

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: May 6, 2014

☒ 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) Receive and File** Modification #2 to Subgrant Agreement between the Florida Division of Emergency Management and Palm Beach County Sheriff's Office, for Operation Stonegarden, to reinstate the grant agreement and extend the grant period from July 31, 2013 through June 30, 2014; and **B) Approve** a budget amendment of \$103,372 in the Sheriff's Grant Fund to reinstate the grant award.

**Summary:** The Palm Beach County Sheriff's Office received an award to offset overtime and equipment costs associated with enhancing the United States Border Patrol's (U.S.B.P) mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. The Board of County Commissioners (BOCC) accepted this grant for \$100,000, on December 7, 2010 (R-2010-2040). On September 10, 2013, the BOCC accepted a grant modification to increase the grant award in the amount of \$110,000 for a total of \$210,000 (R-2013-1212). This Grant Modification will reinstate the agreement and extend the grant period from July 31, 2013 through June 30, 2014 to expend the balance of the grant. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

**Background and Justification:** Operation Stonegarden funds are intended to enhance cooperation and coordination among local, tribal, territorial, State, and Federal law enforcement agencies in a joint mission to secure the United States borders along routes of ingress from international borders to include travel corridors in States bordering Mexico and Canada, as well as States and territories with international water borders. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is 13DS-B8-10-60-23-454.

**Attachments:**

1. Modification #2 to Subgrant Agreement Between The Division of Emergency Management and Palm Beach County Sheriff's Office
2. Budget Amendment
3. R-2010-2040
4. R-2013-1212

RECOMMENDED BY:

DEPARTMENT DIRECTOR

DATE

4/28/14

APPROVED BY:

ASSISTANT COUNTY ADMINISTRATOR

DATE

5/1/14

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	\$57,591				
Operating Costs	\$45,781				
External Revenues	(\$103,372)				
Program Income (County)					
In-Kind Match (County)	0				
Net Fiscal Impact	0				
# Additional FTE Positions (Cumulative)	0				

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

Budget Account No.: Fund 1152 Agency 160 Org 2198 Object 3129

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

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

PBSO was awarded funding through the Florida Division of Emergency Management, FY10 State Homeland Security Grant Program. These funds represent the balance not expended in FY13. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required.

2010 State Homeland Security Grant	<u>\$103,372</u>
Total Program Budget	\$103,372

## III. REVIEW COMMENTS

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

[Signature] 4/29/2014  
OFMB 4/29/14

[Signature] 4/30/14  
Contract Administration 4-30-14 B. Whicker

### B. Legal Sufficiency:

[Signature] 4/30/14  
Assistant County Attorney

### C. Other Department Review:

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

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

**MODIFICATION #2 TO SUBGRANT AGREEMENT BETWEEN  
THE DIVISION OF EMERGENCY MANAGEMENT AND  
PALM BEACH COUNTY SHERIFF'S OFFICE**

This Modification is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and Palm Beach County Sheriff's ("Recipient") to modify Contract Number **13DS-B8-10-60-23-454**, which began on April 9, 2013 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to Recipient under the State Homeland Security Grant program of **\$210,000**; and

WHEREAS, the Agreement expired on July 31, 2013; and

WHEREAS, the Division and the Recipient desire to reinstate and extend the terms of the Agreement;

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The agreement is hereby reinstated and extended as though it had never expired.
2. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin upon execution by both parties or October 1, 2010, whichever is later, and shall end June 30, 2014, unless terminated earlier in accordance with the provisions of Paragraph (12) of this Agreement.

3. Section (11) REMEDIES of the Agreement is hereby amended to read as follows:  
If an Event of Default occurs, then the Division **shall**, after thirty calendar days written notice to the Recipient and upon the Recipient's failure to cure within those thirty days, exercise any one or more of the following remedies, either concurrently or consecutively:
  - (a) Terminate this Agreement, provided that the Recipient is given at least thirty days prior written notice of the termination. The notice shall be effective when placed in the United States, first class mail, postage prepaid, by registered or certified mail-return receipt requested, to the address in paragraph (13) herein;
  - (b) Begin an appropriate legal or equitable action to enforce performance of this Agreement;
  - (c) Withhold or suspend payment of all or any part of a request for payment;
  - (d) Require that the Recipient refund to the Division any monies used for ineligible purposes under the laws, rules and regulations governing the use of these funds.
  - (e) Exercise any corrective or remedial actions, to include but not be limited to:
    1. Request additional information from the Recipient to determine the

reasons for or the extent of non-compliance or lack of performance,

2. Issue a written warning to advise that more serious measures may be taken if the situation is not corrected,

3. Advise the Recipient to suspend, discontinue or refrain from incurring costs for any activities in question or

4. Require the Recipient to reimburse the Division for the amount of costs incurred for any items determined to be ineligible;

(f) Exercise any other rights or remedies which may be available under law.

(g) Pursuing any of the above remedies will not stop the Division from pursuing any other remedies in this Agreement or provided at law or in equity. If the Division waives any right or remedy in this Agreement or fails to insist on strict performance by the Recipient, it will not affect, extend or waive any other right or remedy of the Division, or affect the later exercise of the same right or remedy by the Division for any other default by the Recipient.

4. All provisions of the Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.

5. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

**RECIPIENT: PALM BEACH COUNTY SHERIFF'S OFFICE**

By: \_\_\_\_\_

Name and Title: RIC L. BRIDGEMAN, SHERIFF

Date: 3/13/14

**DIVISION OF EMERGENCY MANAGEMENT**

By: Michael DeLong

for Name and Title: **Bryan W. Koon, Director**

Date: 3/31/14

14- 0836

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET AMENDMENT

Page 1 of 1

## FUND 1152 - Sheriff's Grants Fund

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

BGE 160 042914-1338  
BGRV 160 042914-554

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
<b>Revenues</b>								
Operation Stonegarden-Border Security								
160-2198-3129	Federal Grant - Other Public Safety	0	0	103,372	0	103,372		
<b>TOTAL REVENUES</b>		2,442,123	\$5,442,405	\$103,372	\$0	\$5,545,777		
<b>Expenditures</b>								
Operation Stonegarden-Border Security								
160-2198-9498	Transfer to Sheriff's Fund 1902	0	0	103,372	0	103,372		
<b>TOTAL EXPENDITURES</b>		2,442,123	\$5,442,405	\$103,372	\$0	\$5,545,777		

Palm Beach County Sheriff's Office

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures

Date

By Board of County Commissioners  
At Meeting of May 6, 2014Deputy Clerk to the  
Board of County Commissioners

Attachment #

2

SD  
4/29/14

Agenda Item No. 3BB-2  
BALV 70  
R-2010-2040

BATV 70  
R-2010-2040

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

**1.**

**Motion and Title:** Staff recommends motion to: **(A) Accept**, on behalf of the Palm Beach County Sheriff's Office a Florida Division of Emergency Management, FY 2010 Homeland Security Grant Program award, for Operation Stonegarden, in the amount of \$100,000 for the period of August 1, 2010 through July 31, 2013; **(B) Approve** a budget amendment of \$100,000 in the Sheriff's Grants fund.

**Summary:** On November 3, 2010, the Palm Beach County Sheriff's Office (PBSO) received a FY 2010 Homeland Security Grant Program award for Operation Stonegarden. Funds provided will be used to enhance the United States Border Patrol's (U.S.B.P) mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Specifically, grant funds will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide. (GB)

**Background and Justification:** Operation Stonegarden funds are intended to enhance cooperation and coordination among local, tribal, territorial, State, and Federal law enforcement agencies in a joint mission to secure the United States borders along routes of ingress from international borders to include travel corridors in States bordering Mexico and Canada, as well as States and territories with international water borders. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is 2010-SS-TO--0092.

**Attachments:**

1. Budget Amendment
2. Award Letter

RECOMMENDED BY:

DEPARTMENT DIRECTOR

DATE \_\_\_\_\_

APPROVED BY:

ASSISTANT COUNTY ADMINISTRATOR

DATE \_\_\_\_\_

Attachment #

3

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	\$0				
Operating Costs	\$100,000				
External Revenues	(\$100,000)				
Program Income (County)					
In-Kind Match (County)	0				
Net Fiscal Impact	0				
# Additional FTE Positions (Cumulative)	0				

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

Budget Account No.: Fund 1152 Agency 160 Org 2198 Object 3129

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

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

Operation Stonegarden is funded by the Florida Division of Emergency Management through the FY 2010 Homeland Security Grant Program. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required.

Operation Stonegarden	\$100,000
Total Program Budget	\$100,000

## III. REVIEW COMMENTS

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

[Signature] 11/24/10  
OFMB

[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.

Agenda Item No. **3BB-3**

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

T/SU7-0  
R-2013-1212

Meeting Date: September 10, 2013 ☒ 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 Grant Modification with the Florida Division of Emergency Management, to provide an additional \$110,000 in reimbursable funding for a total amount of \$210,000, for FY2010 Homeland Security Grant Program award, for Operation Stonegarden; and (B) **Approve** a budget amendment of \$110,000 in the Sheriff's Grants fund.

**Summary:** The Board of County Commissioners (BOCC) accepted this grant for \$100,000, on December 7, 2010 (R-2010-2040). This Grant Modification will provide additional funding to offset the costs associated with enhancing the United States Border Patrol's (U.S.B.P) mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Reimbursable costs for this award include, but are not limited to: overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide. (PGE)

**Background and Justification:** Operation Stonegarden funds are intended to enhance cooperation and coordination among local, tribal, territorial, State, and Federal law enforcement agencies in a joint mission to secure the United States borders along routes of ingress from international borders to include travel corridors in States bordering Mexico and Canada, as well as States and territories with international water borders. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is 13DS-B8-10-60-23-454.

**Attachments:**

1. Budget Amendment
2. Grant Modification
3. Grant Award
4. Contract 13DS-B8-10-60-23-454
5. R-2010-2040

RECOMMENDED BY: \_\_\_\_\_

DEPARTMENT DIRECTOR

DATE

8/16/13

APPROVED BY: \_\_\_\_\_

ASSISTANT COUNTY ADMINISTRATOR

DATE

8/28/13

Attachment #

4



## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	\$0				
Operating Costs	\$110,000				
External Revenues	(\$110,000)				
Program Income (County)					
In-Kind Match (County)	0				
Net Fiscal Impact	0				
# Additional FTE Positions (Cumulative)	0				

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

Budget Account No.: Fund 1152 Agency 160 Org 2198 Object 3129

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

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

The Florida Division of Emergency Management has increased the annual funding, for the FY2010 Homeland Security Grant Program award, for Operation Stonegarden, by \$110,000. There is no match requirement associated with this award. NO additional positions are need and no additional County funds are required.

Operation Stonegarden	\$100,000
Operation Stonegarden -- Additional Funding	<u>\$110,000</u>
Total Program Budget	<u>\$210,000</u>

## III. REVIEW COMMENTS

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

[Signature] 8/23/13  
OFMB KN 8/20 PC SD 9/23/13  
Barbara Wheeler 8-20-13  
Contract Administration

### B. Legal Sufficiency:

[Signature] 8/27/13  
Assistant County Attorney

### C. Other Department Review:

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

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