

# COUNTY OF HUMBOLDT

AGENDA ITEM NO.

For the meeting of: October 11, 2016

Date:

October 4, 2016

To:

Board of Supervisors

From:

Subject:

Maggie Fleming, District Attorney Malerning California Governor's Office of Emergency Services (Cal OES) Grant Augmentation -

Fiscal Year (FY) 2016-2017 Victim Witness Assistance Program

### RECOMMENDATION(S):

That the Board of Supervisors:

- 1. Authorize the Chair to sign the attached Grant Award Face Sheet and the (2) Certifications of Assurance of Compliance;
- 2. Approve the attached supplemental budget in Fund 1100, Budget Unit 208, District Attorney's Victim Witness Program (4/5 vote);
- 3. Direct the Auditor-Controller to incorporate the attached supplemental budget into the adopted FY 2016-17 budget; and
- 4. Direct the Clerk of the Board to process and return the Grant Award Face Sheet 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

Prepared byRachelle Davis		CAO Approval her Mughin
REVIEW: County Counsel	Personnel	Risk Manager Other
TYPE OF ITEM:		BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
X Consent		Upon motion of Supervisor Fernal   Seconded by Supervisor Sass
Departmental		
Public Hearing		Ayos Fennell, Lovelace, Fennell, Sundberg, Bohr
Other		Nays
		Abstain
PREVIOUS ACTION/REFERRAL:		Absent
Board Order No. C-10		and carried by those members present, the Board hereby approves the recommended action contained in this Board report.
Meeting of: June 14, 2016		in laster
		Dated:
		By: Bogo Ebeors
		Kathy Haves Clerk of the Board

#### 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 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 which 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 has since been given permission by Cal OES to apply for a grant award augmentation in the amount of \$41,523 with a VOCA match of \$13,841.

The attached Grant Award Face Sheet and Certifications of Assurance are required for the District Attorney to receive the grant funding. It is recommended that the Board authorize the Chair to sign these documents.

#### FINANCIAL IMPACT:

Approval of the grant augmentation will allow the County to be reimbursed up to a maximum of \$239,676 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. A match in funding is required of \$46,271. The match is included with the VWAO funds on the Face Sheet resulting in a total project cost of \$285,947. 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. These positions are allocated in other District Attorney budget units. The supplemental budget of \$41,523 will be allocated toward a Victim Witness Specialist (extra help) position along with the purchase of computers and scanners to assist in the deployment of a fully functional data collections system.

Approval of the requested grant augmentation for \$41,523 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 local service to victims and witnesses of crime.

#### ATTACHMENTS:

- 1. Grant Award Face Sheet
- 2. (2) Certifications of Assurance of Compliance and
- 3. Supplemental Budget for 1100-208

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

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

The California Governo	r's Office of Emerg	ency Services	(Cal OES), mak	es a Grant Sub	award of funds set	forth to the follow	ing:
1. Subrecipient: Co	unty of Humboldt					1a. DUNS#	: 034150203
2. Implementing Ager	icy: Office of the I	District Attorney				2a. DUNS#	034150203
3. Implementing Agen	icy Address: 82	5 Fifth Street,	Fourth Floor		Eureka		95501-1107
4. Location of Project			reet		Humboldt	City	Zip+4 95501-1107
		City	,		(	County	Zip+4
5. Disaster/Program T	itle: Victim Witne	ess Assistant F	Program	6. F	Performance Period	: 07/01/2016	to 06/30/2017
7. Indirect Cost Rate:	□ N/A; ☑ 10% c	le minimis;	Federally App	proved 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		\$ 185,084				\$ 0	\$ 185,084
Select 10. Select						\$0	\$ 0
Select 11. Select						\$0	\$ 0
Select 12. Select						\$ 0	\$ 0
TOTALS	\$ 100,863	\$ 185,084	\$ 285,947	\$	\$ 0	\$0	12. G Total Project Cost: \$ 285,947
13. This Grant Subaward Assurances/Certifications Financial Officer, City Mar received pursuant to this Subaward and agrees to a requirements, federal probe contingent on the enaction of the contingent of the continue of the conti	. I hereby certify I an nager, County Admin agreement will be sp dminister the grant gram guidelines, and trment of the State B	n vested with the histrator, Governi ent exclusively of project in accord I Cal OES policy udget.	authority to ente ing Board Chair, on the purposes s ance with the Gra and program guid	r into this Grant or other Approvi pecified in the G ant Subaward as dance. The Subre	Subaward, and have ng Body. The Subreci trant Subaward. The S well as all applicable	the approval of the pient certifies that Subrecipient accep state and federal is s that the allocation	all funds ats this Grant aws, audit n of funds may
		ecipient.					:
Name: Mark Lovels					ir, Board of Super		
Telephone: 707-476-		FAX: <u>/</u>	07-445-7299 (area code)	Em	ail: mioverace@	co.humboldt.ca	i,us
Payment Mailing Addre	ss: 825 Fifth Str		г	Cit	y: Eureka	Zip+	95501-1107
Signature:	unla	nen		Dat	te: 10/11/	16	
			[FOR Cal OES L	A CONTRACTOR OF THE PARTY OF TH			
I hereby certify upon my o	wn personal knowled	lge that budgeted	d funds are availa	ble for the period	d and purposes of this	expenditure state	d ahove
							a abovo.

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

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1. Subr	ecipient: Cou	nty of Humboldt						1a. DUNS	#: 034150203
2. Impl	ementing Agend	cy: Office of the I	District Attorney					2a. DUNS	#: 034150203
3. Impl	ementing Agend	cy Address: 82	5 Fifth Street, F	Fourth Floor			Eureka		95501-1107
			Str	eet				City	Zip+4
4. Loca	tion of Project:	Eureka					Humboldt		95501-1107
5 Diea	ster/Program Ti	tle: Victim Witne	City			6 Por	formance Period:	07/01/2016	Zip+4 to 06/30/2017
	-	-						0770172010	00/00/2017
7. Indire	ect Cost Rate:	N/A;	ie minimis; L	_ Federally App	proved IC	K	%		
Grant Year	Fund Source	A. State	B. Federal	C. Total	D. Cas Matc		E. In-Kind Match	F. Total Match	G. Total Project Cost
2016	8. VWA0	\$ 100,863						\$ 0	\$ 100,863
2016	9. VOCA		\$ 185,084					\$ 0	\$ 185,084
Select	10. Select							\$0	\$0
Select	11. Select							\$ 0	\$0
Select	12. Select							\$ 0	\$0
	TOTALS	\$ 100,863	\$ 185,084	\$ 285,947		\$0	\$0	\$0	12. G Total Project Cost: \$ 285,947
Assuran Financia received Subawar requirem	ces/Certifications. I Officer, City Mana pursuant to this a rd and agrees to ac nents, federal prog	I hereby certify I an ager, County Admin greement will be sp dminister the grant	n vested with the histrator, Governi ent exclusively o project in accord Cal OES policy	authority to ente ng Board Chair, on the purposes s ance with the Gra	r into this ( or other Ap pecified in ant Subawa	Grant Su proving the Gran rd as we	and made a part her baward, and have th Body. The Subrecip It Subaward. The Su Il as all applicable s pient further agrees	ne approval of the ient certifies the ubrecipient acceptate and federa	at all funds epts this Grant I laws, audit
14. Offi	cial Authorized	to Sign for Subr	ecipient:	1	5. Federa	l Emplo	oyer ID Number:	94600051	3
Name:	Mark Lovela	се			Title:	Chair,	Board of Superv	isors	
Telepho	707-476-2 (area co		FAX: 7	07-445-7299 (area code)		Email	mlovelace@d	co.humboldt.c	ca.us
Paymer	nt Mailing Addres	ss: 825 Fifth St	reet, First Floo	r		City:	Eureka	Zip	+4: 95501-1107
Signatu	re: Mo	whlan	- Cm			Date:	10/11	116	
E 00 (80)				[FOR Cal OES U	ISE ONLY]		, ,		
I hereby	certify upon my ow	vn personal knowled	ge that budgeted	d funds are availa	ble for the	period a	nd purposes of this	expenditure sta	ted above.
Cal (	DES Fiscal Officer			Date		Cal OES	Director (or designe	ee)	Date
									8

### 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

Mark Lovelace	)			hereby certify that
(official authorized	d to sign Subawa	rd; same person a	as Section 14 on Subaward Face Sheet)	-
BRECIPIENT:	County of Hu	ımboldt		
LEMENTING A	GENCY:	District Attorn	ney's Office	
DJECT TITLE:	Victim	Witness As	ssistance Program	
Federal Gran	t Funds			
audit pursuan	t to OMB Unif	orm Guidance	2 CFR Part 200, Subpart F and ar	e allowed to utilize federal
✓ The above	ve named Sub	recipient recei	ives \$750,000 or more in federal g	rant funds annually.
The above	ve named Sub	recipient does	s not receive \$750,000 or more in f	ederal grant funds annually
Equal Employ	ment Oppor	tunity — (Sub	recipient Handbook Section 215	1)
discrimination ancestry, disal characteristics pregnancy disa with all state	or harassmer bility (mental a ), marital statu ability leave, c and federal r	nt in employme and physical) ir us, sex, sexual or age (over 40 equirements i	ent because of race, religious creed not not and AIDS, medical co I orientation, denial of family medic D). Cal OES-funded projects certi	d, color, national origin, ondition (cancer and genetical care leave, denial of ify that they will comply
Please provide	the following	information:		
Equal Empl	oyment Oppo	rtunity Officer:	Dan Fulks	
Title:	Director of H	luman Resour	ces	
Address:	825 5th Stre	et, Eureka, CA	95501	
Phone:	707-476-234	19		
Email:	dfulks@co.h	umboldt.ca.us		
	RECIPIENT:  LEMENTING ADJECT TITLE:  sponsible for rede and/or federal  Federal Grant  Subrecipients audit pursuan grant funds to detail.  The above  Equal Employ  It is the public discrimination ancestry, disal characteristics pregnancy discovered with all state nondiscriminal Please provides  Equal Employ  Title:  Address:  Phone:	BRECIPIENT: County of Huller LEMENTING AGENCY:  DJECT TITLE: Victim Sponsible for reviewing the Ste and/or federal) as directed as directed as directed as directed as a directed as a directed substituting from the steep and substituting from the steep an	Gofficial authorized to sign Subaward; same person and BRECIPIENT:  County of Humboldt  LEMENTING AGENCY:  District Attorn  DISTRICT ACTIVE:  Victim Witness Asteronomic and/or federal) as directed by Cal OES in Federal Grant Funds  Subrecipients expending \$750,000 or more audit pursuant to OMB Uniform Guidance grant funds to budget for the audit costs. Subtraction of the above named Subrecipient recession in The above named Subrecipient does be a compared to the audit costs. Subjective in the above named Subrecipient recession in the above named Subrecipient does be a compared to the audit costs. Subjective in the above named Subrecipient does be a compared to the audit costs. Subjective in the above named Subrecipient does be a compared to the audit costs. Subjective in the above named Subrecipient does be a compared to the audit costs. Subjective in the	(official authorized to sign Subaward; same person as Section 14 on Subaward Face Sheet)  BRECIPIENT: County of Humboldt  LEMENTING AGENCY: District Attorney's Office  DJECT TITLE: Victim Witness Assistance Program  sponsible for reviewing the Subrecipient Handbook and adhering to all of the seand/or federal) as directed by Cal OES including, but not limited to, the following federal Grant Funds  Subrecipients expending \$750,000 or more in federal grant funds annually a audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F and ar grant funds to budget for the audit costs. See Section 8000 of the Subrecipied detail.  ✓ The above named Subrecipient receives \$750,000 or more in federal goal The above named Subrecipient does not receive \$750,000 or more in federal goal Equal Employment Opportunity — (Subrecipient Handbook Section 215  It is the public policy of the State of California to promote equal employment discrimination or harassment in employment because of race, religious creed ancestry, disability (mental and physical) including HIV and AIDS, medical coharacteristics), marital status, sex, sexual orientation, denial of family medic pregnancy disability leave, or age (over 40). Cal OES-funded projects certified with all state and federal requirements regarding equal employment option of the properties of Human Resources  Equal Employment Opportunity Officer:  Dan Fulks  Title:  Director of Human Resources  Address:  825 5th Street, Eureka, CA 95501  Phone:  707-476-2349

### 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

- Computer Network Requirement: The recipient 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 subsection (a) limits the use of funds necessary for any federal,
  state, tribal, or local law enforcement agency or any other entity carrying out
  criminal investigations, prosecution, or adjudication activities.
- Prohibit use of funds for ACORN and its subsidiaries: Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
- Text Messaging Policy: Pursuant to Executive Order 13513, "Federal Leadership
  on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1,
  2009), the Department encourages recipients and subrecipients to adopt and
  enforce policies banning employees from text messaging while driving any vehicle
  during the course of performing work funded by this grant, and to establish
  workplace safety policies and conduct education, awareness, and other outreach
  to decrease crashes caused by distracted drivers.
- Nondiscrimination in programs involving students: The recipient understands and
  agrees that award funds may not be used to discriminate against or denigrate the
  religious or moral beliefs of students who participate in programs for which financial
  assistance is provided from those funds, or of the parents or legal guardians of such
  students.
- Registration with the System for Award Management and Universal Identifier Requirements: The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at http://www.ojp.gov/funding/sam.htm (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural

- person (i.e., unrelated to any business or nonprofit organization that he or she may own or operate in his or her name).
- VA OCFO Access: The Grantee authorizes 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. The State will further ensure that all VOCA subgrantees will authorize representatives of OVC and OCFO access to and the right to examine all records, books, paper or documents related to the VOCA grant.
- Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct: The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under 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 involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by mail: Office of the Inspector General, U.S. Department of Justice Investigations Division, 950 Pennsylvania Avenue, N.W., Room 4706, Washington, DC 20530; email: oig.hotline@usdoi.gov; hotline: (contact information in English and Spanish): 800-869–4499; or hotline fax: 202-616-9881. Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

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:
Authorized Official's Typed Name: Mark Lovelace
Authorized Official's Title: Chair, Board of Supervisors
Date Executed: 10/11/16
Federal Employer ID #: 94-6000513 Federal DUNS # 034150203
Current Central Contractor Registration Expiration Date: December 7, 2016
Executed in the City/County of: Eureka/County of Humboldt
AUTHORIZED BY: (not applicable to State agencies)
<ul> <li>☐ City Financial Officer</li> <li>☐ City Manager</li> <li>☐ Governing Board Chair</li> </ul> County Financial Officer County Manager County Manager
Signature:
Typed Name: Joseph Mellett
Title: County Auditor-Controller
·

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

١,	Mark Lovelace	Э			hereby certify that
	(official authorized	d to sign Subawa	ard; same person a	as Section 14 on Subaward Face	Sheet)
SU	BRECIPIENT:	County of H	umboldt		
IMF	PLEMENTING A	GENCY:	District Attorn	ney's Office	
PR	OJECT TITLE:	Victim	n Witness As	ssistance Program	
				andbook and adhering to all cluding, but not limited to, t	I of the Subaward requirements the following areas:
l.	Federal Gran	t Funds			
	audit pursuan	t to OMB Unit	form Guidance	2 CFR Part 200, Subpart F	nually are required to secure an and are allowed to utilize federal brecipient Handbook for more
	The abo	ve named Su	brecipient recei	ives \$750,000 or more in fe	ederal grant funds annually.
	The above	ve named Su	brecipient does	not receive \$750,000 or m	nore in federal grant funds annually.
II.	Equal Employ	yment Oppor	rtunity — (Subi	recipient Handbook Sect	ion 2151)
	discrimination ancestry, disa characteristics pregnancy dis	or harassment bility (mental b), marital stat ability leave, and federal i	nt in employme and physical) in tus, sex, sexual or age (over 40 requirements r	ent because of race, religiou ncluding HIV and AIDS, me I orientation, denial of famil	byment opportunity by prohibiting us creed, color, national origin, edical condition (cancer and geneticly medical care leave, denial of ets certify that they will comply ment opportunity,
	Please provide	e the following	g information:		
	Equal Empl	oyment Oppo	ortunity Officer:	Dan Fulks	
	Title:	Director of I	Human Resourc	ces	
	Address:	825 5th Stre	eet, Eureka, CA	95501	
	Phone:	707-476-23	49		
	Email:	dfulks@co.h	numboldt.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

- Computer Network Requirement: The recipient understands and agrees that (a)
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  such network blocks the viewing, downloading, and exchanging of pornography,
  and (b) Nothing in subsection (a) limits the use of funds necessary for any federal,
  state, tribal, or local law enforcement agency or any other entity carrying out
  criminal investigations, prosecution, or adjudication activities.
- Prohibit use of funds for ACORN and its subsidiaries: Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
- Text Messaging Policy: Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
- Nondiscrimination in programs involving students: The recipient understands and
  agrees that award funds may not be used to discriminate against or denigrate the
  religious or moral beliefs of students who participate in programs for which financial
  assistance is provided from those funds, or of the parents or legal guardians of such
  students.
- Registration with the System for Award Management and Universal Identifier Requirements: The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at http://www.ojp.gov/funding/sam.htm (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural

person (i.e., unrelated to any business or nonprofit organization that he or she may own or operate in his or her name).

- VA OCFO Access: The Grantee authorizes 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. The State will further ensure that all VOCA subgrantees will authorize representatives of OVC and OCFO access to and the right to examine all records, books, paper or documents related to the VOCA grant.
- Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct: The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under 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 involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by mail: Office of the Inspector General, U.S. Department of Justice Investigations Division, 950 Pennsylvania Avenue, N.W., Room 4706, Washington, DC 20530; email: oig.hotline@usdoi.gov; hotline: (contact information in English and Spanish): 800-869–4499; or hotline fax: 202-616-9881. Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

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:
Authorized Official's Typed Name: Mark Lovelace
Authorized Official's Title: Chair, Board of Supervisors
Date Executed: 10/10/16
Federal Employer ID #: 94-6000513 Federal DUNS # 034150203
Current Central Contractor Registration Expiration Date: December 7, 2016
Executed in the City/County of: Eureka/County of Humboldt
AUTHORIZED BY: (not applicable to State agencies)
City Financial Officer City Manager County Manager County Manager Signature:  Typed Name:  County Auditor-Controller

### Attachment 1

# District Attorney Victim Witness Program Supplemental Budget FY 2016-17

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REVENUE:		
1100 208 515032	D.A. Victim Witness Assistance Program	\$41,523
EXPENDITURES:		
1100 208 1400 1100 208 1450 1100 208 1600 1100 208 1500 1100 208 2117	Extra Help Unemployment Insurance FICA Retirement Office Supplies	\$25,240 \$ 189 \$1,931 \$5,805 \$ 639
1100 208 2148 1100 208 2317	Computer Software Office Expense - Equipment	\$1,573 \$6,146
		0.44 ====
TOTAL EXPENDITURE	S:	\$41,523