecipients to submit) quarterly performance reports on the performance metrics identified by OVC, and in the manner required by OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction.

17. Computer Network Requirements

The Subrecipient understands and agrees that:

- a. No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography; and
- b. Nothing in the previous subsection limits the use of funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecutions, or adjudication activities.

18. Prohibit Use of Funds for Association of Community Organizations for Reform Now (ACORN) and its Subsidiaries

The Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract of subaward to either the ACORN or its subsidiaries, without the expressed prior written approval of OJP.

19. Access to Records

The Subrecipient authorizes the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant.

20. Nondiscrimination in Programs Involving Students

The Subrecipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs or students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

All appropriate documentation must be maintained on file by the project and available for Cal OES 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 Subrecipient may be ineligible for subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient 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 Subaward [Section 14 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant Subrecipient 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: Virginia Bass  
Authorized Official's Typed Name: Virginia Bass  
Authorized Official's Title: Chair, Board of Supervisors  
Date Executed: 5-9-2017  
Federal Employer ID #: 94-6000513 Federal DUNS # 034150203  
Current System for Award Management (SAM) Expiration Date: 11-28-2017  
Executed in the City/County of: Eureka, Humboldt

**AUTHORIZED BY:** *(not applicable to State agencies)*

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

Signature: Joseph Mellett  
Typed Name: Joseph Mellett  
Title: County Auditor-Controller