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



ITEM 3.35 (ID # 7031)

MEETING DATE:

Tuesday, May 22, 2018

FROM: SHERIFF-CORONER-PA:

SUBJECT: SHERIFF-CORONER-PA: Authorize and Approve Submission of Grant Application Documents in Support of the Grant Application for the Office of Community Oriented Policing Services FY2018 Community Policing Development, Open

Topic Area. All Districts. [\$0].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Board Chairman, Sheriff, and County Counsel to sign and submit online grant application documents, including the U.S. Department of Justice Certified Standard Assurances, Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements, Disclosure of Lobbying Activities (SF-LLL); Certification of Compliance with 8 U.S.C. 1373, and Certification of Illegal Immigration Cooperation forms in substantially the same form as attached and approved by County Counsel, in support of the grant application for the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) FY18 Community Development Policing (CPD), Open Topic Area Grant.

BR 18-070

ACTION: Policy

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:

Jeffries, Tavaglione, Washington, Perez and Ashley

Navs:

None

Absent:

None

Date:

May 22, 2018

XC:

Sheriff

Page 1 of 3

ID# 7031

Kecia Harper-Ihem

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FINANCIAL DATA	Current F	iscal Year:	Next Fi	scal Year:		Total Cost:	15.71	Ongoing Cost
COST	\$	0	\$	0	\$	0	\$	0
NET COUNTY COST	\$	0	\$	0	\$	0	\$	0
SOURCE OF FUND	S: N/A				1	Budget Adj	ustme	ent: No
						For Fiscal Y	'ear:	18/19-19/20

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On January 30, 2018, the Riverside County Board of Supervisors approved agenda item 3.20, the Riverside County Homeless Action Plan. Recommendation B5 of the Homeless Action Plan obligates the Riverside County Sheriff's Department (RCSD) to "develop and implement a first responders training to facilitate the relationship between social services, law enforcement, and homeless individuals." Recommendation B5 also obligates the RCSD to identify needed funding sources.

On April 27, 2018 the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) announced a grant solicitation for Community Policing Development (CPD). CPD funds are used to develop the capacity of law enforcement to implement community policing strategies by providing guidance on promising practices through the development and testing of innovative strategies; building knowledge about effective practices and outcomes; and supporting new, creative approaches to preventing crime and promoting safe communities.

The County, on behalf of the RCSD, will apply for grant funding through the COPS Office CPD-Open Topic Area. The COPS Office will provide seven (7) awards of up to \$300,000 to each agency. Open Topic Area offers opportunities for the development, documentation, and distribution of information on these innovative policing strategies that can help agencies replicate the groundbreaking policies, programs, training, and initiatives that their fellow agencies are implementing. Applicants are asked to develop training, implement demonstration projects, create promising practice guidebooks and toolkits, deliver topic-specific technical assistance, or produce multimedia resources that capture innovative stories and experiences.

The RCSD is seeking BOS approval to apply for up to \$300,000 to enhance the Homeless Outreach Team. If awarded the grant will fund a civilian employee and the cost to develop, produce and implement first responder training. At the end of the two-year grant period, and assuming fiscal ability, the RCSD will ask the Board of supervisors for continued funding for the civilian position.

Award documents will be submitted to the Board for approval when the grant funds are awarded.

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County Counsel has reviewed and approved the documents as to form.

Impact on Residents and Businesses

The COPS CPD Open Topic Area will highlight the Homeless Outreach Team and to continue their efforts to combat homelessness.

Additional Fiscal Information

Grant funding from COPS CPD Open Topic Area will allow for the enhancement of the Homeless Outreach Team with minimal county costs.

Attachments

- 1. U.S. Department of Justice Certified Standard Assurances
- 2. Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements
- 3. Disclosure of Lobbying Activities (SF-LLL)
- 4. Certification of Compliance with 8 U.S.C. 1373
- 5. Certification of Illegal Immigration

Ryan Carter, Principal Management Analyst 5/15/2018 Gregory V. Priaplos, Director County Counsel 5/7/20

Appendix E. U.S. Department of Justice Certified Standard Assurances

U.S. DEPARTMENT OF JUSTICE CERTIFIED STANDARD ASSURANCES

On behalf of the Applicant, and in support of this application for a grant or cooperative agreement, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), that all of the following are true and correct:

I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any Department decision to make an award to the Applicant based on its application.

I certify that the Applicant has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly. I assure that, throughout the period of performance for the award (if any) made by the Department based on the application--

- a. the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;
- b. the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and
- c. the Applicant will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.

The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition--

- a. the Applicant understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
- b. the Applicant understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13)), which will apply to all awards made by the Office on Violence Against Women, also may apply to an award made otherwise;
- c. the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and
- d. on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204. The Applicant also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by the Department based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality research and statistical

information), 23 (criminal intelligence systems), 38 (regarding faith-based or religious organizations participating in federal financial assistance programs), and 46 (human subjects protection).

I assure that the Applicant will assist the Department as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).

I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by the Department based on the application.

I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by the Department based on the application—

- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- b. it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

If the Applicant applies for and receives an award from the Office of Community Oriented Policing Services (COPS Office), I assure that as required by 34 U.S.C. § 10382(c)(11), it will, to the extent practicable and consistent with applicable law—including, but not limited to, the Indian Self- Determination and Education Assistance Act—seek, recruit, and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions, as provided under 34 U.S.C. § 10382(c)(11).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Signature of Law Enforcement Executive/Agency Executive	Date
(For your electronic signature, please type in your name)	
Signature of Government Executive/Financial Official	Date
(For your electronic signature, please type in your name)	FORM APPROVED COUNTY COUNSEL BY: 5/3/18 SUSANNA N. OH DATE

Appendix F. U.S. Department of Justice Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; And Drug-Free Workplace Requirements

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the U.S. Department of Justice ("Department") determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by 31 U.S.C. § 1352, as implemented by 28 C.F.R. Part 69, the Applicant certifies and assures (to the extent applicable) the following:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, 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, or the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If the Applicant's request for Federal funds is in excess of \$100,000, and any funds other than Federal appropriated funds have been paid or will be paid 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 this Federal grant or cooperative agreement, the Applicant shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities" in accordance with its (and any DOJ awarding agency's) instructions; and
- (c) The Applicant shall require that the language of this certification be included in the award documents for all subgrants and procurement contracts (and their subcontracts) funded with Federal award funds and shall ensure that any certifications or lobbying disclosures required of recipients of such subgrants and procurement contracts (or their subcontractors) are made and filed in accordance with 31 U.S.C. § 1352.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

- A. Pursuant to Department regulations on nonprocurement debarment and suspension implemented at 2 C.F.R. Part 2867, and to other related requirements, the Applicant certifies, with respect to prospective participants in a primary tier "covered transaction," as defined at 2 C.F.R. § 2867.20(a), that neither it nor any of its principals—
 - (a) is 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 or agency;
 - (b) has within a three-year period preceding this application been convicted of a felony criminal violation under any Federal law, or been convicted or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, tribal, or local) transaction or private agreement or transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen

- property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects its (or its principals') present responsibility;
- (c) is presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, tribal, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and/or
- (d) has within a three-year period preceding this application had one or more public transactions (Federal, State, tribal, or local) terminated for cause or default.
- B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application. Where the Applicant or any of its principals was convicted, within a three-year period preceding this application, of a felony criminal violation under any Federal law, the Applicant also must disclose such felony criminal conviction in writing to the Department (for OJP Applicants, to OJP at Ojpcompliancereporting@usdoj.gov; for OVW Applicants, to OVW at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPSRC@usdoj.gov), unless such disclosure has already been made.

3. FEDERAL TAXES

- A. If the Applicant is a corporation, it certifies either that (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to the Department (for OJP Applicants, to OJP at Ojpcompliancereporting@usdoj.gov; for OVW Applicants, to OVW at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPSRC@usdoj.gov).
- B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application.
- 4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, as implemented at 28 C.F.R. Part 83, Subpart F, for grantees, as defined at 28 C.F.R. §§ 83.620 and 83.650:

- A. The Applicant certifies and assures that it will, or will continue to, provide a drug-free workplace by—
 - (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an on-going drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Applicant's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will—
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the Department, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title of any such convicted employee to the Department, as follows:

For COPS award recipients - COPS Office, 145 N Street, NE, Washington, DC, 20530; For OJP and OVW award recipients - U.S. Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531.

Notice shall include the identification number(s) of each affected award;

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
- 5. COORDINATION REQUIRED UNDER PUBLIC SAFETY AND COMMUNITY POLICING PROGRAMS
 As required by the Public Safety Partnership and Community Policing Act of 1994, at 34 U.S.C. § 10382(c)(5), if this application is for a COPS award, the Applicant certifies that there has been appropriate coordination with all agencies that may be affected by its award. Affected agencies may include, among others, Offices of the United States Attorneys; State, local, or tribal prosecutors; or correctional agencies.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Signature of Law Enforcement Executive/Agency Executive	Date	
(For your electronic signature, please type in your name)		
Signature of Government Executive/Financial Official	 Date	
(For your electronic signature, please type in your name)		
FORM APPROVED COUNTY COUNSEL		

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB 4040-0013

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

	Review Public Burden Di	isclosure Stateme	nt j
1. * Type of Federal Action:	2. * Status of Federal A	Action:	3. * Report Type:
a. contract	a. bid/offer/application		a. initiat filing
b. grant	b. initial award		b. material change
c. cooperative agreement			1/31
d. loan	c. post-award		For Material Change Only:
<u> </u>			year quarter
e. loan guarantee			
f. loan insurance			date of last report
4. Name and Address of Reporting	Entity:		CO. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
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Prime SubAwardee			
* Name			
* Street 1	Street	2	
* City	State		Zip
	Clare		
Congressional District, if known:			
5. If Reporting Entity in No.4 is Sub	awardee, Enter Name and	Address of Prin	ne:
6. * Federal Department/Agency:	7.	* Federal Prog	ram Name/Description:
	i	CFDA Number, if applicat	le:
8. Federal Action Number, if known:	9	. Award Amoun	t, if known:
			·
	4	'	
10. a. Name and Address of Lobbyi	na Pegistrant:		
Prefix * First Name	Mic	ddle Name	
* Last Name		Suffix	
	·	Summa	
* Street 1	Street :	2	
10%			
* City	State		Zip
b. Individual Performing Services (nduding address if different from No. 10a))	
Prefix *First Name	Mic	ddle Name	
	1		
* Last Name	1	Suffix	
* Street 1	Street	,	
	Street		
* City	State		Zip
11. Information requested through this form is authorize	ed by title 31 U.S.C. section 1352. This di	isclosure of lobbying activ	ities is a material representation of fact upon which
the Congress semi-annually and will be available i	for public inspection. Any person who fails	aisclosure is required pur to file the required disclo	suant to 31 U.S.C. 1352. This information will be reported sure shall be subject to a civil penalty of not less than
\$10,000 and not more than \$100,000 for each suc	h failure.		and a supplied to the supplied of the supplied to the supplied
* Signature:			
*Name: Prefix *First N	ame	Middle Na	me
*Last Name	L	Suff	iv
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Federal Use Only:			Authorized for Local Reproduction

FORM APPROVED COUNTY COUNSEL SY: SUSANNA N. OH DATE

Appendix P. Certification of Compliance with 8 U.S.C. § 1373 form (Applicants)

The following Certification must be completed by all state or local government entities and, for the Community Policing Development Program, by non-state or local government entities that intend to use these funds, if awarded, to make subawards to a state or local government entity. To determine whether this Certification applies to your application, please check the appropriate box below:

⊐ subawai	The applicant entity is a state or local government entity OR will use these funds, if awarded, to make rds to a state or local government entity. (Certification Required)
	The applicant entity is a Tribal entity, non-profit entity, private entity, or other entity that is not a state or vernment entity AND will not use these funds, if awarded, to make subawards to a state or local nent entity. (Certification Not Required)

Certification of Compliance with 8 U.S.C. § 1373

On behalf of the applicant entity named below, I certify under penalty of perjury to the Office of Community Oriented Policing Services, U.S. Department of Justice, that all of the following is true and correct:

- (1) I am chief legal officer for the applicant entity named below and have the authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Community Oriented Policing Services). For purposes of this certification, the applicant entity's "chief legal officer" is that of the applicant's state or local governing body (e.g., state, city, county) or of the non-state or local government entity that is applying for funds and will make subawards to a state or local government entity.
- (2) I have carefully reviewed 8 U.S.C. § 1373(a) and (b), including the prohibitions on certain actions by State and local government entities and officials regarding information on citizenship and immigration status. I have reviewed the provisions set out at 8 U.S.C. § 1551 note, pursuant to which references to the Immigration and Naturalization Service in 8 U.S.C. § 1373 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.
- (3) I understand that the U.S. Department of Justice will require States and units of local government to comply with 8 U.S.C. § 1373 with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided under the FY 2018 Office of Community Oriented Policing Services programs, including any such program or activity of a governmental entity that is a subrecipient (at any tier) of funds under an FY 2018 program.
- (4) I understand that, for purposes of this certification, "program or activity" means what it means under section 606 of title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d-4a).

- (5) I have conducted (or caused to be conducted on my behalf) a diligent inquiry and review concerning both—
 - (a) the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under the FY 2018 program, and
 - (b) any prohibitions or restrictions potentially applicable to the program or activity funded under the FY 2018 program that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. § 1373(a) or (b), whether imposed by a state or local government entity or official.
- (6) As of the date of this certification, no state or local government entity or official has in effect (or purports to have in effect) any prohibition or restriction that is applicable to the program or activity to be funded in whole or in part under the FY 2018 program and that deals with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. § 1373(a) or (b).

I acknowledge that a false statement in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795), of administrative action, and/or of civil action in court. I also acknowledge that Office of Community Oriented Policing Services awards, including certifications provided in connection with such awards, are subject to review by the Office of Community Oriented Policing Services and/or by the Department of Justice's Office of the Inspector General.

Printed Name of Chief Legal Officer
Title of Chief Legal Officer

FORM APPROVED COUNTY COUNSEL

BY: 5/3/18