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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: District Attorney

SUBMITTAL DATE:
10/24/14

SUBJECT: Acceptance of the FY 2014-15 Victim Witness Assistance Program award from the California Governor's Office of Emergency Services (CalOES), budget adjustment and Adoption of Resolution No. 2014-217; All Districts [\$1,043,589]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve acceptance of the Victim Witness Assistance Program ("VW") award from the California Governor's Office of Emergency Services for the grant period July 1, 2014 through June 30, 2015.
2. Approve and direct the Auditor-Controller to make the budget adjustments as shown on Schedule A, attached.
3. Adopt Resolution 2014-217 authorizing the District Attorney to submit grant applications to CalOES and sign grant agreements on behalf of the Board through FY 2016-17. If the funding of the grant significantly changes or is altered or discontinued, the department will return to the Board.

BACKGROUND:

Summary
(Commences on Page 2)

Gerald W. Fineman, for
Paul E. Zellerbach,
District Attorney

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 1,043,589	\$ 0	\$ 1,043,589	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: State of California	Budget Adjustment: Yes
	For Fiscal Year: 14/15

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY
Elizabeth J. Olson

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Jeffries and duly carried,
IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: November 24, 2014
 xc: D.A., Auditor

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

3-22

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS
 DATE: 10/29/14

FISCAL PROCEDURES APPROVED
 BY: PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 DATE: 11/10/14
 Esteban Hernandez

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Acceptance of the FY 2014-15 Victim Witness Assistance Program award from the California Governor's Office of Emergency Services (CalOES), budget adjustment and Adoption of Resolution No. 2014-217; All Districts [\$1,043,589]

DATE: 10/24/14

PAGE: Page 2 of 3

BACKGROUND:

Summary

The California Emergency Management Agency ("Cal OES") has awarded the Riverside County District Attorney's Office the Victim Witness Assistance Program ("VW") grant for FY14-15.

The VW program is designed to provide comprehensive services to assist victims/witnesses of all types of violent crime. The services include crisis intervention, emergency assistance, resource and referral assistance, direct counseling, victim of crime claims, property return, orientation to the criminal justice system, court escort, training for criminal justice agencies, public presentations, case status/disposition, notification of family, friends, and employees, and restitution.

In addition to the services listed above, Advocates assigned to the grant will conduct field visits when necessary; educate, recruit and use volunteers; assess the needs of disabled and home bound victims in order to provide services; provide translation and interpreter services; encourage referrals from law enforcement and community-based organizations; and maintain a formal system of networking and coordination with other agencies.

Funds awarded will be used directly on the salaries, benefits, and direct operating expenses for Victim Services Advocate positions and a Victim Services Supervisor.

Based on an estimated award, the DA's Office budgeted \$932,432 for FY14/15 in this revenue category. A budget adjustment of \$111,157 is necessary to increase revenues to match the award amount of \$1,043,589 (see attached Schedule A).

The grant award and resolution have been reviewed and approved as to form by County Counsel.

Impact on Citizens and Businesses

All costs under this program will be recovered through grant funding.

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Acceptance of the FY 2014-15 Victim Witness Assistance Program award from the California Governor's Office of Emergency Services (CalOES), budget adjustment and Adoption of Resolution No. 2014-217; All Districts [\$1,043,589]

DATE: 10/24/14

PAGE: Page 3 of 3

Schedule "A"
FY 14/15

Increase Appropriations:

10000-2200100000-510040	Regular Salaries	\$ 45,957
10000-2200100000-518100	Budgeted Benefits	37,600
10000-2200100000-520200	Communications	4,200
10000-2200100000-523700	Office Supplies	10,000
10000-2200100000-523760	Postage-Mailing	5,000
10000-2200100000-523800	Printing/Binding	5,000
10000-2200100000-524560	Auditing and Accounting	<u>3,400</u>
		\$111,157

Increase Estimated Revenue:

10000-2200100000-755640	CA-Victim-Witness	\$111,157
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2
3 RESOLUTION NO. 2014-217

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
5 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REGARDING
6 VICTIM WITNESS ASSISTANCE PROGRAM
7

8 WHEREAS, the County of Riverside desires to undertake a certain program designated the
9 Victim Witness Assistance Program to be funded by funds made available through and administered
10 by the California Governor's Office of Emergency Services (hereinafter referred to as "Cal OES"); now
11 therefore,

12 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside,
13 State of California, in regular session assembled on November 24, 2014, that the Board
14 of Supervisors of the County of Riverside does hereby authorize the District Attorney of the County
15 of Riverside, State of California to submit and to sign the Riverside County's application for grant
16 funding as well as related contracts, amendments, or extensions with Cal OES and;

17 BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to
18 supplant local expenditures controlled by this body; and

19 BE IT FURTHER RESOLVED that the resolution shall be in effect for a three-year period
20 beginning July 1, 2014 and ending June 30, 2017.

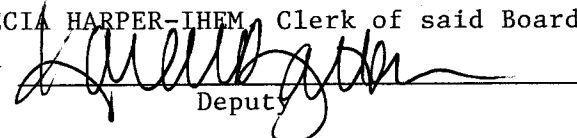
21 ROLL CALL:

22 Ayes: Jeffries, Stone, Benoit and Ashley
23 Nays: None
24 Absent: Tavaglione

25 The foregoing is certified to be a true copy of a resolution duly
26 adopted by said Board of Supervisors on the date therein set forth.

27 By KECIA HARPER-IHEM, Clerk of said Board

28 Deputy



Clerk of the Board copy

**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.

NOV 24 11 20

*11/24/14
3.22 1
Res No 2014-217 thru 6/30/15*

2010-5-131779

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

I, Elaina G. Bentley hereby certify that
(official authorized to sign Subaward; same person as Section 14 on Subaward Face Sheet)

SUBRECIPIENT: County of Riverside

IMPLEMENTING AGENCY: District Attorney's Office

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 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). **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: Ginika Ezinwa
Title: Deputy Director
Address: 3960 Orange Street, Riverside CA 92501
Phone: 951-955-8804
Email: GinikaEzinwa@rivcoda.org

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@usdoj.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: Elaina G. Bentley

Authorized Official's Title: Assistant District Attorney

Date Executed: 5/11/16


Federal Employer ID #: 95-6000930 Federal DUNS # 03-7754061

Current Central Contractor Registration Expiration Date: May 4, 2017

Executed in the City/County of: Riverside / Riverside

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

- City Financial Officer
- City Manager
- Governing Board Chair
- County Financial Officer
- County Manager

Signature: 
 Typed Name: John J. Benoit
 Title: Chairman, Riverside County Board of Supervisors

ATTEST:
 KECIA HARPER-JHEM, Clerk
 By 
 DEPUTY