

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



ITEM: 3.32
(ID # 18014)

MEETING DATE:

Tuesday, January 11, 2022

FROM : SHERIFF-CORONER-PA:

SUBJECT: Sheriff-Coroner-PA: Adoption of Resolution No. 2022-026 Authorizing the Riverside County Sheriff's Department to Apply for FY 22 Operation Stonegarden Funding (OPSG); Administered by the California Governor's Office of Emergency Services, Funded by the Fiscal Year 2022 Homeland Security Grant Program (HSGP); and Amend Ordinance No. 440 Pursuant to Resolution No. 440-9236; All Districts. [\$236,475] [50% Federal Funds, 50% Department Budget].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2022-026 to Authorize the Sheriff to apply for FY22 Operation Stonegarden Funding (OPSG) of up to \$2 million in funding under the OPSG Program administered by the California Governor's Office of Emergency Services (CalOES) and funded by the Fiscal Year 2022 Homeland Security Grant Program (HSGP), and designate authorized signers under the FY22 Homeland Security Grant Program; and
2. Amend Ordinance No. 440 pursuant to Resolution No. 440-9236 submitted herewith.

BR# 22-056

(Continue on Page 2)

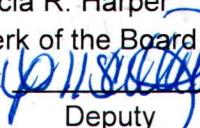
ACTION:A-30, Policy, Position Added


Donald Sharp, Assistant Sheriff 12/29/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Resolution 440-9236 is adopted as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 11, 2022
xc: Sheriff-Coroner-PA, HR

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|--|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | \$ 47,295 | \$ 189,180 | \$ 236,475 | \$ 0 |
| NET COUNTY COST | \$ 47,295 | \$ 94,590 | \$ 94,590 | \$ 0 |
| SOURCE OF FUNDS: 50% Federal Funds, 50% Department Budget | | | Budget Adjustment: | No |
| | | | For Fiscal Year: | 21/22 - 22/23 |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Per Board Policy A-30, the County of Riverside Sheriff's Department (Department) requests authorization to apply for up to \$2 million in Operation Stonegarden (OPSG) funding. The US Department of Homeland Security administers the OPSG program (DHS), passed through the California Office of Emergency Services (Cal OES) and administered by the US Customs and Border San Diego Sector. OPSG provides funding to states, local units of government, and tribes to support joint efforts to secure the US border along routes of ingress and egress from international borders, including travel corridors in states bordering Mexico.

On December 7, 2021 (Item 3.46), the Board of Supervisors accepted OPSG funding for \$280,158, entering into an Agreement for participation in the OPSG Grant Program as a subrecipient of the County of San Diego. On December 9, 2021, the San Diego Sector invited the Sheriff's Department to participate as a subrecipient of the FY 2022 OPSG grant to lead its own regional initiative supporting intelligence-led crime suppression operations supported by OPSG grant funds. The USBP has pre-designated the Sheriff's Department as the fiduciary agent to administer the OPSG program grant funds for the region. The County of Riverside is eligible to apply for funding because it is considered a Tier 2 subrecipient, which includes jurisdictions not located on the physical border or international water but are contiguous to a Tier 1 County that is on a physical border.

As an awardee for the FY 2022 grant cycle, the Sheriff's Department will oversee four jurisdictions, including the Huntington Beach Police Department, Los Angeles County Sheriff's Department, Orange County Sheriff's Department, Seal Beach Police Department, and potentially the Menifee and Laguna Beach Police Departments. This multi-agency grant program provides an opportunity for participating agencies to coordinate law enforcement activities, working in a layered and integrated approach in combating border-related crimes and violence. OPSG supports crime suppression and does not include immigration enforcement, and the Sheriff will not engage in or support immigration enforcement activities during operations.

As the lead agency, the Sheriff's Department will retain 5% of the grant award to manage and administer the OPSG grant award, while the Sheriff and regional participants will receive a

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portion of the remaining grant award. Once the State has approved the application, the Department will return to the Board of Supervisors to approve the grant award and grant agreement.

Grant Management Responsibilities

As the administrative lead for the region, the Sheriff's Department will assume the following OPSG grant responsibilities to include: working in direct coordination and communication with the local or tribal agency lead on all grant management matters; reviewing all operations orders created by the local or tribal agency; acting as the fiduciary agent for the program and provide expertise in state policy and regulations; entering into a subaward agreement to disburse the allocated funding awarded through FEMA; generating biannual reports to FEMA capturing the subrecipients' obligations and expenditures of funds, determining if the grant's performance period requires additional refinement over the federally established 36-month period; conducting audits of the program to ensure that the subrecipients are following program guidance; and assisting as needed with the coordination, management and operation aspects of the grant.

Impact on Residents and Businesses

OPSG funding allows the Sheriff's Department to work with other law enforcement personnel throughout the County on reimbursable activities to combat border-related criminal acts that affect the County.

SUPPLEMENTAL:

Additional Fiscal Information

This grant is funded through CalOES and is 100% reimbursable with no matching requirement. The Department will receive full reimbursement of expenditures related to the enforcement of regional crime with a border nexus. Through grant agreements with the various jurisdictions, the Department will reimburse overtime, equipment, mileage, vehicle and equipment maintenance, and flight costs incurred collectively by participating law enforcement agencies performing grant activities. These expenditures will occur over the next three fiscal years after the award and will be included in the Department budgets for those years.

The Department may retain up to 5% of the total award Management and Administration (M&A) to administer the grant; however, it does not reimburse all costs associated with administrative overhead; but will reimburse half of the required personnel support estimated at \$94,590 through the 5% M&A allocation estimated at \$100,000. The Department's Budget will absorb the remaining grant management costs.

The Sheriff's Department requests an amendment to Ordinance 440 to add (2) Administrative Services Analyst IIs (ASA II) positions to manage and administer the program. The Department's Budget will absorb the cost of the first ASA II to prepare and submit the OPSG application documents. The proposed Department-funded ASA II position will cost \$47,295 for the remainder of the Fiscal Year 2021/2022, with a total annual cost of \$94,590, including salaries and benefits.

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The Department will fill the second grant-funded ASA II position when CalOES awards the Department funding. The Department will use M&A funds to cover 100% of the cost of the second ASA II. Pursuant to Board Policy A-30, the grant-funded ASA II position will be eliminated once funding is exhausted.

ATTACHMENTS:

1. Memorandum from the US Customs and Border Protection
2. FY 22 HSGP Resolution No. 2022-026
3. Resolution No. 440-9236



Gregory V. Priamos, Director County Counsel 12/22/2021

SDC 10/2

December 9, 2021



**U.S. Customs and
Border Protection**

MEMORANDUM FOR: Rob Roggeveen
Captain
Special Investigations Bureau
Riverside County Sheriff's Department

FROM: Anna M. Sofchek
Special Operations Supervisor
Alliance to Combat Transnational Threats
San Diego Border Patrol Sector

A handwritten signature in black ink, appearing to read "ASofchek", written over the printed name and title.

SUBJECT: Subrecipient Status for Operation Stonegarden (OPSG) Grant

The San Diego Sector (SDC) Operation Stonegarden (OPSG) Program is respectfully requesting participation from the Riverside County Sheriff's Department (RCSD) as a subrecipient of the FY2022 OPSG grant. OPSG supports enhanced cooperation and coordination among Customs and Border Protection (CBP), United States Border Patrol (USBP), and federal, state, local, tribal, and territorial law enforcement agencies to improve overall border security. OPSG provides funding to support joint efforts to secure the United States' borders along routes of ingress/egress to and from international borders, to include travel corridors in states bordering Mexico and Canada, as well as states and territories with international water borders. State, local, tribal, and territorial (SLTT) law enforcement agencies utilize their inherent law enforcement authorities to support the border security mission and do not receive any additional authority as a result of participation in OPSG.

OPSG eligible subrecipients are local units of government at the county level or equivalent level of government and federally recognized tribal governments in states bordering Canada or Mexico and states and territories with international water borders. All applicants must have active ongoing USBP operations coordinated through a sector office to be eligible for OPSG funding.

OPSG subrecipients eligible to apply for and receive a subaward directly from the SAAs are divided into three Tiers. Tier 1 entities are local units of government at the county level or equivalent and federally recognized tribal governments that are on a physical border in states bordering Canada, states bordering Mexico, and states and territories with international water borders. Tier 2 eligible subrecipients are those not located on the physical border or international water but are contiguous to a Tier 1 county. Tier 3 eligible subrecipients are those not located on the physical border or international water but are contiguous to a Tier 2 eligible subrecipient. The tier structure is only applicable with regard to eligibility. OPSG funding allocations are based on the assessed border security risks as determined by the USBP. For the purpose of this grant, RCSD will be considered a Tier 2 eligible subrecipient.

Subrecipient Status for Operation Stonegarden (OPSG) Grant

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Under the OPSG grant, the subrecipient will be referred to as the State Administrative Agency (SAA). The SAA serves as the contract agent, program manager and grantee for the friendly forces that fall under their administrative control. For those states, territories and commonwealths that are eligible for OPSG funding, the SAA is the only entity that is eligible to submit applications to FEMA on behalf of OPSG applicants. All applicants must have an active ongoing USBP operations coordinated through a U.S. Border Patrol Sector Office. For more additional information on applying for subrecipient status, please refer to the documents attached to this memorandum. The application for subrecipient status will need to be completed through <https://www.grants.gov>.

As a subrecipient for the upcoming FY2022 grant cycle, RCSD would have administrative oversight over four active friendly forces (Huntington Beach Police Department, Los Angeles County Sheriff's Department, Orange County Sheriff's Department and Seal Beach Police Department) and two potential friendly forces (Menifee Police Department and Laguna Beach Police Department). Friendly forces are assigned to subrecipients based on geographic location. The additional eighteen friendly forces will belong to our current subrecipient, San Diego Sheriff's Department.

In order to best illustrate a subrecipient scenario, please see the below example based on FY2021 funding allocations:

Funding Year 2021
2 Subrecipients (SDSD and RCSD)
21 Friendly Forces

Riverside County Sheriff's Department (Subrecipient) - \$219,300

Huntington Beach Police Department - \$190,000

Los Angeles County Sheriff's Department - \$500,000

Orange County Sheriff's Department - \$314,700

Seal Beach Police Department - \$ 103,800

Total Funding Managed by RCSD - \$1,327,800

5% M&A for RCSD = \$66,390 (HBPD requested \$9,500)

Specific for OPSG, subrecipients and friendly forces may retain funding for Management and Administrative (M&A) purposes; however, the total amount retained cannot exceed 5% of the subrecipient's subaward. Friendly forces are local law enforcement entities that are subordinate subrecipients under OPSG. In other words, friendly forces are entities that receive a subaward from a subrecipient under the OPSG program. Friendly forces must comply with all requirements of subrecipients under 2 C.F.R. Part 200.

Subrecipient Status for Operation Stonegarden (OPSG) Grant
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The FY2021 budget for the OPSG grant for SDC was \$9,250,000, of which RCSD would manage \$1,327,800, resulting in the possibility of \$66,390 for M&A costs. However, as a subrecipient of the OPSG grant, the opportunity is available for RCSD to request and be awarded an increased allocation amount for overtime operations, fringe benefits, equipment purchases and maintenance, fuel, mileage and flight costs. This increase in funding allocations will, in turn, increase the five percent of allocated M&A costs. M&A activities are those directly relating to the management and administration of OPSG funds, such as financial management and monitoring. Allowable M&A costs include: Hiring of full - or part -time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, and compliance with reporting and data collection requirements; Development of operating plans for information collection and processing necessary to respond to DHS/FEMA data calls; Overtime and backfill costs; Travel; Meeting related expense; Authorized office equipment; Recurring expenses such as those associated with cell phones and faxes during the period of performance of the grant program; and leasing or renting of space for newly hired personnel during the period of performance of the grant program.

Under the grant guidelines, subrecipients are required to participate in at least two Integrated Planning Team (IPT) meetings. The IPT is composed of participating law enforcement agencies, co-chaired by representatives from USBP, the SAA and subrecipient law enforcement agency OPSG program representatives. Planning and drafting of operations begin at this phase. Funds should be obligated as needed to target specific threats, gaps and vulnerabilities and ensure that OPSG usage is proportionate to the unique risk of each border region. The first IPT occurs prior to submitting the Concept of Operations (CONOP) or during the pre-application of the grant stage. This will typically occur in late March or early April. The second IPT occurs prior to submission of the Campaign Plan (Operations Order) or after the funding allocations have been awarded. This typically occurs in September or October.

Additional responsibilities of an OPSG grant subrecipient include: Working in direct coordination and communication with the local or tribal agency lead on all grant management matters; Reviewing all operations orders created by the local or tribal agency; Acting as the fiduciary agent for the program and provide expertise in state policy and regulations; Entering into a subaward agreement to disburse the allocated funding awarded through FEMA; Generating biannual reports to FEMA capturing the subrecipients' obligations and expenditures of funds; Determining if the grant's performance period requires additional refinement over the federally established 36-month period; Conducting audits of the program to ensure that the subrecipients are following program guidance; and assisting as required with the coordination, management, and operational aspects of the grant.

We thank you for your consideration in taking on this endeavor and look forward to enhancing our working partnership with your department. If you have any further question or concerns regarding assuming subrecipient status for the upcoming FY2022 OPSG cycle, please do not hesitate to reach out to our SDC OPSG team.

1
2 Board of Supervisors

County of Riverside

3 RESOLUTION NO. 2022-026

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
5 AUTHORIZING THE SHERIFF TO EXECUTE ACTIONS TO ADMINISTER AND APPLY FOR FY22
6 HOMELAND SECURITY GRANT PROGRAM (HSGP) PROGRAM

7 WHEREAS, the County of Riverside, through the Riverside County Sheriff's Department, desires to
8 participate in the Operation Stone Garden Grant (OPSG) Program administered by the California
9 Governor's Office of Emergency Services (CalOES) and funded by the Fiscal Year 2022 Homeland
10 Security Grant Program (HSGP);

11 NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Riverside,
12 assembled in regular session on January 11, 2022, at 9:30 am or sooner thereafter, in the meeting room
13 of the Board located on the 1st Floor of the County Administrative Center, 4080 Lemon Street,
14 Riverside, California that the Sheriff is authorized on behalf of the County of Riverside Board of
15 Supervisors to apply for, execute, and submit all required Fiscal Year 2022 OPSG Grant application
16 documents to CalOES for the 2022 OPSG Program,

17 BE IT FURTHER RESOLVED that federal grant funds received hereunder shall not be used to
18 supplant expenditures controlled by the County of Riverside Board of Supervisors.

19 BE IT FURTHER RESOLVED that the County of Riverside agrees to abide by the statutes and
20 regulations governing the federal HSGP Program, as well as the terms and conditions of the Grant
21 Agreements as set forth by the CalOES.

22 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED by the Board that the
23 individuals whose position title appears below are hereby designated as Authorized Agents and are
24 authorized, as an individual, to execute for and on behalf of the County of Riverside, a political subdivision
25 of the State of California, any related documents necessary for the purpose of administering the subject
26 grant, as required by the U.S. Department of Homeland Security, and sub-granted through the CalOES,
27 subject to County Counsel's approval.
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FORM APPROVED COUNTY COUNSEL
BY KRISTINE BELL-VALDEZ

DATE

JAN 11 2022

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Sheriff _____, OR
(Title of Authorized Agent)

Undersheriff _____, OR
(Title of Authorized Agent)

Assistant Sheriff _____, OR
(Title of Authorized Agent)

Captain _____, OR
(Title of Authorized Agent)

Administrative Services Manager
(Title of Authorized Agent)

ROLL CALL:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.
KECIA R. HARPER, Clerk of said Board
By _____ Deputy

1 RESOLUTION NO. 440-9236

2
3 BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in
4 regular session assembled on January 11, 2022, that pursuant to Section 4(a)(ii) of Ordinance No. 440, the
5 Sheriff/Coroner/Public Administrator is authorized to make the following listed change(s), operative on the
6 date of approval, as follows:

7
8 Job
9

| <u>Code</u> | <u>+/-</u> | <u>Department ID</u> | <u>Class Title</u> |
|-------------|------------|----------------------|------------------------------------|
| 74106 | + 2 | 2500201500 | Administrative Services Analyst II |

10 ROLL CALL:

11 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
12 Nays: None
13 Absent: None

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

17 Kecia R. Harper, Clerk of said Board

18 By 
19 Deputy

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12/22/2021

28 440 Resolutions\KC

JAN 11 2022 *B.B.R.*