

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

FUND 1152 - Sheriff's Grants Fund

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
Revenues								
160-2143-3129	Port of Palm Beach Ditritc's Vessels - Prevention/Detection Project Federal Grant - Other Public Safety	0	0	675,000		675,000		
	TOTAL REVENUES	0	\$6,389,644	\$675,000	\$0	\$7,064,644		
Expenditures								
160-2143-9498	Port of Palm Beach Ditritc's Vessels - Prevention/Detection Project Transfer to Sheriff's Grant Fund	0	0	675,000		675,000		
	TOTAL EXPENDITURES	0	\$6,389,644	\$675,000	\$0	\$7,064,644		

Palm Beach County Sheriff's Office

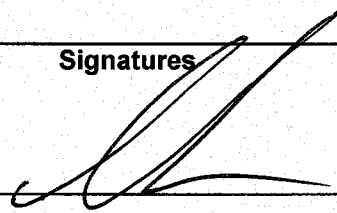
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures

Date



9/24/08

By Board of County Commissioners
At Meeting of October 21, 2008

Deputy Clerk to the
Board of County Commissioners

Memorandum of Understanding Agreement
Between
The Palm Beach County Sheriff's Office and the Port of Palm Beach District
Regarding
Palm Beach County Sheriff's Office use of Port Security Grant Program Funds

- 1. PARTIES.** The parties to this Agreement are the Palm Beach County Sheriff's Office (hereinafter the "PBSO") and the Port of Palm Beach District (hereinafter the "PORT").
- 2. AUTHORITY.** This Agreement is authorized under the provisions of [applicable Area Maritime Security Committee authorities and/or other authorities].
- 3. PURPOSE.** The purpose of this Agreement is to set forth terms by which PBSO shall expend Port Security Grant Program project funding in providing security service to the PORT. Under requested FY 2008 PSGP grant, PBSO must provide layered security to the PORT consistent with the approach described in an approved grant application.

4. RESPONSIBILITIES. The security roles and responsibilities of each party are understood as follows:

- (1). **PORT:**
(a) Provide security plans and measures in compliance with Maritime Transportation Security Act.
- (2). **PBSO:**
(a) Provide waterside patrol and surveillance within the jurisdiction of the PORT borders.
(b) Provide underwater IED prevention and detection
(c) Provide underwater search and rescue/recovery missions.
(c) Provide heightened waterborne security patrols through high MARSEC levels.

5. POINTS OF CONTACT.

PORT:
Kenneth L. Hern
Director of SeaPort Security
1 East 11th Street, Suite 400
Riviera Beach, Florida 33404
hern@portofpalmbeach.com
(561) 253-4810

PBSO:
Lt. Dan McBride
Commander, Marine Enforcement
3228 Gun Club Road
West Palm Beach, Florida 33406
mcbrided@pbsso.org
(561) 732-4715

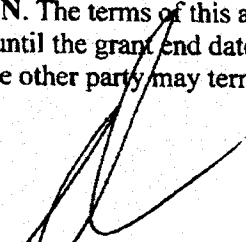
6. OTHER PROVISIONS. Nothing in this Agreement is intended to conflict with current laws or regulations of the State of Florida or Palm Beach County. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

7. EFFECTIVE DATE. The terms of this agreement will become effective on the grant period start date.


8. MODIFICATION. This agreement may be modified upon the mutual written consent of the parties.

9. TERMINATION. The terms of this agreement, as modified with the consent of both parties, will remain effect until the grant end dates for an approved grant. Either party upon 30 days written notice to the other party may terminate this agreement.

APPROVED BY:



Ric L. Bradshaw, Sheriff
Palm Beach County Sheriff's Office



Kathy Andress, Interim Director
Port of Palm Beach District



Department of Homeland Security, FEMA
Grant Programs Directorate

August 18, 2008

Washington, D.C. 20531

Mrs. Kathy Address
Port of Palm Beach District
One East 11st Street, Suite 400
Riviera Beach, FL 33404

Dear Mrs. Address:

I am pleased to inform you that the Grant Programs Directorate has approved the application for funding under the FY 2008 Port Security Grant Program in the amount of \$675,000 for Port of Palm Beach District. As part of the Department of Homeland Security's (DHS) Infrastructure Protection Activities (IPA), the FY 2008 PSGP is an important component of a coordinated, national effort to strengthen the security of America's critical infrastructure.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Jackie Jackson, Program Manager at (202) 786-9513;
- Financial and Payment Questions, Financial Accountability and Oversight Division (FAO) at (866) 927-5646, or send an email to ask-OGO@dhs.gov.

Congratulations, and we look forward to working with you.

Sincerely,

W. Ross Ashley, III
Assistant Administrator, Grant Programs Directorate

Enclosures



Department of Homeland Security FEMA
Grant Programs Directorate

Grant

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Port of Palm Beach District One East 11st Street, Suite 400 Riviera Beach, FL 33404		4. AWARD NUMBER: 2008-GB-T8-0032	
		5. PROJECT PERIOD: FROM 08/01/2008 TO 07/31/2011 BUDGET PERIOD: FROM 08/01/2008 TO 07/31/2011	
1A. GRANTEE IRS/VENDOR NO. 596001686		6. AWARD DATE 08/18/2008	7. ACTION Initial
3. PROJECT TITLE FY 2008 Port Security Grant Program		8. SUPPLEMENT NUMBER 00	9. PREVIOUS AWARD AMOUNT \$ 0
		10. AMOUNT OF THIS AWARD \$ 675,000	11. TOTAL AWARD \$ 675,000
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under Consolidated Appropriations Act, 2008, P.L. No. 110-161			
15. METHOD OF PAYMENT PAPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING DHS OFFICIAL W. Ross Ashley, III Assistant Administrator, Grant Programs Directorate		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Kathy Andress Interim Executive Port Director	
17. SIGNATURE OF APPROVING DHS OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 9/9/08
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT 8 T GB 25 00 00 675000		21. GB08V40019	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Homeland Security
FEMA
Grant Programs Directorate

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2008-GB-TS-0032

AWARD DATE 08/18/2008

SPECIAL CONDITIONS

1. The grantee and any subgrantee shall comply with all applicable laws, regulations and program guidance. A non-exclusive list of regulations commonly applicable to DHS grants are listed below, including the guidance:
 - A. Administrative Requirements
 - 1) OMB Circular A-102, State and Local Governments (10/07/94, amended 08/29/07) (44CFR Part 13)
 - 2) OMB Circular A-110, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (11/19/93, amended 09/30/99) (2 CFR Part 215)
 - B. Cost Principles
 - 1) OMB Circular A-87, State and Local Governments (05/10/04)
 - 2) OMB Circular A-21, Educational Institutions (5/10/04)
 - 3) OMB Circular A-122, Non-Profit Organizations (5/10/04)
 - C. Audit Requirements
 - 1) OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (6/24/97, includes revisions published in the Federal Register 6/27/03)
2. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of GPD.
3. The grantee is prohibited from obligating, expending or drawing down funds provided through this award until the required Budget Detail Worksheet and Budget Narrative are reviewed and approved by the Financial Accountability and Oversight Division (FAO) and a Grant Adjustment Notice (GAN) is issued removing this special condition.
4. The grantee is prohibited from obligating, expending or drawing down funds provided through this award until all applicable programmatic documents are provided to and approved by the program office and a Grant Adjustment Notice (GAN) is issued removing this special condition.
5. The recipient agrees that all allocations and uses of the funds under this grant will be in accordance with the Fiscal Year 2008 Port Security Grant Program Guidance and Application Kit. Additionally, the recipient agrees that it will meet all applicable cost matching requirements provided in the FY 2008 Guidance.

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Department of Homeland Security
FEMA
Grant Programs Directorate

**AWARD CONTINUATION
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Grant**

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PROJECT NUMBER 2008-GB-T8-0032

AWARD DATE 08/18/2008

SPECIAL CONDITIONS

6. The following projects and costs are ineligible for funding and such costs are unallowable under the Port Security Grant Program:
 - a. Projects that are awarded to Ferry systems participating in the FY 2008 Transit Security Grant Program (TSGP);
 - b. The development of risk/vulnerability assessment models and methodologies;
 - c. Projects in which Federal agencies are the primary beneficiary or that enhance Federal property;
 - d. Projects that study technology development for security of national or international cargo supply chains (e.g., e-seals, smart containers, container tracking, container intrusion detection devices);
 - e. Proof-of-concept projects;
 - f. Projects involving training and exercises that do not meet MTSA standards and/or requirements set by MTSA or DHS;
 - g. Projects that do not provide a compelling security benefit (e.g., primarily economic or safety vs. security);
 - h. Projects that duplicate capabilities being provided by the Federal government (e.g., vessel traffic systems, etc.);
 - i. Projects in which there are unresolved real or apparent conflicts of interest;
 - j. Personnel costs (except for direct management and administration of the grant award, (i.e., preparation of mandatory post-award reports));
 - k. Business operating expenses (certain security-related operational and maintenance costs are allowable. See "Specific Guidance on Security Operational and Maintenance Costs" in Sec. B.5 of the FY 2008 Port Security Grant Program Guidance and Application Kit for further guidance on exceptions);
 - l. Transportation Worker Identification Credential card fees
 - m. Signage, projects for placarding and billboards, or hard fixed structure signage
 - n. Reimbursement of pre-award security expenses;
 - o. Weapons and associated equipment (i.e. holsters, optical sights and scopes), including, but not limited to: non-lethal or less than lethal weaponry including long range acoustic and hailing devices, firearms, ammunition, and weapons affixed to facilities, vessels or other structures;
 - p. Outfitting facilities, vessels, or other structures with equipment or items providing a hospitality benefit rather than a direct security benefit. Examples of such equipment or items include, but are not limited to: office furniture, CD players, DVD players, AM/FM radios, etc.;
 - q. Projects involving bridge infrastructure, roads, and nuclear power plants;
7. Recipient agrees that commingling or adjustments of funds or projects from previous rounds of port security grant programs is not acceptable or allowed.
8. Neither repairs to existing equipment nor replacement equipment costs are funded. Equipment includes, but is not limited to, fencing, lighting, CCTV, access controls, etc.
9. All lighting must meet Occupational Safety and Health Administration (OSHA) requirements.
10. Radiological detection equipment must be compliant with applicable national guidelines adopted by the U.S. Department of Homeland Security, including ANSI N323B-2003, ANSI N42.32-2003, ANSI N42.33-2003, and ANSI N42.35-2004.
11. The recipient agrees to submit a Categorical Assistance Progress Report (CAPR), per the PSGP 2008 Program Guidance and Application Kit and biannually and as a final report. CAPRs submitted for a biannual report should use Block 12 to describe the status of the project, and comparison of actual accomplishments to the objectives. Biannual CAPRs and the final CAPR should use Block 12 to address performance data identified in the PSGP 2008 Program Guidance and Application Kit.

CAPRs must be filed online through the internet at <http://grants.ojp.usdoj.gov>. Guidance and instructions can be found at <https://grants.ojp.usdoj.gov/gmsHelp/index.html>.

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Department of Homeland Security
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**AWARD CONTINUATION
SHEET**
Grant

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PROJECT NUMBER 2008-GB-T8-0032

AWARD DATE 08/18/2008

SPECIAL CONDITIONS

12. As required by 2 CFR 215.25, the recipient shall notify the FEMA/GPD program office of developments that have a significant impact on award-supported activities, including changes in key project staff. If key project staff has not been designated in the recipient's approved application, recipient must request approval prior to hiring.
13. The grantee and subgrantee must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements.
14. The grantee and subgrantee must comply with FEMA's codified regulation 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
15. The grantee is prohibited from obligating, expending or drawing down funds provided through this award until all applicable programmatic documents are provided for and approved by a DHS FEMA Environment and Historic Preservation (EHP) review and a Grant Adjustment Notice (GAN) is issued removing this special condition.

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Department of Homeland Security
FEMA
Grant Programs Directorate

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**

Grant

PROJECT NUMBER
2008-GB-T8-0032

PAGE 1 OF 1

This project is supported under Consolidated Appropriations Act, 2008, P.L. No. 110-161

1. STAFF CONTACT (Name & telephone number)

Jackie Jackson
(202) 786-9513

2. PROJECT DIRECTOR (Name, address & telephone number)

Kenneth L. Horn
Director of Seaport Security
One East 11st Street, Suite 400
Riviera Beach, FL 33404
(561) 253-4810

3a. TITLE OF THE PROGRAM

FY 2008 Port Security Grant Program

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

FY 2008 Port Security Grant Program

5. NAME & ADDRESS OF GRANTEE

Port of Palm Beach District
One East 11st Street, Suite 400
Riviera Beach, FL 33404

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 08/01/2008 TO: 07/31/2011

8. BUDGET PERIOD

FROM: 08/01/2008 TO: 07/31/2011

9. AMOUNT OF AWARD

\$ 675,000

10. DATE OF AWARD

08/18/2008

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

Through this accord, the Port of Palm Beach District will use grant funding in the amount of \$675,000 from the FY 2008 Port Security Grant Program for costs related to the implementation of the Port of Palm Beach District's Vessels - Prevention/Detection project. These funds are intended to create a sustainable, risk-based effort for the protection of critical port infrastructure from terrorism, especially explosives and non-conventional threats that would cause major disruption to commerce and significant loss of life.

Project 1: Vessels - Prevention/Detection will be funded in the amount of \$675,000