

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: October 21, 2008 Consent Regular
 Ordinance Public Hearing

Department:
Submitted By: Palm Beach County Sheriff's Office
Submitted For: Palm Beach County Sheriff's Office

I. EXECUTIVE BRIEF


Motion and Title: Staff recommends motion to: (A) Accept on behalf of the Palm Beach County Sheriff's Office a Department of Justice Office of Justice Programs Office of Juvenile Justice and Delinquency Prevention FY 2008 Gang Prevention Coordination Assistance Program Grant for Palm Beach County's Gang Prevention Coordination Strategy in the amount of \$200,000 for the period of October 01, 2008 through September 30, 2010; (B) Approve a budget amendment in the amount of \$200,000 increasing the Sheriff's Grant fund.

Summary: On September 9, 2008 the Palm Beach County Sheriff's Office (PBSO) received an award to Palm Beach County's Gang Prevention Coordination Strategy. The purpose of Palm Beach County's Gang Prevention Coordination Strategy is to support and enhance the coordination of existing community-based gang prevention and intervention programs and strategies that are closely aligned with local law enforcement efforts. Funds provided will be used for; salary and benefits of a full time Gang Prevention Coordinator, travel and training for the PBSO Gang Unit, and supplies. There is no match requirement associated with this award. One PBSO allocation is created with this action. No additional County funds are required. Countywide (DW)

Background and Justification: Youth gangs continue to have a significant adverse impact on youth, families, and communities across America. A growing number of communities have adopted multi-strategy, multi-disciplinary approaches to reducing gang activity. The OJJDP FY 08 Gang Prevention Coordination Assistance Program provides funding for localities to enhance coordination of Federal, state, and local resources in support of community partnerships implementing two or more of the following antigang strategies: primary prevention, secondary prevention, gang intervention, and gang enforcement. The Catalog of Federal Domestic Assistance (CFDA) number is 16.544 and the contract number is 2008-JV-FX-0104.

Attachments:

- 1. Budget Amendment
- 2. Award Letter

RECOMMENDED BY:  9/24/08
DEPARTMENT DIRECTOR DATE
APPROVED BY:  10/7/08
ASSISTANT COUNTY ADMINISTRATOR DATE

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								
Palm Beach County's Gang Prevention Coordination Strategy 160-2144-3129	Federal Grant - Other Public Safety	0	0	200,000		200,000		
TOTAL REVENUES		0	\$0	\$200,000	\$0	\$200,000		
Expenditures								
Palm Beach County's Gang Prevention Coordination Strategy 160-2144-9498	Transfer to Sheriff's Grant Fund	0	0	200,000		200,000		
TOTAL EXPENDITURES		0	\$0	\$200,000	\$0	\$200,000		

Palm Beach County Sheriff's Office

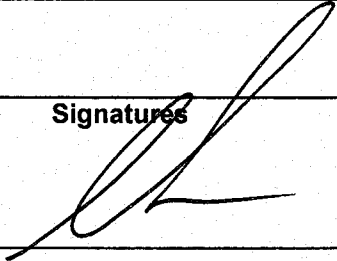
INITIATING DEPARTMENT/DIVISION

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



Department of Justice
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

September 9, 2008

Sheriff Ric Bradshaw
Palm Beach County Sheriff's Office
3228 Gun Club Road
West Palm Beach, FL 33406

Dear Sheriff Bradshaw:

On behalf of Attorney General Michael B. Mukasey, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the OJJDP FY 08 Gang Prevention Coordination Assistance Program in the amount of \$200,000 for Palm Beach County Sheriff's Office.

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, Gwen Williams, Program Manager at (202) 616-1611; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey L. Sedgwick".

Jeffrey L. Sedgwick
Acting Assistant Attorney General

Enclosures



Department of Justice
Office of Justice Programs
Office for Civil Rights

Washington, D.C. 20531

September 9, 2008

Sheriff Ric Bradshaw
Palm Beach County Sheriff's Office
3228 Gun Club Road
West Palm Beach, FL 33406

Dear Sheriff Bradshaw:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEO), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEO Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEO reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEO and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEO, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEO specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEO, but it does not have to submit the EEO to OCR for review. Instead, your organization has to maintain the EEO on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEO requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

2) Submitting Findings of Discrimination

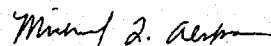
In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEO, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Kathi Grasso, OJJDP NEPA Coordinator

Subject: Categorical Exclusion for Palm Beach County Sheriff's Office

The recipient agrees to assist OJJDP to comply with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds either directly by the recipient or by a subrecipient. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds and, if so, to advise OJJDP and request further NEPA implementation guidance. Recipient understands that this special condition applies to its activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are: a. new construction; b. minor renovation or remodeling of a property either; (1) listed on or eligible for listing on the National Register of Historic Places or; (2) located within a 100-year flood plain; c. a renovation, lease, or any other proposed use of a building or facility that will either; (1) result in a change in its basic prior use or; (2) significantly change its size and; d. Implementation of a new program involving the use of chemicals other than chemicals that are; (1) purchased as an incidental component of a funded activity and; (2) traditionally used, for example, in office, household, recreational, or education environments.



Department of Justice
Office of Justice Programs
Office of Juvenile Justice and
Delinquency Prevention

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

Grant

PROJECT NUMBER

2008-JV-FX-0104

PAGE 1 OF 1

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

1. STAFF CONTACT (Name & telephone number)

Gwen Williams
(202) 616-1611

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

Janet Cid
Planner
3228 Gun Club Road
West Palm Beach, FL 33406
(561) 688-3257

3a. TITLE OF THE PROGRAM

OJJDP FY 08 Gang Prevention Coordination Assistance Program

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

Palm Beach County's Gang Prevention Coordination Strategy

5. NAME & ADDRESS OF GRANTEE

Palm Beach County Sheriff's Office
3228 Gun Club Road
West Palm Beach, FL 33406

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2008 TO: 09/30/2010

8. BUDGET PERIOD

FROM: 10/01/2008 TO: 09/30/2010

9. AMOUNT OF AWARD

\$ 200,000

10. DATE OF AWARD

09/09/2008

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)

The applicant proposes three principle program components: 1) Prevent youth from becoming delinquent through primary prevention and early intervention strategies; 2) Services for youth identified at risk, and for youth and their families involved in the juvenile justice system; and 3) Improve the juvenile justice system response to delinquent offenders through a system of graduated sanctions and a continuum of treatment alternatives that include immediate intervention, intermediate sanctions, community-based corrections, and aftercare services. The program's Coordinator will establish an independent coordinating process to assess and identify the gaps in our systems and determine how to optimally use our resources so that services could be delivered efficiently and seamlessly through our collaborative network of community and social service providers and to ensure that all the available resources in the community are optimized to prevent youth from joining gangs.

The Coordinator will close the gaps among multiple systems that are providing services to youth and develop a more seamless system for long-term systemic change. CA, NCF



Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

Grant

PAGE 1 OF 2

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Palm Beach County Sheriff's Office 3228 Gun Club Road West Palm Beach, FL 33406		4. AWARD NUMBER: 2008-JV-FX-0104	
		5. PROJECT PERIOD: FROM 10/01/2008 TO 09/30/2010 BUDGET PERIOD: FROM 10/01/2008 TO 09/30/2010	
1A. GRANTEE IRS/VENDOR NO. 596000786		6. AWARD DATE 09/09/2008	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT	\$ 0
3. PROJECT TITLE Palm Beach County's Gang Prevention Coordination Strategy		10. AMOUNT OF THIS AWARD	\$ 200,000
		11. TOTAL AWARD	\$ 200,000
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 OFFICIAL Jeffrey L. Sedgwick Acting Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Ric Bradshaw Sheriff	
17. SIGNATURE OF APPROVING OFFICIAL <i>Jeffrey L. Sedgwick</i>		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL <i>[Signature]</i>	19A. DATE 9/11/08
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X F JV 70 00 00 200000		21. 41JVTGT0002	

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

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



Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 2

PROJECT NUMBER 2008-JV-FX-0104

AWARD DATE 09/09/2008

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. 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 OJP.
5. The recipient agrees to submit quarterly financial status reports to the Office of Justice Programs using Standard Form SF 269A on the Internet at <https://grants.ojp.usdoj.gov>. These reports shall be submitted on-line not later than 45 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the grant period.
6. The recipient shall submit semiannual progress reports. Progress reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on line-through the Internet at <https://grants.ojp.usdoj.gov/>.
7. The recipient agrees to report data on the grantee's OJJDP-approved performance measures as part of the semi-annual categorical progress report. This data will be submitted on line at OJJDP's Performance Measures website (<http://ojjdp.ncjrs.gov/grantees/pm/index.html>) by July 31 and January 31 each year for the duration of the award. Once data entry is complete, the grantee will be able to create and download a "Performance Measures Data Report." This document is to be included as an attachment to the grantee's narrative categorical assistance progress report submitted on GMS for each reporting period.
8. The applicant budget is pending review or approval. The recipient may not obligate, expend or draw down any grant funds until the Office of the Chief Financial Officer, Office of Justice Programs has issued clearance of the application budget, and a Grant Adjustment Notice has been issued removing this special condition.