

RESOLUTION NO. 2011- 03

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3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE  
4 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS;  
5 AUTHORIZING THE VILLAGE MANAGER TO ACCEPT THE  
6 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)  
7 PROGRAM, CONTRACT AWARD NO 2011-JAGD-DADE-5-B3-089 IN  
8 THE AMOUNT OF \$9,749 FOR THE PURPOSE OF SUPPORTING THE  
9 SAFER COMMUNITIES THROUGH SAFER CHILDREN PROJECT IN  
10 THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN  
11 EFFECTIVE DATE.  
12

13 WHEREAS, the Palmetto Bay Policing Unit previously submitted an application for  
14 authorization to utilize federal funds awarded from the FY 11 Edward Byrne Memorial Justice  
15 Assistance Grant Program Local Solicitation; and  
16

17 WHEREAS, under this Contract and upon award of grant funds by the State of Florida  
18 Department of Law Enforcement, Office of Criminal Justice Grants Miami-Dade County, the  
19 Village shall procure items in order to support the Safer Communities Through Safer Children  
20 program; and  
21

22 WHEREAS, the Village of Palmetto Bay Policing Unit received notification that the  
23 Village of Palmetto Bay has been awarded the grant in the amount of \$9,749.  
24

25 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE  
26 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:  
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28 Section 1. The Village Manager is authorized to accept the Edward Byrne Memorial  
29 Justice Assistance Grant Award Number 2011-JAGD-DADE-5-B3-089 in the amount of \$9,749,  
30 and to execute the attached grant agreement and other related documents on behalf of the Village  
31 of Palmetto Bay.  
32

33 Section 2. This resolution shall take effect immediately upon approval.

34 PASSED and ADOPTED this 7<sup>th</sup> day of February, 2011.

35  
36 Attest:

37   
38 Meighan Alexander  
39 Village Clerk  
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41   
42 Shelley Stanczyk  
43 Mayor  
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45 READ AND APPROVED AS TO FORM:  
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47   
48 Eve Boutsis  
49 Village Attorney  
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FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Joan Lindsay	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Shelley Stanczyk	<u>YES</u>



Florida Department of  
Law Enforcement

Gerald M. Bailey  
Commissioner

Office of Criminal Justice Grants  
Post Office Box 1489  
Tallahassee, Florida 32302-1489  
(850) 617-1250  
[www.fdle.state.fl.us](http://www.fdle.state.fl.us)

Rick Scott, Governor  
Pam Bondi, Attorney General  
Jeff Atwater, Chief Financial Officer  
Adam Putnam, Commissioner of Agriculture

JAN 21 2011

The Honorable Shelley Stanczyk  
Mayor  
Village Of Palmetto Bay  
9705 East Hibiscus Street  
Palmetto Bay, FL 33157

Re: Contract No. 2011-JAGD-DADE-5-B3-089

Dear Mayor Stanczyk:

The Florida Department of Law Enforcement is pleased to award an Edward Byrne Memorial Justice Assistance Grant to your unit of government in the amount of \$ 9,749.00 for the project entitled, SAFER COMMUNITIES THROUGH SAFER CHILDREN. These funds shall be utilized for the purpose of reducing crime and improving public safety.

A copy of the approved subgrant application with the referenced contract number is enclosed for your file. All correspondence with the Department should always refer to the project number and title.

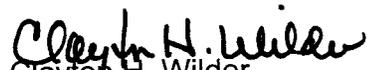
Your attention is directed to the Standard Conditions of the subgrant. Changes were made and an addendum was added to these conditions after your application was received in this office. Therefore, the Standard Conditions and the Addendum should be reviewed carefully by those persons responsible for project administration to avoid delays in project completion and costs reimbursements.

The enclosed Certification of Acceptance should be completed and returned to the Department within 30 calendar days from the date of award. This certificate constitutes official acceptance of the award and must be received by the Department prior to the reimbursement of any project expenditures.

The Honorable Shelley Stanczyk  
Page Two

We look forward to working with you on this project. If we can be of further assistance, please contact Janice Parish at 850/617-1250.

Sincerely,

  
Clayton H. Wilder  
Administrator

CHW/JP/ps

Enclosures

**State of Florida  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, Florida 32308**

CERTIFICATION OF ACCEPTANCE

The subgrantee, through its authorized representative, acknowledges receipt and acceptance of subgrant award number 2011-JAGD-DADE-5-B3-089, in the amount of \$ 9,749.00, for a project entitled, SAFER COMMUNITIES THROUGH SAFER CHILDREN, for the period of 02/01/2011 through 06/30/2011, in accordance with the Budget and Budget Narrative contained in the subgrant application, and subject to the Florida Department of Law Enforcement Conditions of Agreement and any special conditions governing this subgrant.

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Signature of Subgrantee's Authorized Official

---

Typed Name and Title of Official

---

Date of Acceptance

---

Name of Subgrantee

State of Florida  
Office of Criminal Justice Grants  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, Florida 32308

SUBGRANT AWARD CERTIFICATE

Subgrantee: Village Of Palmetto Bay

Date of Award: 1-21-11

Grant Period: From: 02/01/2011 TO: 06/30/2011

Project Title: SAFER COMMUNITIES THROUGH SAFER CHILDREN

Grant Number: 2011-JAGD-DADE-5-B3-089

Federal Funds: \$ 9,749.00

State Agency Match:

Local Agency Match: \$ 0.00

Total Project Cost: \$ 9,749.00

State Purpose Area: A : State/Local Initiatives - Coordinate/Organize Local Initiatives/State Initiatives, D : Personnel - Employ Personnel, E : Equipment Supplies - Purchase Equipment/Supplies, F : Contractual Support - Purchase Contractual Support

CFDA No.: 16.738

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Award is hereby made in the amount and for the period shown above of a subgrant under Title I of the Omnibus Crime Control and Safe Streets Act of 1968, P.L. 90-351, as amended, and the Anti-Drug Abuse Act of 1988, P.L. 100-690, to the above mentioned subgrantee and subject to any attached or special conditions.

This award is subject to all applicable rules, regulations, and conditions as contained in the Financial and Administrative Guide for Grants, Guideline Manual 7100 1D, Office of Justice Programs, Common Rule for State and Local Governments and A-87, or OMB Circulars A-110 or A102, as applicable, and A-21, in their entirety. It is also subject to such further rules, regulations and policies as may be reasonably prescribed by the State or Federal Government consistent with the purposes and authorization of P.L. 90-351, as amended, and P.L. 100-690.

**SUBGRANT AWARD CERTIFICATE (CONTINUED)**

This grant shall become effective on the beginning date of the grant period provided that within 30 days from the date of award, a properly executed Certification of Acceptance/Request for Payment is returned to the department.

Clayton H. Wilder

Authorized Official  
Clayton H. Wilder  
Administrator

1-21-11

Date

( ) This award is subject to special conditions (attached).

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program  
Florida Department of Law Enforcement**

Addendum To Standard Conditions

For Subgrant Recipients receiving Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds under Federal Grant No. 2009-DJ-BX-1077, the following additional conditions apply:

1. Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct

The subgrant recipient must promptly refer to the Florida Department of Law Enforcement, Office of Criminal Justice Grants any credible evidence that a principal, employee, agent, contractor, 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.

2. Task Force Training Requirement

The subgrant recipient agrees that within 120 days of award, for any law enforcement task force funded with these funds, the task force commander, agency executive, task force officers, and other task force members of equivalent rank, will complete required online (internet-based) task force training to be provided free of charge through BJA's Center for Task Force Integrity and Leadership. This training will address task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information will be provided by BJA regarding the required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)).

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 1: Administration

### Subgrant Recipient

**Organization Name:** Village Of Palmetto Bay

**County:** Dade

### Chief Official

**Name:** Shelley Stanczyk

**Title:** Mayor

**Address:** 9705 East Hibiscus Street

**City:** Palmetto Bay

**State:** FL **Zip:** 33157

**Phone:** 305-259-1234 **Ext:**

**Fax:**

**Email:** sstanczyk@palmettobay-fl.gov

### Chief Financial Officer

**Name:** Desmond Chin

**Title:** Finance Director

**Address:** 9705 Hibiscus Street

**City:** Palmetto Bay

**State:** FL **Zip:** 33157

**Phone:** 305-259-1234 **Ext:**

**Fax:**

**Email:** dchin@palmettobay-fl.gov

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 1: Administration

### Implementing Agency

**Organization Name:** Village Of Palmetto Bay  
**County:** Dade

### Chief Official

**Name:** Shelley Stanczyk  
**Title:** Mayor  
**Address:** 9705 East Hibiscus Street  
**City:** Palmetto Bay  
**State:** FL **Zip:** 33157  
**Phone:** 305-259-1234 **Ext:**  
**Fax:**  
**Email:** sstanczyk@palmettobay-fl.gov

### Project Director

**Name:** Olga Cadaval  
**Title:** Human Resources Director  
**Address:** 9705 Hibiscus Street  
**City:** Palmetto Bay  
**State:** FL **Zip:** 33157  
**Phone:** 305-259-1234 **Ext:**  
**Fax:** 305-259-1290  
**Email:** ocadaval@palmettobay-fl.gov

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 2: Project Overview

### General Project Information

**Project Title:** SAFER COMMUNITIES THROUGH SAFER CHILDREN  
**Subgrant Recipient:** Village Of Palmetto Bay  
**Implementing Agency:** Village Of Palmetto Bay  
**Project Start Date:** 2/1/2011      **End Date:** 6/30/2011

### Problem Identification

**Problem Description:** The problem identified and to be addressed by this grant is primarily child abduction. According to the United States Department of Justice, 797,500 children are reported missing in a one year period, resulting in an average of 2,185 children reported missing each day. Of these, 535,285 were recovered or found immediately, 203,900 were the victims of family abduction, 58,200 children were the victims of non-family abduction, and 115 children were the victim?s of ?stereotypical? kidnapping. According to a 1997 study, Case Management for Missing Children Homicide Investigation, the murder of an abducted child is a rare event; an estimated 100 such incidents occur in the United States each year. However, the study further found that 76.2 percent of abducted children who are murdered are dead within three hours of the abduction.

### Project Summary (Scope of Work)

**Problem Significance:** This problem is significant because all citizens are affected when a child becomes lost or is abducted. In the case of abduction, not only do the parents and family members of the child become affected and blame themselves for what has happened, the child has to cope with what has happened to them, without having the support system of a family. These types of crimes do not just end when the child is found safe. In unfortunate circumstances when the child is never seen alive again, the lasting affects can traumatize a family and a community for years to come. Names like Adam Walsh, Jimmy Rice, and Jessica Lunsford, have unfortunately become topics of conversation when a child is reported missing. Laws and foundations have been created to honor these children, and all too often the images of abducted children have been shown on nightly news shows, only to be forgotten about the following evening when the next ?big? story breaks. In the paragraph above it indicates that en estimated 100 children out of 797,500 are abducted by strangers each year. That number seems very small min comparison, unless your child is one of the 100.

**Needs Assessment:** The Florida Department of Law Enforcement data reveals that there are 1710 registered sexual offenders and 207 registered sexual predators currently residing in Miami-Dade County. Having been a police officer for over eighteen years and having worked for over four years as a detective in the Miami-Dade Police Department?s Sexual Crimes Bureau, half of my assigned cases involved children who were victims of sexual assaults by either a stranger or family member. Other officers who will be working with this grant program have been police officers for over twenty-five years, over four of which having been worked as a detective in the Miami-Dade Police Department?s Homicide Bureau. Unfortunately police officers have first hand knowledge of what people are capable of doing to each other and when it comes to children, these cases will stay wit the officers their entire career. Public perception of juvenile victimization tends to be incomplete, reflecting the latest headlines rather than day-to-day realities. In fact, many youth are subject to victimization through what might be called normal child activities: fights on the playground, pushing and shoving in the halls.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

However, many children experience serious victimization from many sources including their family (e.g., child abuse and abduction), peers (e.g., assaults), and strangers (e.g., theft and assault). Violence does not leave its young victims unscathed. Society must deal with the results of such violence for some time to come. Often, the child victims themselves do not understand how their experiences affect their behavior, including being the catalyst for potential future delinquency. Other statistics and historical data indicate that 15% to 25% of American students are bullied with some frequency and that children need to be more aware of their safety in today's society.

Project Summary: The Village of Palmetto Bay's Policing Unit currently offers several programs geared to the youth of the community and all of these programs address different areas of concern. The Policing Unit currently has active programs in all three public elementary schools in Palmetto Bay. The first program that was offered to the children in Palmetto Bay is the "Officer Friendly" program. This is the third year that this program is being presented. The "Officer Friendly" program reaches over two thousand students from grades pre-kindergarten through fifth grade. Each grade level meets with the officer three times throughout the school year. Some of the topics that are covered include: bullying, strangers, gun safety, water safety and what to do in the event of an emergency.

The next program that is presented to the students is the nationally recognized, Drug Alcohol Resistance Education (D.A.R.E.), which is taught to almost every public school in the nation. This will be the second year that the D.A.R.E. program is being taught to the students in Palmetto Bay. The students are taught about the effect of drugs and alcohol the body, peer pressure, friendships, making the right choice, and ultimately, saying "no" to drugs and alcohol. To date over 533 students have graduated from the D.A.R.E. program.

The newest program offered in Palmetto Bay is the Resisting Aggression Defensively (R.A.D./kids) Personal Empowerment and Safety Education Program. The R.A.D./kids program consists of classes being taught to two different age groups, 5-7 year olds, and 8-12 year olds. Daily topics (strangers, good touch bad touch, etc) will be discussed and self-defense techniques including blocks, strikes and kicks will be explained. Each student will then demonstrate these techniques on either a blocking pad or "Danny" the punching dummy. To complete the course, each age group will receive 5 classes, each lasting approximately 90 minutes. The classes were and will continue to be taught in the aftercare program at each of the three public elementary schools. At the end of the classes the 5-7 and 8-12 age groups will participate in simulation exercises, which require each child to wear protective gear (helmet, gloves, knee and elbow pads). It also requires the instructor to wear a full protective, "redman" simulation suit, which protects him/her from head to toe. The simulation part of the class will have each student put to practice the skills they learned during their initial four days of training. The goal is for the students to implement the self-defense techniques they learned to get away from a possible abductor. The students will use loud verbal commands (i.e., NO, STOP, GET BACK YOUR NOT MY MOM/DAD) while demonstrating the techniques. This will be the second year that this program is being offered and to date over two hundred students have graduated from the program. Being that the program is being offered in the aftercare program at each of the elementary schools, officers assigned to the program as instructors will be on an overtime basis for a portion of each class.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 2: Project Overview

### Section Questions:

Question: Does the Subgrantee receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: No

Question: Does the Implementing Agency receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: No

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 3: Performance

### General Performance Info:

Performance Reporting Frequency: Quarterly

Federal Purpose Area: 003 - Prevention and Education Programs

State Purpose Area: A - State/Local Initiatives - Coordinate/Organize Local Initiatives/State Initiatives

### Activity Description

Activity: Academic Tutoring  
Target Group: Juveniles - Male or female\*  
Geographic Area: Urban  
Location Type: Police Department

### Objectives and Measures

**Objective:** 03.A\* - Number of program participants receiving services

Measure: Part 1

Number of program participants to receive services during the grant period

Goal: 200

Measure: Part 2

Number of program participants to receive services during each reporting period

Goal: 100

**Objective:** 06.A\* - Number of program participants who completed programming

Measure: Part 1

Number of program participants to complete programming during the grant period

Goal: 200

Measure: Part 2

Number of program participants who will exit programming during the grant period (complete or not complete)

Goal: 100

**Objective:** 58.A - Number of existing local initiatives

Measure: Part 1

Will this grant continue a local initiative that was begun with any other funding source, including a prior year's grant?

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 3- Performance

Goal: No

State Purpose Area: D - Personnel - Employ Personnel

### Activity Description

Activity: Personnel  
Target Group: Personnel  
Geographic Area: Urban  
Location Type: Citywide

Address(es) :

Village of Palmetto Bay  
8950 SW 152 St  
Palmetto Bay , FL 33157

### Objectives and Measures

Objective: 23.D - Number of overtime hours paid with JAG funds

Measure: Part 1  
Number of overtime hours to be paid with JAG funds

Goal: 164

Measure: Part 2  
Total number of hours of overtime to be paid by all other, non-JAG sources

Goal: 0

State Purpose Area: E - Equipment Supplies - Purchase Equipment/Supplies

### Activity Description

Activity: Equipment and Supplies  
Target Group: Equipment and Supplies  
Geographic Area: Urban  
Location Type: Citywide

Address(es) :

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 3 Performance

**Village of Palmetto Bay**  
8950 SW 152 St  
Palmetto Bay , FL 33157

### Objectives and Measures

**Objective:** 25.E - Amount of funds expended on equipment and/or supplies

Measure: Part 1

Amount of funds to be expended to purchase equipment and/or supplies

Goal: \$1,549.00

**Objective:** 52.E - Number of equipment or supply items purchased with JAG funds by type of equipment or supplies

Measure: Part 3

How many uniforms will be purchased?

Goal: 8

**State Purpose Area:** F - Contractual Support - Purchase Contractual Support

### Activity Description

**Activity:** Contractual Support

**Target Group:** Contractual Support

**Geographic Area:** Urban

**Location Type:** Citywide

### Objectives and Measures

**Objective:** 29.F - Number of contractual support hours paid with JAG funds

Measure: Part 1

Number of hours to be paid with JAG funds for contractual support

Goal: 164

**Objective:** 54.F - Types of contractual support paid with JAG funds

Measure: Part 1

Indicate the types of contractual support to be paid with JAG funds during the reporting period

Goal: overtime hours for Deputies

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 3: Performance

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 3 - Performance

### Section Questions:

Question: If "other" was selected for the geographic area, please describe.

Answer: Not applicable

Question: If "other" was selected for location type, please describe.

Answer: Not applicable

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 4: Financial

### General Financial Info:

**Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.**

Financial Reporting Frequency for this Subgrant: Quarterly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 050541068

### Budget:

Budget Category	Federal	Match	Total
Salaries and Benefits	\$0.00	\$0.00	\$0.00
Contractual Services	\$8,200.00	\$0.00	\$8,200.00
Expenses	\$1,549.00	\$0.00	\$1,549.00
Operating Capital Outlay	\$0.00	\$0.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00
<b>-- Totals --</b>	<b>\$9,749.00</b>	<b>\$0.00</b>	<b>\$9,749.00</b>
<b>Percentage</b>	<b>100.0</b>	<b>0.0</b>	<b>100.0</b>

### Project Generated Income:

Will the project earn project generated income (PGI) ? No

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 4 Financial (cont)

### **Budget Narrative:**

Contractual services: \$8,200.00

164 hours of overtime @ an estimated overtime rate of \$50.00 per hour, totaling \$8100.00. The overtime rate will vary depending on the person: the rate of pay includes benefits, FICA, MICA and Florida Retirement System.

Being that the Village of Palmetto Bay contracts police services from the Miami-Dade Police Department, a portion of the funds from this grant will be used for contractual services in the form of overtime compensation for the officer participating in the program

Expenses- \$1,549.00

Uniform for the instructors

Additional funds from the grant will be utilized for purchasing instructor uniform for the officers teaching the class. They include three polo shirts for each of the eight officers, \$869.00, two long sleeved t-shirts for each of the officers, \$400.00, and one pair of athletic type pants for each of the officers, \$280.00. A total of \$1549.00 will be used.

Total Project cost: \$9749.00

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Section 4 - Financial

### Section Questions:

Question: If salaries and benefits are included in the budget as actual costs for staff in the implementing agency, is there a net personnel increase, or a continued net personnel increase from the previous Byrne program?

Answer: No, overtime only

Question: If benefits are to be included, are they reflected in the budget narrative?

Answer: yes , They are FICA, MICA and Florida Retirement System.

Question: Indicate the Operating Capital Outlay threshold established by the subgrantee or implementing agency, if it is the sheriff's office.

Answer: \$1,000

Question: If indirect cost is included in the budget, indicate the basis for the plan (e.g. percent of salaries and benefits), and provide documentation of the appropriate approval of this plan.

Answer: Not applicable

Question: If the budget includes services based on unit costs, provide a definition and cost for each service as part of the budget narrative for contractual services. Include the basis for the unit costs and how recently the basis was established or updated.

Answer: Not applicable

## Standard Conditions

Conditions of agreement requiring compliance by units of local government (subgrant recipients), implementing agencies, and state agencies upon signed acceptance of the subgrant award appear in this section. Upon approval of this subgrant, the approved application and the following terms of conditions will become binding. Failure to comply with provisions of this agreement will result in required corrective action up to and including project costs being disallowed and termination of the project, as specified in item 17 of this section.

1. **All Subgrant Recipients must comply with the financial and administrative requirements set forth in the current edition of the U.S. Department of Justice, Office of Justice Programs (OJP) Financial Guide (Financial Guide) (<http://www.ojp.usdoj.gov/financialguide/index.htm>) and the Edward Byrne Memorial Justice Assistance Grant (JAG) program guidance (<http://www.ojp.usdoj.gov/BJA/grant/jag.html>) as well as Federal statutes, regulations, policies, guidelines and requirements and Florida laws and regulations including but not limited to:**
  - **Florida Administrative Code, Chapter 11D-9, "Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program": <https://www.flrules.org/>**
  - **Office of Management and Budget (OMB) Circulars: <http://www.whitehouse.gov/omb/circulars>**
    - **A-21 (2 CFR 220), "Cost Principles for Educational Institutions"**
    - **A-87 (2 CFR 225), "Cost Principles for State, Local and Indian Tribal Governments"**
    - **A-102, "Grants and Cooperative Agreements with State and Local Governments"**
    - **A-110 (2 CFR 215), "Uniform Administrative Requirements for Grants and Cooperative Agreements"**
    - **A-122 (2 CFR 230), "Cost Principles for Non-Profit Organizations"**
    - **A-133, "Audits of States, Local Governments, and Non-Profit Organizations"**
  - **Code of Federal Regulations: <http://www.gpoaccess.gov/cfr/index.html>**
    - **28 CFR 38, "Equal Treatment for Faith-Based Organizations"**
    - **28 CFR 66, "U.S. Department of Justice Common Rule for State And Local Governments" (Common Rule)**
    - **28 CFR 83, "Government-Wide Requirements for Drug-Free Workplace (Grants)"**
    - **28 CFR 18, 22, 23, 30, 35, 42, 61, and 63**
  - **Public Law 109-162, Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program: <http://www.ojp.usdoj.gov/BJA/grant/jag.html>**
  - **United States Code: <http://www.gpoaccess.gov/uscode/index.html>**
    - **42 U.S.C. 3711 et seq., "Omnibus Crime Control and Safe Streets Act of 1968"**
2. **Allowable Costs**
  - a. Allowance for costs incurred under the subgrant shall be determined according to the general principles and standards for selected cost items set forth in the Office of Justice Programs Financial Guide, U.S. Department of Justice Common Rule for State And Local Governments and federal OMB Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments," or OMB Circular A-21, "Cost Principles for Educational Institutions."
  - b. All procedures employed in the use of federal funds for any procurement shall be according

to U.S. Department of Justice Common Rule for State and Local Governments, or OMB Circular A-110, or OMB Circular A-102, and Florida law to be eligible for reimbursement.

### 3. Reports

#### a. Project Performance Reports

- (1) Reporting Time Frames: The subgrant recipient shall submit Quarterly Project Performance Reports to the Florida Department of Law Enforcement, hereafter known as the Department, within 15 days after the end of the reporting period. In addition, if the subgrant award period is extended beyond the "original" project period, additional Quarterly Project Performance Reports shall be submitted.

Failure to submit Quarterly Performance Reports that are complete, accurate, and timely may result in sanctions, as specified in item 17, Performance of Agreement Provisions.

- (2) Report Contents: Performance reports must include a response to all objectives included in your subgrant. A detailed response is required in the narrative portion for yes/no performance objectives. The narrative must also reflect on accomplishments for the quarter and identify problems with project implementation and address actions being taken to resolve the problems.

#### b. Financial Reports

##### (1) Project Expenditure Reports

- (a) The subgrant recipient shall have a choice of submitting either a Monthly or a Quarterly Project Expenditure Report to the Department. Project Expenditure Reports are due thirty-one (31) days after the end of the reporting period. In addition, if the subgrant award period is extended, additional Project Expenditure Reports shall be submitted. Project Expenditure Reports for grants made under the Recovery Act must be submitted monthly. See the Recovery Act Conditions for additional information.
- (b) All project expenditures for reimbursement of subgrant recipient costs shall be submitted on the Project Expenditure Report Forms prescribed and provided by the Office of Criminal Justice Grants (OCJG) through the Subgrant Information Management ON-line (SIMON) system.
- (c) All Project Expenditure Reports shall be submitted in sufficient detail for proper pre-audit and post-audit.
- (d) Before the "final" Project Expenditure Report will be processed, the subgrant recipient must submit to the Department all outstanding project reports and must have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.

(e) Reports are to be submitted even when no reimbursement is being requested.

- (2) The Financial Closeout Documentation shall be submitted to the Department within forty-five (45) days of the subgrant termination date.

- (3) If applicable, the subgrant recipient shall submit Quarterly Project Generated Income Reports to the Department within 31 days after the end of the reporting period covering subgrant project generated income and expenditures during the previous quarter. If any PGI remains unspent after the subgrant ends, the subgrant recipient must continue

submitting quarterly PGI reports until all funds are expended. (See Item 10, Program Income.)

c. **Other Reports**

The recipient shall report to the Uniform Crime Report and other reports as may be reasonably required by the Department.

**4. Fiscal Control and Fund Accounting Procedures**

- a. The subgrant recipient shall establish fiscal control and fund accounting procedures that assure proper disbursement and accounting of subgrant funds and required non-federal expenditures. All funds spent on this project shall be disbursed according to provisions of the project budget as approved by the Department.
- b. All expenditures and cost accounting of funds shall conform to the Office of Justice Programs Financial Guide, the Common Rule, and OMB Circulars A-21, A-87, and A-110, or A-102 as applicable, in their entirety.
- c. All funds not spent according to this agreement shall be subject to repayment by the subgrant recipient.

**5. Payment Contingent on Appropriation and Available Funds**

The State of Florida's performance and obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature. Furthermore, the obligation of the State of Florida to reimburse subgrant recipients for incurred costs is subject to available federal funds.

**6. Obligation of Subgrant Recipient Funds**

Subgrant funds shall not under any circumstances be obligated prior to the effective date or subsequent to the termination date of the subgrant period. Only project costs incurred on or after the effective date and on or prior to the termination date of the subgrant recipient's project are eligible for reimbursement.

**7. Advance Funding**

Advance funding shall be provided to a subgrant recipient upon a written request to the Department.

**8. Trust Funds**

- a. The unit of local government must establish a trust fund in which to deposit JAG funds. The trust fund may or may not be an interest bearing account.
- b. The account may earn interest, but any earned interest must be used for program purposes and expended before the subgrant end date. Any unexpended interest remaining at the end of the subgrant period must be submitted to the Office of Criminal Justice Grants for transmittal to the Bureau of Justice Assistance.

**9. Travel and Training**

The cost of all travel shall be reimbursed according to the subgrant recipient's written travel policy. If the subgrant recipient does not have a written travel policy, cost of all travel will be reimbursed according to § 112.061, Fla. Stat.

**10. Program Income (also known as Project Generated Income)**

- a. All income generated as a direct result of a subgrant project shall be deemed program income.
- b. Any project that will potentially earn PGI must submit an Earnings and Expenditures Report to report how much PGI was earned during each quarter. A report must be submitted each quarter even if no PGI was earned or expended.
- c. PGI expenditures require prior written approval from the Office of Criminal Justice Grants. Program income must be used for the purposes of and under the conditions applicable to the award. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income.
- d. Program income should be used as earned and expended as soon as possible. Any unexpended PGI remaining at the end of the Federal grant period must be submitted to the Office of Criminal Justice Grants for transmittal to the Bureau of Justice Assistance.

**11. Approval of Consultant Contracts**

The Department shall review and approve in writing all consultant contracts prior to employment of a consultant when the consultant's rate exceeds \$450 (excluding travel and subsistence costs) for an eight-hour day. Approval shall be based upon the contract's compliance with requirements found in the Financial Guide, the Common Rule, and in applicable state statutes. The Department's approval of the subgrant recipient agreement does not constitute approval of consultant contracts. If consultants are hired through a competitive bidding process (not sole source), the \$450 threshold does not apply.

**12. Property Accountability**

- a. The subgrant recipient agrees to use all non-expendable property for criminal justice purposes during its useful life or dispose of it pursuant to § 274, Fla. Stat.
- b. The subgrant recipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the Office of Justice Programs Financial Guide, U.S. Department of Justice Common Rule for State and Local Governments or the federal OMB Circular A-110 or A-102, as applicable. This obligation continues as long as the subgrant recipient retains the property, notwithstanding expiration of this agreement.

**13. Ownership of Data and Creative Material**

Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the Office of Justice Programs Financial Guide (as amended), and the U.S. Department of Justice Common Rule for State and Local Governments, or the federal OMB Circular A-110 or A-102, as applicable.

**14. Copyright**

The awarding agency reserves a royalty-free non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes:

- a. The copyright in any work developed under an award or subaward, and

- b. Any rights of copyright to which a subgrant recipient or subrecipient purchases ownership with support funded under this grant agreement.

#### 15. Publication or Printing of Reports

The subgrant recipient shall submit for review and approval one copy of any curricula, training materials, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) days prior to the targeted dissemination date.

All materials publicizing or resulting from award activities shall contain the following statements: "This project was supported by Award No. [contact the Office of Criminal Justice Grants for award number] awarded by the Bureau of Justice Assistance, Office of Justice Programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice."

#### 16. Audit

- a. Subgrant recipients that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. The audit shall be performed in accordance with the federal OMB Circular A-133 and other applicable federal law. The contract for this agreement shall be identified in the Schedule of Federal Financial Assistance in the subject audit. The contract shall be identified as federal funds passed through the Florida Department of Law Enforcement and include the contract number, CFDA number, award amount, contract period, funds received and disbursed. When applicable, the subgrant recipient shall submit an annual financial audit that meets the requirements of § 11.45, Fla. Stat. , "Definitions; duties; authorities; reports; rules."; § 215.97, Fla. Stat. , "Florida Single Audit Act"; and Rules of the Auditor General, Chapter 10.550, "Local Governmental Entity Audits" and Chapter 10.650, "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."
- b. A complete audit report that covers any portion of the effective dates of this agreement must be submitted within 30 days after its completion, but no later than nine (9) months after the audit period. In order to be complete, the submitted report shall include any management letters issued separately and management's written response to all findings, both audit report and management letter findings. Incomplete audit reports will not be accepted by the Department.
- c. The subgrant recipient shall have all audits completed by an Independent Public Accountant (IPA). The IPA shall be either a Certified Public Accountant or a Licensed Public Accountant.
- d. The subgrant recipient shall take appropriate corrective action within six (6) months of the issue date of the audit report in instances of noncompliance with federal laws and regulations.
- e. The subgrant recipient shall ensure that audit working papers are made available to the Department, or its designee, upon request for a period of three (3) years from the date the audit report is issued, unless extended in writing by the Department.
- f. Subgrant recipients that expend less than \$500,000 in Federal awards during a fiscal year are exempt from the audit requirements of OMB Circular A-133 for that fiscal year. In this case, written notification, which can be in the form of the "Certification of Audit Exemption" form, shall be provided to the Department by the Chief Financial Officer, or designee, that the subgrant recipient is exempt. This notice shall be provided to the Department no later than March 1 following the end of the fiscal year.

- g. If this agreement is closed out without an audit, the Department reserves the right to recover any disallowed costs identified in an audit completed after such closeout.
- h. The completed audit report or written notification of audit exemption should be sent to the following address:

Florida Department of Law Enforcement  
Office of Criminal Justice Grants  
2331 Phillips Road  
Tallahassee, Florida 32308

#### 17. Performance of Agreement Provisions

In the event of default, non-compliance or violation of any provision of this agreement by the subgrant recipient, the subgrant recipient's consultants and suppliers, or both, the Department shall impose sanctions it deems appropriate including withholding payments and cancellation, termination, or suspension of the agreement in whole or in part. In such event, the Department shall notify the subgrant recipient of its decision thirty (30) days in advance of the effective date of such sanction. The subgrant recipient shall be paid only for those services satisfactorily performed prior to the effective date of such sanction.

#### 18. Commencement of Project

- a. If a project is not operational within 60 days of the original start date of the award period, the subrecipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and the expected start date.
- b. If a project is not operational within 90 days of the original start date of the award period, the subrecipient must submit a second statement to the Department explaining the implementation delay.
- c. Upon receipt of the ninety (90) day letter, the Department shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and re-obligate subgrant funds to other Department approved projects. The Department, where warranted by extenuating circumstances, may extend the starting date of the project past the ninety (90) day period, but only by formal written adjustment to this agreement.

#### 19. Excusable Delays

- a. Except with respect to defaults of consultants, the subgrant recipient shall not be in default by reason of any failure in performance of this agreement according to its terms (including any failure by the subgrant recipient to make progress in the execution of work hereunder which endangers such performance) if such failure arises out of causes beyond the control and without the fault or negligence of the subgrant recipient. Such causes include, but are not limited to, acts of God or of the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, but in every case, the failure to perform shall be beyond the control and without the fault or negligence of the subgrant recipient.
- b. If failure to perform is caused by failure of a consultant to perform or make progress, and if such failure arises out of causes beyond the control of subgrant recipient and consultant, and without fault or negligence of either of them, the subgrant recipient shall not be deemed in default, unless:
  - (1) Supplies or services to be furnished by the consultant were obtainable from other sources,

- (2) The Department ordered the subgrant recipient in writing to procure such supplies or services from other sources, and
  - (3) The subgrant recipient failed to reasonably comply with such order.
- c. Upon request of the subgrant recipient, the Department shall ascertain the facts and the extent of such failure, and if the Department determines that any failure to perform was occasioned by one or more said causes, the delivery schedule shall be revised accordingly.

#### **20. Written Approval of Changes in this Approved Agreement**

- a. Subgrant recipients must obtain prior approval from the Department for major substantive changes such as changes in project activities, target populations, service providers, implementation schedules, project director, and designs or research plans set forth in the approved agreement and for any budget changes that will transfer more than 10% of the total budget between budget categories.
- b. Subgrant recipients may transfer up to 10% of the total budget between current, approved budget categories without prior approval as long as the funds are transferred to an existing line item
- c. Under no circumstances can transfers of funds increase the total budgeted award.

#### **21. Disputes and Appeals**

- a. The Department shall make its decision in writing when responding to any disputes, disagreements, or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The subgrant recipient shall proceed diligently with the performance of this agreement according to the Department's decision.
- b. If the subgrant recipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The subgrant recipient's right to appeal the Department's decision is contained in § 120, Fla. Stat., and in procedures set forth in Rule 28-106.104, Florida Administrative Code. Failure to appeal within this time frame constitutes a waiver of proceedings under § 120, Fla. Stat.

#### **22. Conferences and Inspection of Work**

Conferences may be held at the request of any party to this agreement. At any time, a representative of the Department, of the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right of visiting the project site to monitor, inspect and assess work performed under this agreement.

#### **23. Access To Records**

- a. The Department of Law Enforcement, the Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the subgrant recipient, implementing agency and contractors for the purpose of audit and examination according to the Financial Guide and the Common Rule.
- b. The Department reserves the right to unilaterally terminate this agreement if the subgrant recipient, implementing agency, or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of § 119, Fla. Stat., and

made or received by the subgrant recipient or its contractor in conjunction with this agreement.

- c. The subgrant recipient will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

#### **24. Retention of Records**

The subgrant recipient shall maintain all records and documents for a minimum of three (3) years from the date of the final financial statement and be available for audit and public disclosure upon request of duly authorized persons.

#### **25. Signature Authority**

The Subgrant Recipient Authorizing Official or Designated Representative and the Implementing Agency Official, Administrator or Designated Representative, who sign the Signature Page, have the authority to request changes to the approved agreement. The prior mentioned individuals have authority to sign or make amendments to the Sole Source, ADP Justification and the Privacy Certification forms. The Project Director has authority to submit requests for approval of specific travel, and Performance Reports, with the exception of the Financial and Closeout Package, which also requires the signature by the Chief Financial Officer of the Subgrant Recipient or authorized designee.

#### **26. Delegation of Signature Authority**

When the authorized official of a subgrant recipient or the implementing agency designates some other person signature authority for him/her, the chief officer or elected official must submit to the Department a letter or resolution indicating the person given signature authority. The letter indicating delegation of signature authority must be signed by the chief officer or elected official and the person receiving signature authority. The letter must also specify the authority being delegated.

#### **27. Personnel Changes**

Upon implementation of the project, in the event there is a change in Chief Executive Officers for the Subgrant recipient or Implementing Agency, Project Director, or Contact Person, the Department must be notified in writing with documentation to include appropriate signatures.

#### **28. Background Check**

Whenever a background screening for employment or a background security check is required by law for employment, unless otherwise provided by law, the provisions of § 435, Fla. Stat. shall apply.

- a. All positions in programs providing care to children, the developmentally disabled, or vulnerable adults for 15 hours or more per week; all permanent and temporary employee positions of the central abuse hotline; and all persons working under contract who have access to abuse records are deemed to be persons and positions of special trust or responsibility and require employment screening pursuant to § 435, Fla. Stat., using the level 2 standards set forth in that chapter.
- b. All employees in positions designated by law as positions of trust or responsibility shall be required to undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting

for all purposes and checks in this subsection, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.

- (1) Any person who is required to undergo such a security background investigation and who refuses to cooperate in such investigation or refuses to submit fingerprints shall be disqualified for employment in such position or, if employed, shall be dismissed.
- (2) Such background investigations shall be conducted at the expense of the employing agency or employee. When fingerprinting is required, the fingerprints of the employee or applicant for employment shall be taken by the employing agency or by an authorized law enforcement officer and submitted to the Department of Law Enforcement for processing and forwarding, when requested by the employing agency, to the United States Department of Justice for processing. The employing agency shall reimburse the Department of Law Enforcement for any costs incurred by it in the processing of the fingerprints.

### **29. Drug Court Projects**

A Drug Court Project must comply with § 397.334, Fla. Stat., "Treatment-Based Drug Court Programs."

### **30. Overtime for Law Enforcement Personnel**

Prior to obligating funds from this award to support overtime by law enforcement officers, the U.S. Department of Justice encourages consultation with all allied components of the criminal justice system in the affected jurisdiction. The purpose of this consultation is to anticipate and plan for systemic impacts such as increased court dockets and the need for detention space.

### **31. Criminal Intelligence System**

The subgrant recipient agrees that any information technology system funded or supported by the Office of Justice Programs funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if the Office of Justice Programs determines this regulation to be applicable. Should the Office of Justice Programs determine 28 C.F.R. Part 23 to be applicable, the Office of Justice Programs may, at its discretion, perform audits of the system, as per 28 C.F.R. 23.20(g). Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.

### **32. Confidential Funds**

A signed certification that the project director or the head of the Implementing Agency has read, understands, and agrees to abide by all of the conditions for confidential funds as set forth in the effective edition of the Office of Justice Programs Financial Guide is required from all projects that are involved with confidential funds. The signed certification must be submitted at the time of grant application.

### **33. Equal Employment Opportunity (EEO)**

- a. Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, disability, or age in funded programs or activities. All subgrant recipients and implementing agencies must comply with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. §

5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); and Department of Justice Non-Discrimination Regulations 28 CFR Part 42; see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

- b. A subgrant recipient or implementing agency must develop an EEO Plan if it has 50 or more employees and it has received any single award of \$25,000 or more from the Department of Justice. The plan must be prepared using the on-line short form at [http://www.ojp.usdoj.gov/about/ocr/eeop\\_comply.htm](http://www.ojp.usdoj.gov/about/ocr/eeop_comply.htm), must be retained by the subgrant recipient or implementing agency, and must be available for review or audit. The organization must also submit an EEO Certification to FDLE.
- c. If the subgrant recipient or implementing agency is required to prepare an EEO Plan and has received any single award of \$500,000 or more from the Department of Justice, it must submit its plan to the Department of Justice for approval. A copy of the Department of Justice approval letter must be submitted to FDLE. The approval letter expires two years from the date of the letter.
- d. A subgrant recipient or implementing agency is exempt from the EEO Plan requirement if it has fewer than 50 employees or if it does not receive any single award of \$25,000 or more from the Department of Justice or if it is a nonprofit organization, a medical or educational institution, or an Indian Tribe. If an organization is exempt from the EEO Plan requirement, it must submit an EEO Certification to FDLE.
- e. The subgrant recipient and implementing agency acknowledge that failure to comply with EEO Requirements within 60 days of the project start date may result in suspension or termination of funding, until such time as it is in compliance.
- f. In the event a Federal or State court of Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.

#### **34. Americans with Disabilities Act**

Subgrant recipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination by public and private entities on the basis of disability and requires certain accommodations be made with regard to employment (Title I), state and local government services and transportation (Title II), public accommodations (Title III), and telecommunications (Title IV).

#### **35. Immigration and Nationality Act**

No public funds will intentionally be awarded to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e), Section 274A(e) of the Immigration and Nationality Act ("INA"). The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the subgrant recipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this contract by the Department.

#### **36. National Environmental Policy Act (NEPA)**

- a. The subgrant recipient agrees to assist FDLE in complying with the NEPA, the National Historic Preservation Act, and other related federal environmental impact analyses

requirements in the use of subgrant funds by the subgrant recipient. This applies to the following new activities whether or not they are being specifically funded with these subgrant funds. That is, it applies as long as the activity is being conducted by the subgrant recipient or any third party and the activity needs to be undertaken in order to use these subgrant funds,

- (1) New construction;
  - (2) Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
  - (3) A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and
  - (4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments.
  - (5) Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.
- b. The subgrant recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by the Bureau of Justice Assistance. The subgrant recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed by the Department of Justice, for programs relating to methamphetamine laboratory operations.
- c. For any of a subgrant recipient's existing programs or activities that will be funded by these subgrants, the subgrant recipient, upon specific request from the Department and the U.S. Department of Justice, agrees to cooperate with the Department of Justice in any preparation by Department of Justice of a national or program environmental assessment of that funded program or activity.

### 37. Non-Procurement, Debarment and Suspension

The subgrant recipient agrees to comply with Executive Order 12549, Debarment and Suspension and 2 CFR 180, "OMB Guidelines To Agencies On Governmentwide Debarment And Suspension (Nonprocurement)" These procedures require the subgrant recipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the Department. If the subgrant is \$100,000 or more, the subgrant recipient and implementing agency certify that they and their principals:

- a. 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 or agency;
- b. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- d. Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

### 38. Federal Restrictions on Lobbying

- a. Each subgrant recipient agrees to comply with 28 CFR Part 69, "New Restrictions on Lobbying" and shall file the most current edition of the Certification And Disclosure Form, if applicable, with each submission that initiates consideration of such subgrant recipient for award of federal contract, grant, or cooperative agreement of \$100,000 or more.
- b. This certification is a material representation of fact upon which reliance was placed when this agreement was made. Submission of this certification is a prerequisite to entering into this agreement subject to conditions and penalties imposed by 31 USC 1352. Any person who fails to file the required certification is subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure to file.
- c. As required by 31 USC 1352, and implemented at 28 CFR 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR 69, the applicant certifies that:
  - (1) No Federal appropriated funds have been paid or will be 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;
  - (2) If any funds other than Federal appropriated funds have been paid or will be paid 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 this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
  - (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

### 39. State Restrictions on Lobbying

In addition to the provisions contained in Item 39, above, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this contract.

### 40. Additional Restrictions on Lobbying

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 the Office of Justice Programs.

**41. "Pay – to – Stay"**

Funds from this award may not be used to operate a "pay-to-stay" program in any local jail. Furthermore, no funds may be given to local jails that operate "pay-to-stay" programs. "Local jail," as referenced in this condition, means an adult facility or detention center owned and/or operated by city, county, or municipality. It does not include juvenile detention centers. "Pay-to-stay" programs as referenced in this condition, means a program by which extraordinary services, amenities and/or accommodations, not otherwise available to the general inmate population, may be provided, based upon an offender's apparent ability to pay, such that disparate conditions of confinement are created for the same or similar offenders within a jurisdiction.

**42. Mitigation of Health, Safety and Environmental risks dealing with Clandestine Methamphetamine Laboratories**

If an award is made to support methamphetamine laboratory operations the subgrant recipient must comply with this condition, which provides for individual site environmental assessment/impact statements as required under the National Environmental Policy Act.

- a. **General Requirement:** The subgrant recipient agrees to comply with Federal, State, and local environmental, health and safety laws and regulations applicable to the investigation and closure of clandestine methamphetamine laboratories and the removal and disposal of the chemicals, equipment, and wastes used in or resulting from the operation of these laboratories.
- b. **Specific Requirements:** The subgrant recipient understands and agrees that any program or initiative involving the identification, seizure, or closure of clandestine methamphetamine laboratories can result in adverse health, safety and environmental impacts to (1) the law enforcement and other governmental personnel involved; (2) any residents, occupants, users, and neighbors of the site of a seized clandestine laboratory; (3) the seized laboratory site's immediate and surrounding environment of the site(s) where any remaining chemicals, equipment, and waste from a seized laboratory's operations are placed or come to rest.

Therefore, the subgrant recipient further agrees that in order to avoid or mitigate the possible adverse health, safety and environmental impacts from any of clandestine methamphetamine operations funded under this award, it will (1) include the nine, below listed protective measures or components; (2) provide for their adequate funding to include funding, as necessary, beyond that provided by this award; and (3) implement these protective measures directly throughout the life of the subgrant. In so doing, the subgrant recipient understands that it may implement these protective measures directly through the use of its own resources and staff or may secure the qualified services of other agencies, contractor or other qualified third party.

- (1) Provide medical screening of personnel assigned or to be assigned by the subgrant recipient to the seizure or closure of clandestine methamphetamine laboratories;
- (2) Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and other personnel assigned by the subgrant recipient to either the seizure or closure of clandestine methamphetamine laboratories;
- (3) As determined by their specific duties, equip personnel assigned to the project with OSHA required protective wear and other required safety equipment;
- (4) Assign properly trained personnel to prepare a comprehensive contamination report on each closed laboratory;
- (5) Employ qualified disposal contractors to remove all chemicals and associated

glassware, equipment, and contaminated materials and wastes from the site(s) of each seized clandestine laboratory;

- (6) Dispose of the chemicals, equipment, and contaminated materials and wastes removed from the sites of seized laboratories at properly licensed disposal facilities or, when allowable, properly licensed recycling facilities;
- (7) Monitor the transport, disposal, and recycling components of subparagraphs 5 and 6 immediately above in order to ensure proper compliance;
- (8) Have in place and implement an inter-agency agreement or other form of commitment with a responsible State environmental agency that provides for that agency's (i) timely evaluation of the environmental conditions at and around the site of a closed clandestine laboratory and (ii) coordination with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if necessary, and in accordance with existing State and Federal requirements; and
- (9) Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

#### **43. Limited English Proficiency (LEP)**

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 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>.

#### **44. The Coastal Barrier Resources Act**

The subgrant recipient will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

#### **45. Enhancement of Security**

If funds are used for enhancing security, the subgrant recipient agrees to:

- a. Have an adequate process to assess the impact of any enhancement of a school security measure that is undertaken on the incidence of crime in the geographic area where the enhancement is undertaken.
- b. Conduct such an assessment with respect to each such enhancement; and, submit to the Department the aforementioned assessment in its Final Program Report.

#### **46. Environmental Protection Agency's (EPA) list of Violating Facilities**

The subgrant recipient assures that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the Program Purpose are not listed on the EPA's list of

Violating Facilities and that it will notify the Department of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

**47. Flood Disaster Protection Act**

The subgrant recipient will comply with Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, requiring that the purchase of flood insurance in communities where such insurance is available as a condition of the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards.

**48. National Historic Preservation Act**

It will assist the Department (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

**49. Omnibus Crime Control and Safe Streets Act**

The subgrant recipient will comply and assure the compliance of all contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Program Financial and Administrative Guide for Grants; and all other applicable State and Federal laws, orders, circulars, or regulations.

**50. Human Research Subjects**

Grantee agrees to comply with the requirements of 28 C.F.R. part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

**51. National Information Exchange Model specifications**

To support public safety and justice information sharing, the Office of Justice Programs requires the grantee to use the National Information Exchange Model (NIEM) specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas generated as a result of this grant to the component registry as specified in the guidelines. For more information on compliance with this condition, visit <http://www.niem.gov/implementationguide.php>.

**52. Reporting, Data Collection and Evaluation**

The subgrant recipient agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by the Bureau of Justice Assistance in the program guidance for the Justice Assistance Grant (JAG). Compliance with these requirements will be monitored by the Bureau of Justice Assistance.

### **53. Privacy Certification**

The subgrant recipient agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.

### **54. State Information Technology Point of Contact**

The subgrant recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditures period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046>.

### **55. Interstate Connectivity**

To avoid duplicating existing networks or IT systems in any initiatives funded by the Bureau of Justice Assistance for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the subgrant recipient can demonstrate to the satisfaction of the Bureau of Justice Assistance that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

### **56. Supplanting**

The subgrant recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.

### **57. Conflict of Interest**

The subgrant recipient and implementing agency will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

### **58. Uniform Relocation Assistance and Real Property Acquisitions Act**

The subgrant recipient will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs.

### **59. Limitations on Government Employees Financed by Federal Assistance**

The subgrant recipient will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

### **60. Equal Treatment for Faith Based Organizations**

The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the

"Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith based organizations may, in some circumstances, consider religion as a basis for employment. See [http://www.ojp.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.gov/about/ocr/equal_fbo.htm).

#### **61. Certification for Employees Working Solely on a Single Federal Award**

Any project staff that are fully funded by the grant must certify that they worked solely on the grant. The certification must be prepared at least semi annually and must be signed by the employee and by a supervisory official having first hand knowledge of the work performed by the employee.

#### **62. Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct**

The subgrant recipient must promptly refer to the Florida Department of Law Enforcement, Office of Criminal Justice Grants any credible evidence that a principal, employee, agent, contractor, 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

#### **63. Task Force Training Requirement**

The subgrant recipient agrees that within 120 days of award, for any law enforcement task force funded with these funds, the task force commander, agency executive, task force officers, and other task force members of equivalent rank, will complete required online (internet-based) task force training to be provided free of charge through BJA's Center for Task Force Integrity and Leadership. This training will address task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information will be provided by BJA regarding the required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)).

**VILLAGE OF PALMETTO BAY VILLAGE CHARTER**

\*Charter Commission Note--The following is the Charter of the Village, as adopted by referendum and effective on September 10, 2002.

## Article I. Corporate Existence, Form of Government, Boundary and Powers

Sec. 1.1. Corporate Existence.

Sec. 1.2. Form of Government.

Sec. 1.3. Corporate Boundary.

Sec. 1.4. Powers.

Sec. 1.5. Construction.

## Article II. Mayor, Vice-Mayor and Village Council

Sec. 2.1. Mayor and Vice-Mayor.

Sec. 2.2. Village Council.

Sec. 2.3. Election and Term of Office.

Sec. 2.4. Qualifications.

Sec. 2.5. Vacancies; Forfeiture of Office; Filling of Vacancies.

Sec. 2.6. Compensation; Reimbursement for Expenses.

Sec. 2.7. Recall.

## Article III. Administrative

Sec. 3.1. Village Manager.

Sec. 3.2. Village Manager; Appointment, Removal.

Sec. 3.3. Powers and Duties of the Village Manager.

Sec. 3.4. Acting Village Manager.

Sec. 3.5. Bond of Village Manager.

Sec. 3.6. Village Clerk.

Sec. 3.7. Village Attorney.

Sec. 3.8. Expenditure of Village Funds.

Sec. 3.9. Village Boards and Agencies.

Sec. 3.10. Competitive Procurement Requirements/Purchasing.

## Article IV. Legislative

Sec. 4.1. Council Meeting Procedure.

Sec. 4.2. Prohibitions.

Sec. 4.3. Ordinances.

Sec. 4.4. Emergency Ordinances.

Sec. 4.5. Annual Budget Adoption.

Sec. 4.6. Fiscal Year.

Sec. 4.7. Appropriation Amendments During the Fiscal Year.

Sec. 4.8. Authentication, Recording and Disposition of Ordinances; Resolutions and Charter Amendments.

Sec. 4.9. Tax Levy, Assessments and Fees.

Sec. 4.10. Independent Audit.

Sec. 4.11. Borrowing.

## Article V. Elections

Sec. 5.1. Elections.

Sec. 5.2. Initiative and Referendum.

## Article VI. Charter Amendments

Sec. 6.1. Procedure to Amend.

Sec. 6.2. Charter Revision.

## Article VII. General Provisions

Sec. 7.1. Severability.

Sec. 7.2. Conflicts of Interest; Ethical Standards.

Sec. 7.3. Village Personnel System.

Sec. 7.4. Variation of Pronouns.

Sec. 7.5. No Discrimination.

Sec. 7.6. Lobbyists.

Sec. 7.7. Precedence Over Related Laws.

## Article VIII. Transition Provisions

Sec. 8.1. Interim Adoption of Codes and Ordinances.

## Article IX. Special Conditions

Sec. 9.1. Interlocal Agreements.

**ARTICLE III. ADMINISTRATIVE**

**Section 3.1. Village manager.**

There shall be a Village Manager (the "Village Manager") who shall be the chief administrative officer of the Village. The Village Manager shall be responsible to the Council for the administration of all Village affairs and for carrying out policies adopted by the Council. The term, conditions and compensation of the Village Manager shall be established by the Council.

**Section 3.2. Village manager; appointment, removal.**

The Village Manager shall be appointed by a majority vote of the Council. The Village Manager shall be removed by a majority vote of the Council.

**Section 3.3. Powers and duties of the village manager.**

The Manager shall:

- (1) Be responsible for the appointing, hiring, promoting, supervising and removing of all Village employees, except the Village Attorney and all employees of the Office of the Village Attorney.
- (2) Direct and supervise the administration of all departments and offices but not Village boards or committees, unless so directed by the Council from time to time;
- (3) Attend Council meetings and have the right to take part in discussion but not the right to vote;
- (4) Ensure that all laws, provisions of this Charter and directives of the Council, subject to enforcement and/or administration by him/her or by employees subject to his/her direction and supervision, are faithfully executed;
- (5) Prepare and submit to the Council a proposed annual budget and capital program;
- (6) Submit to the Council and make available to the public an annual report on the finances and administrative activities of the Village as of the end of each fiscal year;
- (7) Prepare such other reports as the Council may require concerning the operations of Village departments, offices, boards and agencies;
- (8) Keep the Council fully advised as to the financial condition and future needs of the Village and make such recommendations to the Council concerning the affairs of the Village as s/he deems to be in the best interests of the Village;

~~and enter into contracts and other documents on behalf of the Village as authorized by the Council.~~

(10) Perform such other duties as are specified in this Charter or as may be required by the Council; and

(11) Pursue the collection of all allowable fees and taxes and maximize financial reserves as is necessary to sustain the Village and the service levels requested by the citizenry. Periodically compare fee structure to similarly sized municipalities to ensure fair and appropriate pricing.

#### **Section 3.4. Acting village manager.**

To perform his/her duties during his/her temporary absence or disability, the Village Manager may designate, by letter filed with the Council, a qualified employee of the Village. In the event of failure of the Village Manager to make such designation or should the Council be dissatisfied with performance of the person designated, the Council may appoint another employee to serve as Acting Village Manager.

#### **Section 3.5. Bond of village manager.**

The Village Manager shall furnish a surety bond to be approved by the Council, and in such amount as the Council may fix, said bond to be conditioned on the faithful performance of his/her duties. The premium of the bond shall be paid by the Village.

#### **Section 3.6. Village clerk.**

The Village Council shall appoint the Village Clerk (the "Village Clerk"). The Village Clerk shall give notice of all Council meetings to its members and the public, and shall keep minutes of the Council's proceedings. The Village Clerk shall perform such other duties as the Village Council may prescribe from time to time. The Village Clerk shall report to the Village Council. The Village Clerk may be removed by the Village Council. The Village Clerk shall maintain the seal of the Village and attest the Mayor's or Manager's signature, as the case may be, on all documents if needed.

#### **Section 3.7. Village attorney.**

The Council shall hire an individual attorney or law firm to act as the Village Attorney under such terms, conditions, and compensation as may be established by the Council. The Village Attorney shall report to the Council and may be removed by majority vote of the Council.

#### **Section 3.8. Expenditure of village funds.**

No funds of the Village shall be expended except pursuant to duly approved appropriations.

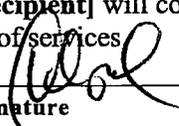
**CERTIFICATION FORM**

Recipient Name and Address: Village of Palmetto Bay 8950 SW 152nd Street  
Palmetto Bay, FL 33157  
Grant Title: Safer Communities through Safer Children Grant Number: 2011-JM7087 Award Amount: \$9,620.00  
Contact Person Name and Title: Olga Cadaval, Phone Number: ( ) 305.259.1234  
Human Resources Director

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R §§ 42.301-308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete **Section A** below. Recipients that claim the limited exemption from the submission requirement, must complete **Section B** below. **A recipient should complete either Section A or Section B, not both.** If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7<sup>th</sup> Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202) 307-2027.

**Section A- Declaration Claiming Complete Exemption from the EEOP Requirement.** *Please check all the boxes that apply.*

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Recipient has less than 50 employees, | <input type="checkbox"/> Recipient is an Indian tribe,                      |
| <input type="checkbox"/> Recipient is a non-profit organization,          | <input type="checkbox"/> Recipient is an educational institution, or        |
| <input type="checkbox"/> Recipient is a medical institution,              | <input type="checkbox"/> Recipient is receiving an award less than \$25,000 |

I, Olga Cadaval [responsible official], certify that  
Village of Palmetto Bay [recipient] is not required to  
prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R §42.302. I further certify that  
Village of Palmetto Bay [recipient] will comply with applicable Federal civil rights  
laws that prohibit discrimination in employment and in the delivery of services  
Olga Cadaval, Human Resources Director   
Print or type Name and Title Signature Date 11/29/10

**Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.**

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, \_\_\_\_\_ [responsible official], certify that  
the \_\_\_\_\_ [recipient], which has 50 or more  
employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an  
EEOP in accordance with 28 CFR §42.301, *et seq.*, subpart E. I further certify that the EEOP has been formulated and  
signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in  
the office of: \_\_\_\_\_ [organization],  
at \_\_\_\_\_ [address], for review by the public and  
employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of  
Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Print or type Name and Title Signature Date

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duty authorized officers on the date, month and year set out below.

Corrections on this page, including Strikeovers,  
whiteout, etc. are not acceptable.

DEC 2 2010

State of Florida  
Department of Law Enforcement  
Office of Criminal Justice Grants

Signature: Clayton H. Wilder

Typed Name and Title: Clayton H. Wilder, Community Program Administrator

Date: 1-21-11

Subgrant Recipient  
Authorizing Official of Governmental Unit  
(Commission Chairman, Mayor, or Designated Representative)

Typed Name of Subgrant Recipient: Village of Palmetto Bay

Signature: Ron E. Williams

Typed Name and Title: Ron E. Williams, Village Manager

Date: 11-29-10

Implementing Agency  
Official, Administrator or Designated Representative

Typed Name of Implementing Agency: Village of Palmetto Bay

Signature: Ron E. Williams

Typed Name and Title: Ron E. Williams, Village Manager

Date: 11-29-10