

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

Meeting Date: December 07, 2010  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) Ratify**, on behalf of the Palm Beach County Sheriff's Office, the Chairperson's signature on the a U.S. Department of Justice, Community Oriented Policing Services, COPS Hiring Program Grant award in the amount of \$2,634,400 for the period of September 1, 2010 through August 31, 2013; **(B) Approve** a budget amendment of \$2,634,400 in the Sheriff's Grants fund.

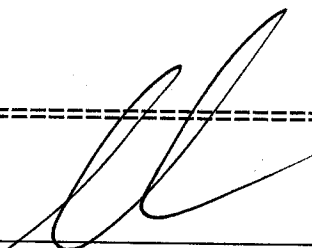
**Summary:** On September 30, 2010, the Palm Beach County Sheriff's Office (PBSO) received a 2010 COPS Hiring Program Grant. Funding provided may be used on or after the official grant award start date to: (1) hire new officer positions (including filling existing officer vacancies that are no longer funded in an agency's budget); (2) rehire officers already laid off (at the time of the updated application) as a result of state, local or tribal budget reductions unrelated to the receipt of grant funding; or (3) rehire officers scheduled to be laid off (at the time of the updated application) on a specific future date as a result of state, local or tribal budget reductions unrelated to the receipt of grant funding. There is no match requirement associated with this award. There is a retention period of twelve months after the expiration of the grant period. No additional positions are needed and no additional County funds are required until grant funding expires in FY 2013. Countywide. (GB)

**Background and Justification:** The COPS Hiring Program (CHP) is designed to advance community policing by addressing the full-time sworn officer needs of state, local, and tribal law enforcement agencies nationwide. \$298 million in grant funding was appropriated for this initiative through the 2010 Consolidated Appropriations Act. CHP provides funds directly to law enforcement agencies to hire new and/or rehire career law enforcement officers, and to increase their community policing capacity and crime prevention efforts. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.710 and the contract number is 2010-UL-WX--0011.

**Attachments:**

- 1. Budget Amendment
- 2. Award Letter

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RECOMMENDED BY:  \_\_\_\_\_  
DEPARTMENT DIRECTOR DATE

APPROVED BY:  \_\_\_\_\_  
ASSISTANT COUNTY ADMINISTRATOR DATE 12/1/10

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

<b>Fiscal Years</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Capital Expenditures	\$0				
Operating Costs	\$2,639,400	\$0	\$0	\$925,990	\$925,990
External Revenues	(\$2,639,400)				
Program Income (County)					
In-Kind Match (County)					
<b>Net Fiscal Impact</b>	<b>0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$925,990</b>	<b>\$925,990</b>
<b># Additional FTE Positions (Cumulative)</b>	<b>0</b>				

Is Item Included in Current Budget: YES \_\_\_\_\_ NO X

Budget Account No.: Fund 1152 Agency 160 Org 2197 Object 3129

Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds / Summary of Fiscal Impact:**

The 2010 COPS Hiring Program Grant is funded by the Department of Justice, Community Oriented Policing Services, COPS Hiring Program. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required until grant funding expires in FY 2013.

Figures for FY2014 through FY2015 are based on projected salaries and benefits for the ten positions.

COPS Hiring Program Grant	<u>\$2,639,400</u>
Total Program Budget	<u>\$2,639,400</u>

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Administration Comments:**

[Signature] 11/24/10  
OFMB  
S.W. 11/23/10  
11/22/10

[Signature] 11/24/10  
Contract Administration

**B. Legal Sufficiency:**

[Signature] 11/30/10  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

**This summary is not to be used as a basis for payment.**

11- 0179

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
<b>Revenues</b>								
COPS Hiring Program 160-2197-3129	Federal Grant - Other Public Safety	0	0	2,634,400		2,634,400		
<b>TOTAL REVENUES</b>		<u>4,760,729</u>	<u>7,024,858</u>	<u>\$2,634,400</u>	<u>\$0</u>	<u>9,656,258</u>		
<b>Expenditures</b>								
COPS Hiring Program 160-2197-9498	Transfer to Sheriff's Grant Fund	0	0	2,634,400		2,634,400		
<b>TOTAL EXPENDITURES</b>		<u>4,760,729</u>	<u>7,024,858</u>	<u>\$2,634,400</u>	<u>\$0</u>	<u>9,656,258</u>		

Palm Beach County Sheriff's Office

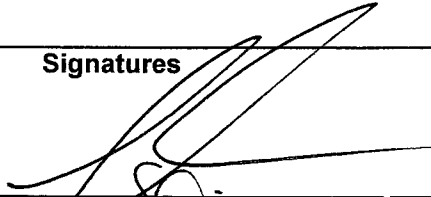
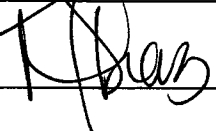
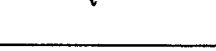
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures

Date

11/24/2010

SN 11/23/10

By Board of County Commissioners  
At Meeting of December 7, 2010

Deputy Clerk to the  
Board of County Commissioners

Attachment # 1



U.S. Department of Justice  
Office of Community Oriented Policing Services (COPS)

Office of the Director  
1100 Vermont Avenue, N.W.  
Washington, DC 20530

September 30, 2010

Sheriff Ric Bradshaw  
Palm Beach County  
3228 Gun Club Road  
P.O. Box 24681  
West Palm Beach, FL 33406

Re: COPS Hiring Program Grant # 2010ULWX0011  
ORI#: FL05000

Dear Sheriff Bradshaw:

Once again, I would like to congratulate you on receiving a COPS Hiring Program (CHP) award. Your award is for 10 officer positions and \$2,639,400 in federal funds over a three-year grant period. Your agency may now begin hiring or rehiring officers to fill CHP grant-funded positions.

Enclosed in this package is your grant award. **The Award Document must be signed and returned to the COPS Office within 90 days of the date of this letter to officially accept your grant.** The Frequently Asked Questions (FAQ) document included in this package should be helpful in answering any questions you may have about accepting your award, or requesting additional time to do so. Beginning on the reverse side of your Award Document, you will find a total of two pages of CHP Grant Terms and Conditions. You should read and familiarize yourself with all 16 terms and conditions that apply to your CHP award.

A supplemental online award package for CHP grantees can be found at <http://www.cops.usdoj.gov/Default.asp?Item=2367>. We strongly encourage you to visit this site immediately to access a variety of important and helpful documents associated with your award, including the CHP Grant Owner's Manual, which specifies the terms, conditions, and requirements of your grant. Also, within a few weeks you should receive an important package from the Office of the Chief Financial Officer, Office of Justice Programs, which will contain the forms and instructions necessary to begin drawing down funds for your grant.

As mentioned at the time of announcement, each CHP application was subject to a thorough review, and some of your application information may have been updated or corrected from the original version submitted to COPS. If you have not yet done so, please access your application at <https://www.cops.usdoj.gov>, and print and maintain a final copy for your records (if you are unable to print a copy of your application, please contact the COPS Office at 800.421.6770).

The Financial Clearance Memorandum (FCM) and Final Funding Memorandum (FFM) included in this package reflect allowable costs and amounts under your award. The FCM specifies the amount of COPS Hiring Program funds awarded to your agency for officer salaries and approved benefits, while the FFM contains the final officer salary and fringe benefit categories and amounts for which your agency was approved. The Final Funding Memorandum also includes the specific hiring

Attachment # 2

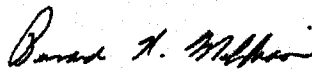
category(ies) awarded under your CHP grant. Please review both documents carefully, as your agency may only be reimbursed for the amounts and approved cost categories indicated.

As a reminder, under CHP all positions awarded (or an equal number of veteran officers) must initiate or enhance community policing in accordance with the community policing plan as described within Section 6 of your application. If for any reason your agency finds that your community policing plans have significantly changed from those outlined in your application (e.g., because you received fewer officers than originally requested and thus must alter the scope of your community policing plans), please revise the plan accordingly and submit it to the COPS Office for review and approval. You should also contact the COPS Office if, for any reason, you need to modify your grant award. This includes any reallocation of your awarded positions across the three primary hiring categories (i.e., new hires, rehires of officers laid off pre-application, and rehires of officers laid off or scheduled to be laid off post-application).

Finally, please remember that grantees must retain all sworn officer positions awarded under the CHP grant for a minimum of 12 months following the 36-month federal funding period. The retained CHP-funded position(s) should be added to your law enforcement budget with state and/or local funds, over and above the number of locally-funded positions that would have existed in the absence of the grant. In your CHP grant application, your agency was required to affirm that it plans to retain the additional officer positions awarded following the expiration of the grant, and to identify the planned sources of retention funding. If, during the life of the grant, you have questions regarding the retention requirement or your retention funding sources, please contact the COPS Office for assistance.

Once again, congratulations on your CHP award. If you have any questions about your grant, please do not hesitate to call the COPS Office Response Center at 800.421.6770.

Sincerely,



Bernard K. Melekian  
Director



U.S. Department of Justice  
 Community Oriented Policing Services  
 Grants Administration Division  
**COPS Hiring Program**

Treasury Account Symbol (TAS) 15X0406

Grant #: 2010ULWX0011  
 ORI #: FL05000  
 Applicant Organization Legal Name: Palm Beach County  
 OJP Vendor #: 59600178  
 DUNS #: 1828099210000

**Law Enforcement Executive:** Sheriff R. L. Bradshaw  
 Address: 3228 Golf Club Road  
 P.O. Box 24681  
 City, State, Zip Code: West Palm Beach, FL 33406  
 Telephone: (561) 688-3021  
 Fax: (561) 688-3033

**Government Executive:** Chairperson Burt Aaronson  
 Address: 801 North Olive Avenue  
 City, State, Zip Code: West Palm Beach, FL 33411  
 Telephone: (561) 355-2301  
 Fax: (561) 355-6894

Award Start Date: 9/1/2010      Award End Date: 8/31/2013  
 Full Time Officers Funded: 0  
 New Hires: 0  
 Rehires - Pre-Application Layoffs: 0  
 Rehires - Post-Application Layoffs: 10  
 Award Amount: \$ 2,639,400.00

SER 15 2010

Signature of Director  
 Bernard Melekian

Date

By signing this award, the signature officials are agreeing to abide by the 16 Conditions of Grant Award found on the reverse side of this document and the attached page:

Signature of Law Enforcement Official with the Authority to Accept this Grant Award

Typed Name and Title of Law Enforcement Official

Date

Signature of Government Official with the Authority to Accept this Grant Award

Typed Name and Title of Government Official

Date

False statements or claims made in connection with COPS grants may result in fines, imprisonment, debarment from participating in federal grants or contracts, and/or any remedy available by law to the Federal Government.

Award ID: 97327

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY:   
 County Attorney

U. S. Department of Justice  
*Office of Community Oriented Policing Services*  
**2010 COPS Hiring Program Grant Terms and Conditions**

By signing the Award Document to accept this COPS Hiring Program (CHP) grant, the grantee agrees to abide by the following grant terms and conditions:

1. **Grant Owner's Manual.** The grantee agrees to comply with the terms and conditions in the COPS Hiring Program Grant Owner's Manual; COPS statute (42 U.S.C. §. 3796dd, et seq.); 28 C.F.R. Part 66 or 28 C.F.R. Part 70 as applicable (governing administrative requirements for grants and cooperative agreements); 2 C.F.R. Part 225 (OMB Circular A-87), 2 C.F.R. Part 220 (OMB Circular A-21), 2 C.F.R. Part 230 (OMB Circular A 122) and 48 C.F.R. Part 31.000 et seq. (FAR 31.2) as applicable (governing cost principles); OMB Circular A 133 (governing audits); applicable representations made in the original CHP grant applications; and/or the CHP application update and all other applicable program requirements, laws, orders, regulations, or circulars.
2. **Assurances and Certifications.** The grantee acknowledges its agreement to comply with the Assurances and Certifications forms that were signed as part of its CHP application.
3. **Allowable Costs.** The funding under this project is for the payment of approved full-time entry-level salaries and fringe benefits over three years (for a total of 36 months of funding) for career law enforcement officer positions hired and/or rehired on or after the official grant award start date. Any salary and fringe benefit costs higher than entry-level that your agency pays a CHP-funded officer must be paid with local funds.

Your agency is required to use CHP grant funds for the specific hiring categories awarded. Funding under this program may be used for the following categories:

- a. Hiring new officers, which includes filling existing officer vacancies that are no longer funded in your agency's budget due to state, local, or tribal budget cuts;
- b. Rehiring officers who had already been laid off at the time of application as a result of state, local, or tribal budget cuts; and/or
- c. Rehiring officers who were, at the time of application, scheduled to be laid off on a future date as a result of state, local, or tribal budget cuts. If your agency's local fiscal conditions have changed and your agency needs to change one or more of the funded hiring categories, your agency should request a post-award grant modification to receive prior approval before spending CHP funding under the new category.

The Financial Clearance Memorandum, included in your award package, specifies the amount of COPS Hiring Program funds awarded to your agency for officer salaries and approved benefits. Please note that the salary and benefit costs requested in your original application may have been updated or corrected from the original version submitted to COPS. You should carefully review your Final Funding Memorandum (FFM), which is also included in your award package. The FFM contains the final officer salary and fringe benefit categories and amounts for which your agency was approved. You will note that some costs may have been adjusted or removed. Your agency may only be reimbursed for the approved cost categories that are documented within the FFM, up to the amounts specified in the Financial Clearance Memorandum. **Your agency may not use CHP funds for any costs that are not identified as allowable in the Final Funding Memorandum and Financial Clearance Memorandum.**

Only actual allowable costs incurred during the grant award period will be eligible for reimbursement and drawdown. If your agency experiences any cost savings over the course of the grant (for example, your grant application overestimated the total entry level officer salary and fringe benefits package), your agency may not use that excess funding to extend the length of the grant beyond 36 months. Any funds remaining after an agency has drawn down for the costs of salaries and fringe benefits incurred during the 36-month funding period for each awarded position will be deobligated during the closeout process, and should not be spent by your agency.

4. **Supplementing, Not Supplanting.** State, local, or tribal funds budgeted to pay for sworn officer positions irrespective of the receipt of CHP grant funds may not be reallocated to other purposes or refunded as a result of a CHP grant being awarded. Non-federal funds must remain available for and devoted to that purpose, with CHP funds supplementing those non-federal funds. Funding awarded cannot be obligated until after the grant award start date. This means that CHP funds cannot be applied to any agency cost prior to the award start date. In addition, your agency must take active and timely steps pursuant to its standard procedures to fully fund law enforcement costs already budgeted as well as fill all locally funded vacancies resulting from attrition during the life of the grant.

5. **Retention.** At the time of grant application, your agency committed to retaining all sworn officer positions awarded under the CHP grant with state and/or local funds for a minimum of 12 months following the conclusion of 36 months of federal funding for each position, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the grant. Your agency cannot satisfy the retention requirement by using CHP-funded positions to fill locally-funded vacancies resulting from attrition.

6. **Extensions.** Your agency may request an extension of the grant award period to receive additional time to implement your grant program. Such extensions do not provide additional funding. Only those grantees that can provide a reasonable justification for delays will be granted no-cost extensions. Reasonable justifications may include difficulties in filling COPS-funded positions, officer turnover, or other circumstances that interrupt the 36-month grant funding period. An extension allows your agency to compensate for such delays by providing additional time to complete the full 36 months of funding for each position awarded. Extension requests must be received prior to the end date of the award. Any extension requests received after an award has expired will be approved only under very limited circumstances.

U. S. Department of Justice  
*Office of Community Oriented Policing Services*  
2010.COPS Hiring Program Grant Terms and Conditions

7. **Modifications.** During the CHP grant award period, it may become necessary for an agency to modify its CHP grant award due to changes in an agency's fiscal or law enforcement situation. Modification requests should be submitted to the COPS Office when an agency determines that it will need to shift officer positions awarded in one hiring category into a different hiring category, reduce the total number of positions awarded, shift funds among benefit categories, and/or reduce the entry-level salary and fringe benefit amounts. For example, an agency may have been awarded CHP grant funding for ten new, additional full-time sworn officer positions, but due to severe fiscal distress/constraints, the agency determines it is unable to sustain all ten positions and must reduce its request to five full-time positions; or an agency may have been awarded CHP grant funding for two new, additional sworn officer positions, but due to fiscal distress/constraints the agency must change the hiring category from new hires to rehires to prevent lay-offs. Grant modifications under CHP are evaluated on a case-by-case basis. An agency may implement the modified grant award following written approval from the COPS Office. Please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.
8. **Evaluations.** The COPS Office may conduct monitoring or sponsor national evaluations of the COPS Hiring Program. The grantee agrees to cooperate with the monitors and evaluators.
9. **Reports.** To assist the COPS Office in the monitoring of your award, your agency will be responsible for submitting quarterly programmatic progress reports and quarterly financial reports.
10. **Grant Monitoring Activities.** Federal law requires that law enforcement agencies receiving federal funding from the COPS Office must be monitored to ensure compliance with their grant conditions and other applicable statutory regulations. The COPS Office is also interested in tracking the progress of our programs and the advancement of community policing. Both aspects of grant implementation—compliance and programmatic benefits—are part of the monitoring process coordinated by the U.S. Department of Justice. Grant monitoring activities conducted by the COPS Office include site visits, office-based grant reviews, alleged noncompliance reviews, financial and programmatic reporting, and audit resolution. As a COPS CHP grantee, you agree to cooperate with and respond to any requests for information pertaining to your grant.
11. **Equal Employment Opportunity Plan (EEOP).** All recipients of funding from the COPS Office must comply with the federal regulations pertaining to the development and implementation of an Equal Employment Opportunity Plan (28 C.F.R. Part 42 subpart E).
12. **Employment Eligibility.** The grantee agrees to complete and keep on file, as appropriate, a Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.
13. **Community Policing.** Community policing activities to be initiated or enhanced by your agency were identified and described in your original COPS grant application, and/or 2010 CHP application update with reference to each of the following elements of community policing: a) community partnerships and support; b) related governmental and community initiatives that complement your agency's proposed use of CHP funding; and c) how your agency will use the funds to reorient its mission or enhance its commitment to community policing.
- The COPS Office defines community policing as a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. CHP grants must be used to initiate or enhance community policing activities. All newly hired, additional or rehired officers (or an equal number of redeployed veteran officers) funded under CHP must engage in community policing activities.
14. **Contracts With Other Jurisdictions.** Grantees that provide law enforcement services to another jurisdiction through a contract must ensure that officers funded under this grant do not service the other jurisdiction, but will only be involved in activities or perform services that exclusively benefit the grantee's own jurisdiction. Grantees cannot use CHP funds to pay for a contract to receive law enforcement services from another agency.
15. **False Statements.** False statements or claims made in connection with COPS grants may result in fines, imprisonment, or debarment from participating in federal grants or contracts, and/or any other remedy available by law.
16. **Additional High-Risk Grantee Requirements.** The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the awarding agency determines that the recipient is a high-risk grantee (28 C.F.R. Parts 66 and 70).