



MARIPOSA COUNTY

Victim Witness • 209 966 3626



RESOLUTION - ACTION REQUESTED 2016-298

MEETING: June 14, 2016

TO: The Board of Supervisors

FROM: Thomas Cooke, District Attorney

RE: Approve Victim Witness Assistance Program 2016-2017 Grant Application

RECOMMENDATION AND JUSTIFICATION:

Approve the 2016-2017 Victim Witness Assistance Program (VW) Grant Application Administered through the State of California Office of Emergency Services (Cal OES) in the Amount of \$118,080, for Fiscal Year 16/17; and Authorize the Board of Supervisors Chair to Sign the Grant Application. The Victim Witness Assistance Program grant commences July 1, 2016, and runs through June 30, 2017, and provides the District Attorney's Office with funding for services to victims and witnesses of crime.

The Victim Witness Assistance Program is a year to year Grant, in which recipients are required to reapply each year. With the approval of the current application and upon approval by Cal OES this will be the District Attorney's 24th year of funding through the Victim Witness Assistance Program.

This program funds 50% of the Victim Witness Coordinator position, an 100% Victim Advocate, and an a 40% Victim Advocate. The District Attorney's Victim Witness Program is fully funded by State and Federal funds with no assistance from the General Fund.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has approved other grants submitted by the District Attorney's Office including the Victim Witness Program for the past 23 years.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the Board chooses to not approve the application it will have a negative impact on the Victim Witness Program's ability to provide assistance to victims and witnesses of crime within Mariposa County.

FINANCIAL IMPACT:

The Victim Witness Assistance Program is fully funded with State and Federal Grant Funds. No additional General Funds will be used. This grant has been incorporated in the requested budget for fiscal year 2016-2017.

ATTACHMENTS:

VW Grant Application 2016-2017 (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 6/8/2016

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Rosemarie Smallcombe, Marshall Long, Kevin Cann, John Carrier

EXCUSED: Merlin Jones

EDMUND G. BROWN JR.
GOVERNOR

MARK S. GHILARDUCCI
DIRECTOR



SES. NO. 16-298

Application Cover Sheet

**RFA PROCESS
VICTIM WITNESS ASSISTANCE PROGRAM**

Submitted by:

Mariposa County District Attorney's Office
5101 Jones Street
Post Office Box 730
Mariposa, California 95338
(209) 966-3626
Fax: (209) 966-5681

(Cal OES Use Only)

Cal OES#		FIPS#		VS #		Subaward #	
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CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES GRANT SUBAWARD FACE SHEET

The California Governor's Office of Emergency Services (Cal OES), makes a Grant Subaward of funds set forth to the following:

1. **Subrecipient:** County of Mariposa 1a. DUNS#: 071859607
2. **Implementing Agency:** Mariposa County District Attorney's Office 2a. DUNS#: 071859607
3. **Implementing Agency Address:** Post Office Box 730 Mariposa 95338-0730
Street City Zip+4
4. **Location of Project:** 5080 Jones Street Mariposa 95338-0730
City County Zip+4
5. **Disaster/Program Title:** Victim Witness Assistance Program 6. **Performance Period:** 07-01-2016 to 06-30-2017
7. **Indirect Cost Rate:** N/A; 10% de minimis; Federally Approved 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. VOCA		\$ 118,080				\$ 0	\$ 118,080
Select	9. Select						\$ 0	\$ 0
Select	10. Select						\$ 0	\$ 0
Select	11. Select						\$ 0	\$ 0
Select	12. Select						\$ 0	\$ 0
	TOTALS	\$ 0	\$ 118,080	\$ 118,080	\$ 0	\$ 0	\$ 0	12. G Total Project Cost: \$ 118,080

13. This Grant Subaward consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurances/Certifications. I hereby certify I am vested with the authority to enter into this Grant Subaward, and have the approval of the City/County Financial Officer, City Manager, County Administrator, Governing Board Chair, or other Approving Body. The Subrecipient certifies that all funds received pursuant to this agreement will be spent exclusively on the purposes specified in the Grant Subaward. The Subrecipient accepts this Grant Subaward and agrees to administer the grant project in accordance with the Grant Subaward as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal OES policy and program guidance. The Subrecipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget.

14. **Official Authorized to Sign for Subrecipient:** Thomas K. Cooke 15. **Federal Employer ID Number:** 946000880
- Name: Thomas K. Cooke Title: District Attorney
- Telephone: (209) 966-3626 (area code) FAX: (209) 966-5681 (area code) Email: tcooke@mariposacounty.org
- Payment Mailing Address: Post Office Box 730 City: Mariposa Zip+4: 95338-0730
- Signature: *Thomas K. Cooke* Date: 5/31/16

[FOR Cal OES USE ONLY]

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.

Cal OES Fiscal Officer _____	Date _____	Cal OES Director (or designee) _____	Date _____
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PROJECT CONTACT INFORMATION

Subrecipient: County of Mariposa

Subaward #: VW16 24 0220

Provide the name, title, address, telephone number, and e-mail address for the project contacts named below. **NOTE: If you use a PO Box address, a street address is also required for package delivery and site visit purposes.**

1. The **Project Director** for the project:

Name: Thomas k. Cooke Title: Mariposa County District Attorney

Telephone #: (209)966-3626 Fax#: (209)966-5681 Email Address: tcooke@mariposacounty.org
Address/City/Zip: 5101 Jones Street - Post Office Box 730, Mariposa, California 95338-0730

2. The **Financial Officer** for the project:

Name: Deborah Isaacs Title: Mariposa County Auditor

Telephone #: (209) 966-7606 Fax#: (209) 966-7810 Email Address: disaacs@mariposacounty.org
Address/City/Zip: 4982 10th Street - Post Office Box 729, Mariposa, California 95338-0729

3. The **person** having **Routine Programmatic** responsibility for the project:

Name: Jessica Mimnaugh Title: Interim Victim Witness Coordinator

Telephone #: (209) 742-7441 Fax#: (209)742-5780 Email Address: jmimnaugh@mariposacounty.org
Address/City/Zip: 5080 Jones Street - Post Office Box 730, Mariposa, California 95338-0730

4. The **person** having **Routine Fiscal Responsibility** for the project:

Name: Jessica Mimnaugh Title: Interim Victim Witness Coordinator

Telephone #: (209) 742-7441 Fax#: (209)742-5780 Email Address: jmimnaugh@mariposacounty.org
Address/City/Zip: 5080 Jones Street - Post Office Box 730, Mariposa, California 95338-0730

5. The **Executive Director** of a Community Based Organization or the **Chief Executive Officer** (i.e., chief of police, superintendent of schools) of the implementing agency:

Name: Mary Hodson Title: Mariposa County Administrative Officer

Telephone #: (209) 966-3222 Fax#: (209) 966-5147 Email Address: mhodson@mariposacounty.org
Address/City/Zip: 5100 Bullion Street - Post Office Box 784, Mariposa, California 95338-0784

6. The **Official Designated** by the Governing Board to enter into the Grant Subaward for the City/County or Community-Based Organization, as stated in Section 14 of the Grant Subaward Face Sheet:

Name: Thomas K. Cooke Title: Mariposa County District Attorney

Telephone #: (209)966-3626 Fax#: (209)966-5681 Email Address: tcooke@mariposacounty.org
Address/City/Zip: 5101 Jones Street - Post Office Box 730, Mariposa, California 95338-0730

7. The **chair** of the **Governing Body** of the subrecipient:

Name: John Carrier Title: Chair, Mariposa County Board of Supervisors

Telephone #: (209) 966-3222 Fax#: (209) 966-5187 Email Address: jcarrier@mariposacounty.org
Address/City/Zip: 5100 Bullion Street - Post Office Box 784, Mariposa, California 95338-0784

SIGNATURE AUTHORIZATION

Subaward #:

VW16 24 0220

Subrecipient:

County of Mariposa

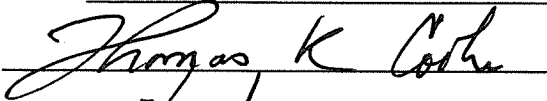
Implementing Agency:

Mariposa County District Attorney's Office

***The Project Director and Financial Officer are *REQUIRED* to sign this form.**

***Project Director:** Thomas K. Cooke

Signature:



Date:

5/31/16

***Financial Officer:** Deborah Isaacs

Signature:



Date:

5/31/16

The following persons are authorized to sign for the
Project Director


Signature

Jessica Mimnaugh
Print Name

Signature

Print Name

Signature

Print Name


Signature

Print Name

Signature

Print Name

The following persons are authorized to sign for the
Financial Officer


Signature

Luis Mercado
Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

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

I, Thomas K. Cooke hereby certify that
(official authorized to sign Subaward; same person as Section 14 on Subaward Face Sheet)

SUBRECIPIENT: County of Mariposa

IMPLEMENTING AGENCY: Mariposa County 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: Mary Hodson

Title: County Administrative Officer

Address: 5100 Bullion Street, Post Office Box 784, Mariposa, California 95338-0784

Phone: (209) 966-3222

Email: mhodson@mariposacouny.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).

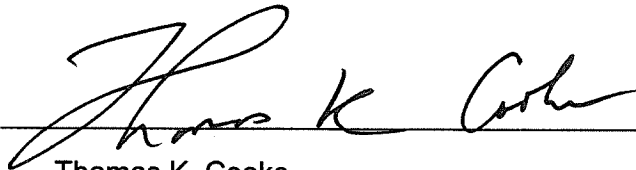
- **VA OCFO Access:** The Grantee authorizes Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant. The State will further ensure that all 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: Thomas K. Cooke

Authorized Official's Title: Mariposa County District Attorney

Date Executed: 5-31-16

Federal Employer ID #: 94-6000-880 Federal DUNS # 071859607

Current Central Contractor Registration Expiration Date: 02-19-2016

Executed in the City/County of: Mariposa

AUTHORIZED BY: (not applicable to State agencies)

- City Financial Officer
- City Manager
- Governing Board Chair

- County Financial Officer
- County Manager

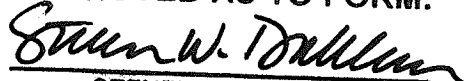
Signature: _____



Typed Name: John Carrier

Title: Chair, Mariposa County Board of Supervisors

APPROVED AS TO FORM:



**STEVEN W. DAHLEM
COUNTY COUNSEL**