

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



ITEM: 3.37
(ID # 18177)

MEETING DATE:
Tuesday, March 01, 2022

FROM : SHERIFF-CORONER-PA:

SUBJECT: SHERIFF-CORONER-PA: Acceptance of FY2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2021 Award from the U.S. Department of Justice, All Districts. [\$492,426] [100% Federal Funding] [4/5 vote required].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify and Approve the Interlocal Agreement with various Local Agencies to accept the Bureau of Justice Assistance (BJA) award of \$492,426 for the grant period of October 1, 2019 – September 30, 2024, under the Edward Byrne Memorial Justice Assistance Grant (JAG) FY 2021 Program, and authorize the Chairman of the Board of Supervisors to sign and execute the Agreement, on behalf of the County;
2. Authorize the Chairman of the Board of Supervisors to sign the Certifications and Assurances by the Chief Executive of the Applicant Government for the subject grant and Cooperative Agreement (OJP Form 4000/2), on behalf of the County;
3. Authorize the Sheriff, Undersheriff, Assistant Sheriff, Chief Deputy, or Administrative Services Manager to sign and execute any related grant documents, including modifications, amendments, extensions, certifications, cooperative agreements, assurances, progress reports, and reimbursement requests to the BJA that may be necessary for completion of the project, as approved by County Counsel, on behalf of the County; and
4. Approve and direct the Auditor-Controller to make the budget adjustments on the attached Schedule A.

BR #22-063

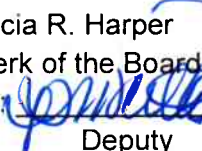
ACTION:4/5 Vote Required


Donald Sharp, Assistant Sheriff 2/14/2022

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: March 1, 2022
xc: Sheriff-Coroner-PA

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 | \$ 104,703 | \$ 0 | \$ 492,426 | \$ 0 |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| SOURCE OF FUNDS: 100% Federal Funding from the US Department of Justice | | | Budget Adjustment: Yes | |
| | | | For Fiscal Year: 21/22-23/24 | |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides states, territories, tribes, and local governments with critical funding necessary to support a range of law enforcement program areas.

On June 17, 2021, per Board Policy A-30, the Department notified the Executive Office of its intent to apply for JAG funding. On July 20, 2021, the Sheriff's Department applied for \$492,426 in grant funds, from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA), on behalf of 15 cities in Riverside County. On October 12, 2021, the Department was notified that the grant application submitted under the 2021 BJA FY 21 JAG Program was approved in the amount of \$492,426.

Due to a funding disparity, the County of Riverside will act as the fiscal agent that will administer the JAG grant and disperse grant funds to the 15 other eligible cities within Riverside County. The U.S. Department of Justice defines a funding disparity when a county and multiple municipalities within that county are all eligible for direct awards, but the sum of the awards for the individual municipalities exceeds 400 percent of the county's award amount.

The Interlocal Agreement between the Sheriff's Department and the 15 cities has been approved as to form by County Counsel.

Impact on Residents and Businesses

JAG will provide funding to support law enforcement programs throughout Riverside County to improve or enhance each agency and the communities they serve.

Supplemental:

Additional Fiscal Information

This grant is Federally funded through JAG and is 100% reimbursable. The Department will be expected to reimburse each of the agencies for their expenses upon receipt of their completed allowable purchases before requesting reimbursement from the DOJ. For its role as the fiscal

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agent, the Sheriff's Department was awarded \$49,249 to oversee the program, \$1,716 for National Incident-Based Reporting System (NIBRS) compliant training in the subsequent year, \$17,587 for EMT training, and \$37,867 for aviation equipment for a total allocation of \$106,419. Schedule A details budget adjustments only for the Sheriff's Department in the amount of \$104,703. The Sheriff's Department will spend its allocation in FY 21-22.

JAG funding is allocated to the Sheriff's Department and 15 cities throughout Riverside County as follows:

| AGENCY | ALLOCATION |
|--------------------|-------------------|
| RIVERSIDE COUNTY | \$106,419 |
| BANNING CITY | \$9,513 |
| BEAUMONT CITY | \$10,865 |
| CATHEDRAL CITY | \$10,212 |
| CORONA | \$17,516 |
| DESERT HOT SPRINGS | \$19,296 |
| HEMET | \$27,774 |
| INDIO | \$37,512 |
| JURUPA VALLEY | \$20,763 |
| MENIFEE | \$9,535 |
| LAKE ELSINORE | \$11,520 |
| MORENO VALLEY | \$54,555 |
| PALM SPRINGS | \$18,733 |
| PERRIS | \$15,058 |
| RIVERSIDE CITY | \$113,642 |
| TEMECULA CITY | \$9,513 |
| TOTAL | \$492,426 |

ATTACHMENTS

1. Cooperative Agreement
2. Interlocal Agreement
3. Schedule A- Budget Adjustment

SCHEDULE A. BUDGET ADJUSTMENT

Schedule A

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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FY 2021-2022

Administrative Operations

Increase Appropriations:

| | | |
|-------------------------|------------------------------------|--------|
| 10000-2500200000-520240 | Communications Equipment | 2,200 |
| 10000-2500200000-522310 | Maint-Building and Improvement | 9,000 |
| 10000-2500200000-523640 | Computer Equipment Non-Fixed Asset | 8,513 |
| 10000-2500200000-523660 | Computer Supplies | 140 |
| 10000-2500200000-523680 | Office Equip Non-Fixed Assets | 17,800 |
| 10000-2500200000-523700 | Office Supplies | 600 |
| 10000-2500200000-523840 | Computer Equipment – Software | 996 |
| 10000-2500200000-546140 | Equipment-Office | 10,000 |

Total Increase in Estimated Appropriations \$49,249

Increase Estimated Revenues:

10000-2500200000-767080 Federal-BJA Block Grant

Total Increase in Estimated Revenue \$49,249

Field Operations

Increase Appropriations:

| | | |
|-------------------------|----------------------------|--------|
| 10000-2500300000-520105 | Protective Gear | 37,867 |
| 10000-2500300000-527840 | Training-Education/Tuition | 17,587 |

Total Increase in Estimated Appropriations \$55,454

Increase Estimated Revenues:

10000-2500300000-767080 Federal-BJA Block Grant

Total Increase in Estimated Revenue \$55,454

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Heydee Koury, Sr Accountant - Auditor 2/3/2022



Rania Odenbaugh, Deputy Director of Administration 2/23/2022



Gregory Priamos, Director County Counsel 2/3/2022

INTERLOCAL AGREEMENT
BETWEEN THE CITIES OF BANNING, BEAUMONT, CATHEDRAL CITY, CORONA, DESERT HOT
SPRINGS, HEMET, INDIO, JURUPA, LAKE ELSINORE, MENIFEE, MORENO VALLEY, PALM
SPRINGS, PERRIS, TEMECULA, CITY OF RIVERSIDE AND
THE COUNTY OF RIVERSIDE, CA

CONCERNING DISTRIBUTION OF THE
2021 JUSTICE ASSISTANCE GRANT AWARD

This Agreement is made and entered into this 1st day of March 2022 by and between THE COUNTY OF RIVERSIDE, acting by and through its governing body, the Riverside County Board of Supervisors (hereinafter referred to as "COUNTY"), and named CITIES (hereinafter referred to as "CITIES"), acting by and through their respective governing bodies, the City Councils, all of whom are situated within the County of Riverside, State of California, as follows:

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the COUNTY agrees to release to CITIES their respective grant allocation from the JAG Award, less ten percent (10%) re-allocated to COUNTY, as reflected on Appendix 1 here attached and hereby incorporated by reference as part of this agreement, on a reimbursement basis; and COUNTY agrees to provide the administration of COUNTY's and CITIES' programs during the entire permissible duration of said programs; and additionally the COUNTY and CITIES each agree that it is their responsibility to ensure these funds are expended in accordance with JAG guidelines; and

WHEREAS, the COUNTY and CITIES believe it to be in their best interests to reallocate the JAG funds,

NOW THEREFORE, the COUNTY and CITIES agree as follows:

Section 1.

COUNTY agrees to release to CITIES up to their respective grant allocation from the JAG Award, less ten percent (10%) re-allocated to COUNTY, as reflected in Appendix 1 here attached and hereby incorporated by reference as part of this Agreement, on a reimbursement basis, from the JAG Award within (45) days upon receipt of fully documented reimbursement request, and; COUNTY agrees to provide the administration of COUNTY's and CITIES' programs during the entire permissible duration of said programs.

Section 2.

COUNTY and CITIES each agree that it is their responsibility to ensure these funds are expended in accordance with JAG guidelines.

MAR 01 2022 3.37

Section 3.

CITIES agree to provide COUNTY with sufficient timely information as necessary within five business days after receiving written request from COUNTY to meet JAG requirements for quarterly and annual financial and performance reports.

Section 4.

Nothing arising from this Agreement shall impose any liability for claims or actions against COUNTY other than what is authorized by law.

Section 5.

Nothing arising from this Agreement shall impose any liability for claims or actions against CITIES other than what is authorized by law.

Section 6.

Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable to any other party to this Agreement for any claim or action arising from the services provided under this Agreement.

Section 7.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

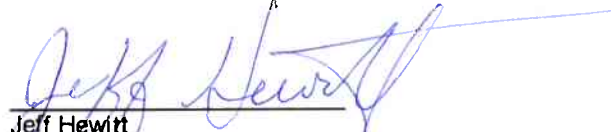
Section 8.

By entering into this Agreement, the parties do not intend to create any obligations, either express or implied, other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

| Appendix 1 | | | | | |
|--|--------------------|---|-------------------------|--------------------------|--|
| Eligible Agencies in FY 2021 JAG Disparate Area | | | | | |
| Riverside County (Sheriff's Department) FA | BJA Formula | To Fiscal Agent (Sheriff's Department) | Total Allocation | NIBRS Requirement | Allocation Less NIBRS Requirement |
| Riverside County | 63,523 | 6,353 | 63,523 | 1,906 | 61,617 |
| Banning | 10,570 | 1,057 | 9,513 | 286 | 9,227 |
| Beaumont | 12,073 | 1,208 | 10,865 | 326 | 10,539 |
| Cathedral City | 11,347 | 1,135 | 10,212 | 307 | 9,905 |
| Corona | 19,463 | 1,947 | 17,516 | 526 | 16,990 |
| Desert Hot Springs | 21,441 | 2,145 | 19,296 | 579 | 18,717 |
| Hemet | 30,860 | 3,086 | 27,774 | 834 | 26,940 |
| Indio | 41,681 | 4,169 | 37,512 | 1,126 | 36,386 |
| Jurupa | 23,070 | 2,307 | 20,763 | 623 | 20,140 |
| Lake Elsinore | 12,800 | 1,280 | 11,520 | 346 | 11,174 |
| Menifee | 10,595 | 1,060 | 9,535 | 287 | 9,248 |
| Moreno Valley | 60,617 | 6,062 | 54,555 | 1,637 | 52,918 |
| Palm Springs | 20,815 | 2,082 | 18,733 | 562 | 18,171 |
| Perris | 16,732 | 1,674 | 15,058 | 452 | 14,606 |
| Riverside City | 126,269 | 12,627 | 155,481 | 4,665 | 150,816 |
| Temecula | 10,570 | 1,057 | 10,570 | 318 | 10,252 |
| | 492,426 | | | | |
| % To Fiscal Agent | 10% | | | | |
| \$ To FA | 49,249 | | | | |

WHEREFORE, all parties freely and voluntarily agree to all of the above terms.

COUNTY OF RIVERSIDE, CA



Jeff Hewitt
Chair, County Board of Supervisors

ATTEST:



Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Gregory P. Priamos
County Counsel



Lisa Sanchez
Deputy County Counsel

✓ Award Letter

October 8, 2021

Dear Karen Spiegel,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by RIVERSIDE, COUNTY OF for an award under the funding opportunity entitled 2021 BJA FY 21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation. The approved award amount is \$492,426.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice

(DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity.

Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c) (5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Ongoing NEPA Compliance Incorporated into Further Developmental Stages

NEPA Letter

Incorporates NEPA Compliance in Further Developmental Stages

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <https://www.bja.gov/Funding/nepa.html>.

Please be sure to carefully review the grant conditions on your award document, as it may contain

NEPA Coordinator

| First Name | Middle Name | Last Name |
|------------|-------------|-----------|
| Orbin | —— | Terry |

- > **Award Information**
- > **Project Information**
- > **Financial Information**
- > **Award Conditions**
- > **Award Acceptance**