

CITY COUNCIL

MEETING AGENDA PACKET

Tuesday, May 27, 2025
5:30 pm



Sierra Madre City Council Chambers
232 W. Sierra Madre Boulevard
Sierra Madre, California 91024

Mayor Robert Parkhurst, Mayor Pro Tempore Kristine Lowe
Council Members: Edward Garcia, Gene Goss, and Kelly Kriebs

**AGENDA
REGULAR MEETING
SIERRA MADRE CITY COUNCIL**

**Tuesday, May 27, 2025
5:30 pm**

**City of Sierra Madre
City Council Chambers
232 W. Sierra Madre Boulevard
Sierra Madre, California 91024**



*Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member*

Sue Spears, City Treasurer

The Brown Act provides the public with an opportunity to make public comments at any public meeting; As an alternative, public comment may be made by e-mail to PublicComment@CityofSierraMadre.com by 3:00PM on the day of the meeting. Emails will be acknowledged at the Council meeting, filed into public record, and scanned onto the City website for public review.

The meeting will be streamed live on the City's website at www.cityofsierramadre.com, on Foothills Media website at <http://www.foothillsmedia.org/sierramadre> and broadcast on Government Access Channel 3 (Spectrum)

CODE OF CONDUCT

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CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

Mayor Parkhurst, Mayor Pro Tem Lowe, Council Member Garcia, Council Member Goss, Council Member Kriebs

PLEDGE OF ALLEGIANCE AND INSPIRATION

Mayor Robert Parkhurst

APPROVAL OF MEETING AGENDA

Vote of the City Council to proceed with City business.

REPORT OUT FROM CLOSED SESSION

No Closed Sessions held during the period of May 13, 2025 to May 27, 2025

APPROVAL OF MEETING MINUTES

Approval of May 13, 2025 City Council meeting minutes.

APPROVAL FOR READING RESOLUTIONS AND ORDINANCES

Vote of the City Council to read all Ordinances and Resolutions by title only and waive reading in full.

MAYOR AND CITY COUNCIL REPORTS

Reporting of Council Members' activities related to City business.

PUBLIC PARTICIPATION CODE OF CONDUCT

The Council requests that participants refrain from making personal, slanderous, profane, or disruptive remarks. A person who continues to disrupt the orderly conduct of the meeting after being warned by the Mayor or designee to cease the disruption may be precluded from further participation in the meeting. No signs, posters, or other large objects shall be brought into official meeting places if doing so would disrupt, disturb, or otherwise impede the orderly course of the meeting.

PUBLIC COMMENT

The Council will listen to the public on any item on the agenda. In addition, the Council will devote time for public comment on items not on the agenda. Addressing the City Council from the audience is not permitted; all comments addressing the Council must be made from the podium. Only public comment made from the podium will be recognized by the City Council and entered into public record.

Providing Public Comment For Items on the Meeting Agenda

Persons wishing to speak on any item on the agenda will be called during the comment period at the time the agenda item is brought forward. Persons wishing to speak on closed session items have a choice of doing so either immediately prior to the closed session or at the time for comments on items at the open session.

Provide Public Comment for Topics not on the Meeting Agenda

Time shall be devoted to provide public comments for items not on the agenda. Under the Brown Act, Council is prohibited from taking action on items not on the agenda.

Providing Public Comment

1. Any person wishing to provide public comment is asked to complete a comment card. Each speaker will be limited to up to three continuous minutes, which may not be delegated or deferred.
2. Comments addressed to the Council shall occur during the appropriate time on the agenda and should not be construed as an opportunity for dialogue.

PRESENTATIONS

1. ANNOUNCEMENT OF SIERRA MADRE LIBRARY BOOKMARK CONTEST WINNERS

2. SIERRA MADRE CIVIC CLUB GRANT AWARDS

These grant awards are not allocated nor distributed from City funds or accounts. The Sierra Madre Civic Club is an independent philanthropic organization, serving the community of Sierra Madre

3. UPDATE FROM CITY STAFF REGARDING MUNICIPAL ELECTRIC VEHICLE FLEET

ACTION ITEMS

Regardless of staff recommendation on any agenda item, the City Council will consider such matters, including action to approve, conditionally approve, reject, or continue such item.

CONSENT

a) CONSIDERATION OF RESOLUTION 25-32 APPROVING CERTAIN DEMANDS

It is recommended that the City Council approve Resolution 25-32 approving payment of City Warrants in the aggregate amount of \$268,091.68, Sierra Madre Library Warrants in the aggregate amount of \$526,369.61, and Payroll Transfer in the aggregate amount of \$608,649.53, for the Fiscal Year ending June 30, 2025

b) CONSIDERATION OF APPROVAL OF THE ALLOCATION OF ADDITIONAL DISCRETIONARY PAYMENT (ADP) TO CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) UNFUNDED ACCRUED LIABILITY (UAL)

It is recommended that the City Council approve a \$150,000 Additional Discretionary Payment (ADP) to California Public Employees' Retirement System (CalPERS) Unfunded Accrued Liability (UAL).

c) CONSIDERATION OF RESOLUTION 25-33 APPROVING THE INITIATION OF PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS AND ORDERING THE PREPARATION OF THE REPORT FOR THE DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2025-2026

It is recommended that the City Council approve Resolution 25-33 and authorize NBS to prepare and file with the City Clerk, the Engineer's Report concerning the levy and collection of assessments within the Downtown Landscaping Lighting Maintenance Assessment District for the Fiscal Year commencing July 1, 2025, and ending June 30, 2025.

d) CONSIDERATION OF RESOLUTION 25-35 APPROVING AND ESTABLISHING THE ANNUAL SPECIAL TAXES FOR COMMUNITY FACILITIES DISTRICT NO. 1 AND ANNUAL ASSESSMENTS FOR EAST BONITA AVENUE SEWER IMPROVEMENT AND EAST MIRA MONTE AVENUE SEWER IMPROVEMENT AND LEVYING SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2025-2026

It is recommended that the City Council approve Resolution 25-35 and establishes the Fiscal Year 2025-2026 special taxes for Community Facilities District No. 1 (Fund 32011 - Sierra Madre CFD) and annual assessments for East Bonita Avenue Sewer Improvement (Fund 32001 - Bonita Sewer Assessment) and Mira Monte Avenue Sewer Improvement (Fund 32010 - Sewer Assessment District-East Miramonte) and orders levy of special taxes and assessments for the Fiscal Year commencing July 1, 2025, and ending June 30, 2026.

e) CONSIDERATION OF STATE HOMELAND SECURITY PROGRAM (SHSP) SUBRECIPIENT AGREEMENT GRANT YEAR 2022

It is recommended that the City Council authorize the City Manager to approve and sign the grant agreement between the County of Los Angeles and the City of Sierra Madre Police Department for a State Homeland Security Program (SHSP) grant in the amount not to exceed \$45,577.00. The recommendation also includes approval of signatures from the Chief of Police or their designee.

f) CONSIDERATION TO RECEIVE AND FILE THE 2025 ANNUAL REPORT OF THE DEVELOPMENT AGREEMENT FOR THE MEADOWS AT BAILEY CANYON PROJECT LOCATED AT 700 NORTH SUNNYSIDE AVENUE, SIERRA MADRE, CALIFORNIA

It is recommended that the City Council receive and file this informative report. No action is required.

g) CONSIDERATION TO AUTHORIZE AN EMERGENCY CONTRACT AMENDMENT FOR LOW-PRESSURE WATER MAIN RELOCATION AT WOODLAND DRIVE BRIDGE

It is recommended that the City Council authorize an emergency amendment to the existing contract with Big Ben, Inc. in the amount of \$276,800 for the relocation of the low-pressure water main at the Woodland Drive Bridge under the emergency provisions of SMMC 3.08.090(A). Staff further recommends increasing the total contract threshold for the Woodland Drive Water Main Replacement Project from \$946,600 to \$1,223,400 to incorporate the emergency work, while maintaining the previously approved 10% contingency without adjustment.

PUBLIC HEARINGS

1. CONSIDERATION OF FIRST READING OF ORDINANCE 1483 ADOPTING THE FIRE HAZARD SEVERITY ZONE MAP AS DESIGNATED BY THE CALIFORNIA STATE FIRE MARSHAL

It is recommended that the City Council consider Ordinance 1483, first reading, the updated Fire Hazard Severity Zone (FHSZ) map for the City's Local Responsibility Area, as designated by the California Department of Forestry and Fire Protection (CAL Fire), through the Office of the State Fire Marshal.

2. ANNUAL REPORTING OF MILITARY EQUIPMENT AS REQUIRED BY STATE ASSEMBLY BILL 481

It is recommended that the City Council approve the Sierra Madre Police Department's annual report of military equipment inventory.

DISCUSSION

1. INFORMATIONAL REPORT FROM PUBLIC HEALTH REPRESENTATIVE FROM LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH REGARDING POST-EATON FIRE ENVIRONMENTAL QUALITY

It is recommended that the City Council receive and file an informational presentation from a representative from the Los Angeles County Department of Public Health regarding post-Eaton Fire Environmental quality. There is no City Council action required.

2. CONSIDERATION OF ESTABLISHING AN AUTOMATED DOWNTOWN PARKING ENFORCEMENT PILOT PROGRAM

It is recommended that the City Council authorize staff to negotiate terms with Municipal Parking Services (MPS) and return to the City Council with a fully developed one-year pilot program for consideration, including a comprehensive community outreach and education plan to enhance parking enforcement along Sierra Madre Boulevard between Baldwin and Hermosa Avenues and on Baldwin Avenue between Sierra Madre Boulevard and West Montecito Avenue. Final approval is contingent upon Council approval of the finalized program.

3. CONSIDERATION OF RESOLUTION 25-34 APPROVING THE INTENT TO LEVY AND CONFIRM THE ENGINEER'S REPORT FOR THE DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT FOR THE FISCAL YEAR 2025-2026

It is recommended that the City Council approve Resolution 25-34, the intent to levy and confirm Engineer's reports and set June 10, 2025 as a date for a public hearing on the matter of the Downtown Landscaping and Lighting Maintenance Assessment District for the Fiscal Year Commencing July 1, 2025 and ending June 30, 2025.

4. CONSIDERATION OF RESOLUTION 25-36, MODIFYING THE CONFIDENTIAL-EXEMPT CLASSIFICATION PLAN AND SALARY MATRIX

It is recommended that the City Council adopt Resolution 25-36, which authorizes the creation of the Administrative Services Director to replace the Deputy City Manager position.

5. CONSIDERATION OF LOS ANGELES COUNTY PUBLIC HEALTH ORDINANCES

It is recommended that the City Council consider directing the City Attorney to draft an ordinance incorporating one or more of the Los Angeles County ordinances into the Sierra Madre Municipal Code.

AVAILABILITY OF AGENDA MATERIALS

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LIVE BROADCASTS

Regular City Council meetings are broadcast live on Cable Channel 3 and rebroadcast on Wednesday and Saturday at 5:30 p.m.

MEETING ASSISTANCE

If you require special assistance to participate in this meeting, please call the City Clerk's office at (626) 355-7135 at least 48 hours prior to the meeting.

ADJOURNMENT

The City Council will adjourn to a meeting to take place on June 10, 2025.

**MEETING MINUTES
REGULAR MEETING
SIERRA MADRE CITY COUNCIL**

*Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member*

Sue Spears, City Treasurer

**Tuesday, May 13, 2025
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CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

Mayor Parkhurst called the meeting to order at 5:30 p.m. City Clerk Aguilar called the roll.

Present: Mayor Robert Parkhurst, Mayor Pro Tem Kristine Lowe, Council Member Edward Garcia, and Council Member Kelly Kriebs

Absent: Council Member Gene Goss

Also Present: Aleks Giragosian, City Attorney
Laura Aguilar, Deputy City Manager/City Clerk
Clare Lin, Director of Planning and Community Preservation
Arnulfo Yanez, Director of Public Works
Brent Bartlett, Fire Chief
Leila Regan, City Librarian
Eric Lozick, Management Analyst

PLEDGE OF ALLEGIANCE AND INSPIRATION

Council Member Kriebs led the audience in the Pledge of Allegiance and later spoke on the importance of Mental Health Awareness Month.

APPROVAL OF MEETING AGENDA

Vote of the City Council to proceed with City business.

Council Member Garcia made a motion to approve the agenda as presented - amended.

Mayor Pro Tem Lowe seconded the motion.

Mayor Parkhurst called for a vote of the Council:

Ayes: Mayor Parkhurst, Mayor Pro Tem Lowe, Council Members Garcia, and Kriebs
Noes: None.
Absent: Council Member Goss
Abstain: None.

The motion to move to approve the agenda as presented - amended was approved by a unanimous voice vote by all Members present.

COUNCIL REPORT OUT FROM CLOSED SESSION

City Attorney Giragosian reported out on the Closed Session held on May 8, 2025 to discuss:

PUBLIC EMPLOYEE APPOINTMENT
Government Code Section 54957

Title: City Manager

City Attorney Giragosian advised that the Council met and no reportable action was taken.

APPROVAL FOR READING RESOLUTIONS AND ORDINANCES

Vote of the City Council to read all ordinances and resolutions by title only and waive the reading in full.

Mayor Parkhurst asked for a motion.

Council Member Kriebs made a motion to read all ordinances and resolutions by title only and waive the reading in full.

Mayor Pro Tem Lowe seconded the motion.

Mayor Parkhurst called for a vote of the Council:

Ayes: Mayor Parkhurst, Mayor Pro Tem Lowe, Council Members Garcia, and Kriebs
Noes: None.
Absent: Council Member Goss
Abstain: None.

The motion was approved by a unanimous voice vote by all Members present.

APPROVAL OF MEETING MINUTES

Approval of April 22, 2025, Regular City Council meeting minutes.

Mayor Parkhurst asked for suggestions to amend the minutes and asked City Clerk Aguilar if any edits had been submitted by the City Council.

City Clerk Aguilar advised that she had not received any e-mails from any Council Members requesting edits.

Mayor Pro Tem Lowe made a motion to approve the April 22, 2025 City Council meeting minutes as presented.

Council Member Kriebs seconded the motion.

Mayor Parkhurst called for a vote of the Council:

Ayes: Mayor Parkhurst, Mayor Pro Tem Lowe, Council Members Garcia, and Kriebs
Noes: None.
Absent: Council Member Goss
Abstain: None.

The motion to approve the April 22, 2025 City Council meeting minutes, was approved by a unanimous voice vote by all Members present.

MAYOR AND CITY COUNCIL REPORTS

Reporting of Council Members' activities related to City business.

Council Member Garcia:

Attended the May 1st Senior Community Commission meeting
Attended the May 6th Chamber of Commerce Board meeting
Attended the reception for Sierra Madre Older American of the Year on May 8, 2025

Mayor Pro Tem Lowe:

Attended the April 28 meeting of the Library Board of Trustees
Attended the Art Fair on May 3, 2025
Attended the May 6 meeting of the Sierra Madre Events Committee
Attended the 50th anniversary celebration for Gooden School
Participated in the CERT class

Council Member Kriebs:

Attended the April 24 fundraiser for Sierra Madre Community Foundation

Attended the annual conference for Southern California Association of Governments (SCAG)

Mayor Parkhurst:

Attended the April 23 Clean Power Alliance (CPA) meeting

Attended a meeting with the Los Angeles County Department of Sanitation

Attended the April 24 meeting of the Ad-Hoc Revenue Committee

Attended the April 24 fundraiser for Sierra Madre Community Foundation

Reported on the Library's Bookmark Contest Award winners

Attended the May 1 meeting of the CPA to discuss rate setting and budget priorities

Mayor Parkhurst then opened the meeting for public comment on items not on the agenda.

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City Clerk Aguilar noted that no e-mails had been received prior to the Council meeting:

1. Joel Goodwin, 390 W. Sierra Madre Blvd. – spoke about his visit to the Art Fair
2. Samantha Smith, 11 Mountain Trail – Would like to design a mural for the east-facing wall at Happy's Liquor store
3. Derek Sample, 623 Woodland Drive – Hired a contractor to test his home for toxicity levels and the results came back high for toxins throughout his home.

4. Caroline Heldman, 612 Holly Trail Path – urged Council to address lingering heavy metal contamination from the Eaton Fire
5. Yvette del Corazon, 673 Brookside Lane – requested the City to conduct an environmental assessment for toxicity levels
6. Justin Starnes, 612 Holly Trail Patch – shared his family’s health challenges and believes they are directly related to the Eaton Fire.
7. Deb Sheridan, 635 Valle Vista – shared health issues that she believes are directly related to the Eaton Fire.
8. City Librarian Leila Regan – shared that the Sierra Madre Historical Preservation Society is selling tickets to their annual Chicken and Ravioli Dinner

Seeing no one else come forward, Mayor Parkhurst closed public comment and moved on to Presentations.

PRESENTATIONS

1. PROCLAMATION IN RECOGNITION OF THE GOODEN SCHOOL 50TH ANNIVERSARY – presented to the Gooden School Headmaster
2. PROCLAMATION TO HEIDI HARTMAN: 2025 SIERRA MADRE OLDER AMERICAN OF THE YEAR - presented to Heidi Hartman
3. PROCLAMATION IN RECOGNITION OF PUBLIC WORKS WEEK – presented to the Public Works Department
4. PRESENTATION OF NEWLY APPOINTED FIRE DEPARTMENT PERSONNEL – introduction of new Firefighter Darin Goltara

ACTION ITEMS

Regardless of staff recommendation on any agenda item, the City Council will consider such matters, including action to approve, conditionally approve, reject, or continue such item.

CONSENT

Deputy City Manager Aguilar presented these reports

- a) **CONSIDERATION OF RESOLUTION 25-28 APPROVING CERTAIN DEMANDS**
It is recommended that the City Council approve Resolution 25-28 approving payment of City Warrants in the aggregate amount of \$320,962.25, Sierra Madre Library Warrants in the aggregate amount of \$3,547.37, and Payroll Transfer in the aggregate amount of \$540,305.48, for the Fiscal Year ending June 30, 2025
- b) **TREASURER’S REPORT – QUARTER ENDING MARCH 31, 2025**
It is recommended that the City Council receive and file the City Treasurer’s Report for the cash and investment portfolio for the quarter ending March 31, 2025.
- c) **DECLARING CITY VEHICLES AND EQUIPMENT AS SURPLUS**
It is recommended that the City Council declare the vehicles and equipment in Attachment A as surplus.
- d) **CONSIDERATION OF RESOLUTIONS 25-26 AND 25-27, PROCLAIMING TERMINATION OF LOCAL EMERGENCIES CAUSED**

BY THE EATON FIRE AND CAUSED BY THE 2025 MID-FEBRUARY WINTER STORM

It is recommended that the City Council consider the adoption of Resolution No. 25-26 proclaiming the termination of a local emergency caused by the Eaton Fire and the adoption of Resolution No. 25-27 proclaiming the termination of a local emergency caused by the 2025 Mid-February Winter Storm.

e) CONSIDERATION OF LETTER OF SUPPORT FOR SAN GABRIEL MOSQUITO AND VECTOR CONTROL DISTRICT FOR THE EATON FIRE-IMPACTED COMMUNITIES

It is recommended that the City Council approve letters of support to Senator Schiff, Senator Padilla, and Congresswomen Chu, in support of the San Gabriel Valley Legislative Caucus, request for state funding for the San Gabriel Valley Mosquito and Vector Control District to support its ongoing response to public health threats stemming from the 2025 Eaton Fire.

f) CONSIDERATION OF RESOLUTION 25-29 DESIGNATING STREETS TO BE INCLUDED IN THE FISCAL YEAR 2025-2026 STREET REHABILITATION PROGRAM

It is recommended that the City Council approve Resolution 25-29 designating certain streets for the Fiscal Year 2025-2026 street rehabilitation program.

g) CONSIDERATION OF ORDINANCE NO. 1482 AMENDING SECTION 5.04.110 (PAYMENT OF FEES) OF CHAPTER 5.04 (BUSINESS LICENSES GENERALLY) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS)

It is recommended that the City Council read Ordinance No. 1482 by title only, waiving further reading, and approve the Ordinance to amend business license requirements.

Mayor Parkhurst brought the matter to the Council for questions then opened public comment. Seeing no one come forward, Mayor Parkhurst closed public comment and brought the matter back to Council for further discussion.

Council Member Kriebs made a motion to approve all Consent Items as presented.

Mayor Pro Tem Lowe seconded the motion.

Mayor Parkhurst called for a vote of the Council:

Ayes: Mayor Parkhurst, Mayor Pro Tem Lowe, Council Members Garcia, and Kriebs
Noes: None.
Absent: Council Member Goss
Abstain: None.

The motion to move to approve Consent Items A-G was approved by a unanimous voice vote by all Members present.

DISCUSSION

1. CONSIDERATION OF A MODIFIED SUMMER MEETING SCHEDULE

It is recommended that the City Council discuss a modified summer meeting schedule, and direct staff to pay all necessary expenses if any regular meetings are cancelled.

This report was presented by Deputy City Manager Aguilar

Mayor Parkhurst brought the matter to the Council for questions then opened public comment. Seeing no one come forward, Mayor Parkhurst closed public comment and brought the matter back to Council for further discussion.

Council Member Kriebs made a motion to cancel the July 22, 2025 and August 12, 2025 meetings.

Council Member Garcia seconded the motion.

Mayor Parkhurst called for a vote of the Council:

Ayes: Mayor Parkhurst, Mayor Pro Tem Lowe, Council Members Garcia, and Kriebs
Noes: None.
Absent: Council Member Goss
Abstain: None.

The motion was approved by all Members present.

2. CONSIDERATION FOR THE CITY COUNCIL TO RECEIVE AND FILE THIS INFORMATIONAL REPORT ON THE 2025 FIRE HAZARD SEVERITY ZONES (FHSZ) UPDATE

It is recommended that the City Council receive and file the report on the updated 2025 Fire Hazard Severity Zones (FHSZ) issued by CAL FIRE; and direct staff to assess local implications related to zoning, building codes, defensible space requirements, and public education.

Fire Chief Bartlett presented this report

Mayor Parkhurst brought the matter to the Council for questions then opened public comment.

1. Deb Sheridan, 635 Valle Vista – shared health issues that she believes are directly related to the Eaton Fire.

Seeing no one else come forward, Mayor Parkhurst closed public comment and brought the matter back to Council for further discussion.

No action was required. Council was asked to receive and file the informative report.

2. CONSIDERATION OF MUNICIPAL FLEET ELECTRIFICATION – REGULATORY REQUIREMENTS, INFRASTRUCTURE NEEDS, AND FUNDING OPPORTUNITIES

It is recommended that the City Council direct staff to develop and implement a Municipal Fleet Electrification Plan to ensure compliance with State mandates.

This report was presented by Management Analyst Lozick

Mayor Parkhurst brought the matter to the Council for questions then opened public comment. Seeing no one come forward, Mayor Parkhurst closed public comment and brought the matter back to Council for further discussion.

Council directed staff to continue this item to the next meeting.

FUTURE ITEMS

Mayor Parkhurst asked if the Council had any suggestions for future agenda items.

Mayor Pro Tem Lowe: Information and guidance from the Los Angeles County Department of Public Health on Resources and what residents can do in their homes, as it relates to the Eaton Fire

Mayor Parkhurst: Presentation from the Fire Safe Council with an update

Mayor Parkhurst: Information made available for our residents at the upcoming Townhall meetings

Hearing no other requests from Council, Mayor Parkhurst asked for a motion to adjourn the meeting.

Council Member Garcia made a motion to adjourn the meeting.

Council Member Kriebs seconded the motion to adjourn.

Mayor Parkhurst called for a vote of the Council:

Ayes: Mayor Parkhurst, Mayor Pro Tem Lowe, Council Members Garcia, and Kriebs
Noes: None.
Absent: Council Member Goss
Abstain: None.

The motion to adjourn the meeting to the next Regular meeting on June 10, 2025 at this same location was approved by all Members at 8:15 pm

Minutes taken and typed by:

Approved by Council Action:

Laura M. Aguilar
City Clerk

Robert Parkhurst
Mayor

AVAILABILITY OF AGENDA MATERIALS

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MEETING ASSISTANCE

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ADJOURNMENT

The City Council will adjourn to a meeting to take place on May 27, 2025 at this same place.



City of Sierra Madre Agenda Report

*Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member*

Sue Spears, City Treasurer

TO: Mayor and City Council

FROM: Anthony Rainey, Finance Director

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: **CONSIDERATION OF RESOLUTION 25-32 APPROVING CERTAIN DEMANDS**

STAFF RECOMMENDATION

It is recommended that the City Council approve Resolution 25-32 approving payment of City Warrants in the aggregate amount of \$268,091.61, Sierra Madre Library Warrants in the aggregate amount of \$526,369.61, and Payroll Transfer in the aggregate amount of \$608,649.53, for the Fiscal Year ending June 30, 2025.

ALTERNATIVES

1. Approve the requested ratifications.
2. Direct staff to return with additional information.

SUMMARY

To ratify means to formally approve or confirm a decision or action, making it officially valid. In this context, it ensures that the City Council affirms the payment of public funds after a thorough review process. The City Council is requested to ratify warrants and approve checks issued for payment, as certified by the Director of Finance. These payments have been reviewed for compliance with the City's approved budget, financial policies, and authorized spending limits. Ratification by the City Council formally authorizes the disbursement of public funds, ensuring transparency, accountability, and adherence to sound fiscal management practices.

Attachment 1A – Warrant Register Post Date 5/27/25 - provides an aggregated breakdown of the warrants, including descriptions (e.g. categories of payments), amounts, and corresponding fiscal year allocations. Note that the last page It serves as a reference document to support the warrant approvals requested in this report, ensuring transparency and accountability in financial transactions. The attachment includes details on general warrants, utility bills, library warrants, and payroll transfers.

Following Attachment 1A, the *Check Approval Register* provides a comprehensive record of financial disbursements by the City of Sierra Madre, detailing payment transactions, vendor

information, and check dates to ensure transparency and accountability. Additionally, the *Payroll Summary Register* outlines payroll disbursements, including total earnings, employer expenses, and overall payroll costs for each pay period. The total payroll expenditure for the most recent pay period (PR #10) for *Date 5/8/25*:

Total Earnings (Salaries) @ \$460,935.10 plus Employer Benefits¹ @\$147,714.43 = Total @ \$608,649.53,

This aligns with the payroll transfer amount listed in Attachment 1A. These records collectively support the accuracy and legitimacy of the financial transactions presented for approval.

ANALYSIS

State and City Requirements: The approval of warrants for payment by the City Council is a procedural requirement established under the California Government Code (§ 37208) and the Sierra Madre Municipal Code (§ 3.04.010). The City utilizes resolutions to approve warrants in accordance with Chapter 3.04 - Administration of Fiscal Matters under Title 3 - Finance of the Sierra Madre Municipal Code. These provisions outline the procedures and regulations governing the issuance and management of payment warrants, ensuring transparency, accountability, and compliance in financial transactions involving public funds.

Warrant: A "warrant" is a written authorization directing the payment of money to vendors, contractors, or service providers for goods or services rendered to City departments. These measures ensure that public funds are used appropriately and in alignment with City policies and legal requirements.

Purpose of the Process: The primary purpose of this process is to confirm that all payments align with the City's budgetary allocations, procurement policies, and service agreements. Approval by the City Council serves as a critical management control, ensuring that expenditures are lawful, necessary, and consistent with City priorities. Department Heads review and verify invoices, while City staff maintain robust internal controls through proper documentation, authorization workflows, and reconciliation procedures.

Warrant for Payment Report: This attached report, commonly referred to as the *Check Approval Register*, provides a detailed account of payees, payment amounts, and purposes. This tool allows the City Council and staff to actively monitor expenditures, ensuring financial oversight, fostering public trust, and reinforcing fiscal responsibility. Failure to adhere to these practices could expose the City to financial risks, compliance issues, and diminished public confidence.

Check Approval Register Overview: The *Check Approval Register* is generated using the City's Enterprise Resource Planning (ERP) system, Tyler Technologies Pro 10. This report offers a comprehensive overview of financial disbursements, including payee names, payment amounts, dates, and purposes. By providing a clear and detailed record of financial transactions, the register promotes transparency and ensures public funds are utilized effectively. This level of detail allows City Council members and residents to track municipal expenditures and reinforces accountability in financial management. The following are key fields from the Check Approval Register and their definitions:

1. **Packet:** Refers to a batch of payment transactions processed together, often linked to a specific date or approval cycle.

2. **Vendor Set:** Identifies the category or group of vendors (e.g., utilities, general, or project-specific).
3. **Vendor Number:** A unique identifier assigned to each vendor for tracking and referencing purposes.
4. **Vendor Name:** The name of the individual or organization receiving the payment.
5. **Bank Code:** A code representing the bank account from which the payment is drawn.
6. **Payment Type:** Specifies the method of payment, such as check, electronic funds transfer (EFT), or wire transfer.
7. **Invoice #:** The unique number associated with the vendor's invoice, serving as a reference for the payment.
8. **Invoice Description:** A brief summary of the goods or services rendered, as described on the invoice.
9. **Account Number:** The City's general ledger account charged for the payment, structured as follows:
 - a. **Fund Code:** (e.g., **10000**) Identifies the fund, such as the General Fund.
 - b. **Department Code:** (e.g., **81200**) Indicates the responsible department, such as Public Works.
 - c. **Object Code:** (e.g., **52200**) Specifies the type of expenditure, such as contractual services.
10. **Distribution Amount:** The amount allocated to a specific account, showing how the payment is distributed across budget line items.

These fields ensure accuracy, transparency, and accountability in financial reporting and expenditure tracking, aligning with the City's commitment to sound fiscal management practices. This process not only fulfills legal and procedural requirements but also underscores the City's dedication to effective governance and responsible stewardship of public funds.

CONSISTENCY WITH GENERAL PLAN

Not applicable.

FINANCIAL REVIEW/SOURCE OF FUNDING

The payments presented for ratification have been made in accordance with the City's approved budget for the fiscal year. All expenditures are charged to their respective funds and accounts as outlined in the City's financial plan. The warrants, library payments, and payroll transfers were funded from the General Fund, Special Revenue Funds, and other designated funding sources, ensuring compliance with budgetary allocations and authorized spending limits. No unbudgeted or unauthorized expenses are included in this report.

ENVIRONMENTAL (CEQA)

Not applicable.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at www.cityofsierramadre.com.

Attachments

Resolution 25-32

¹ These typically include: **Payroll Taxes** – Employer-paid portions of Social Security, Medicare (FICA), and state/federal unemployment taxes (FUTA/SUTA). **Retirement Contributions** – Employer contributions to pension plans or retirement accounts, such as CalPERS (California Public Employees' Retirement System). **Health and Benefits Costs** – Employer-provided health insurance, dental, vision, life insurance, or other employee benefits. **Workers' Compensation Insurance** – Employer-paid premiums for workers' compensation coverage. **Other Employer Liabilities** – Any additional costs required by employment agreements, union contracts, or city policies.

Warrant Register Post Date 5/27/25

Attachment 1A

Fiscal Year	Description	Amount	Page #
FY24/25	General Warrants	\$230,426.77	1-4
FY24/25	General Manual Warrant	\$28,890.60	5-7
FY24/25	General Utility Bills	\$8,774.31	8
	Total	\$268,091.68	

FY24/25	Library Warrant	\$522,443.09	9-10
FY24/25	Library Manual Warrant	\$3,926.52	11
	Total	\$526,369.61	

Pay Date:			
5/8/2025	Payroll #10	\$608,649.53	
	From: City of Sierra Madre-General Acct. To: City of Sierra Madre-Payroll Acct.		
	Total	\$608,649.53	



Packet: APPKT08040 - GEN 5/27/25
Vendor Set: 01 - Vendor Set 01

Check Date: 05/20/2025

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>0107</u>	ADAMSON INDUSTRIES INC				1,488.39
APBWEST	Check	<u>INV427093</u>	PD SAFETY EQUIPMENT	10000.50000.53300	1,488.39
<u>VEN03814</u>	AIR SOURCE INDUSTRIES				91.65
APBWEST	Check	<u>00950311</u>	OXYGEN	10000.64000.53300	91.65
<u>0433</u>	ALLSTAR FIRE EQUIPMENT, INC.				1,081.13
APBWEST	Check	<u>263926</u>	FY 24/25 Suppression and EMS Safety Equipmen	10000.61000.53300	665.15
		<u>263990</u>	FY 24/25 Suppression and EMS Safety Equipmen	10000.61000.53300	415.98
<u>VEN03454</u>	AMAZON CAPITAL SERVICES				648.40
APBWEST	Check	<u>1NHY-R1QK-34NN</u>	BPO - IT SUPPLIES	60003.30000.53103	367.92
		<u>1WLK-1NR4-37GC</u>	BPO - IT SUPPLIES	60003.30000.53103	280.48
<u>VEN03981</u>	ANGEL'S AUTO REPAIR INC				403.40
APBWEST	Check	<u>037656</u>	VEHICLE MAINT/#5123	60000.83100.53208	403.40
<u>0859</u>	AQUA METRIC				10,267.66
APBWEST	Check	<u>INV0107714</u>	FY 24/25 METER PURCHASE	71000.81100.56011	10,267.66
<u>VEN04026</u>	ARCADIA TIRES				221.61
APBWEST	Check	<u>INV040861</u>	VEHICLE MAINT/#2094	60000.83100.53208	174.98
		<u>INV040862</u>	VEHICLE MAINT/#5118	60000.83100.53208	26.63
		<u>INV040863</u>	VEHICLE MAINT/#5105	60000.83100.53208	20.00
<u>1552</u>	ARNOLD'S FRONTIER HARDWARE - Fire				11.04
APBWEST	Check	<u>115765</u>	MISC. SUPPLIES	10000.61000.53204	11.04
<u>1553</u>	ARNOLD'S FRONTIER HARDWARE - Police				28.68
APBWEST	Check	<u>115704</u>	MISC. SUPPLIES	10000.50000.52302	24.28
		<u>115728</u>	MISC. SUPPLIES	10000.50000.53204	4.40
<u>0122</u>	ARNOLD'S FRONTIER HARDWARE - PW				389.04
APBWEST	Check	<u>115536</u>	FY 24/25 STREET DEPARTMENT SUPPLIES	10000.83500.53206	8.83
		<u>115541</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	34.87
		<u>115544</u>	FY 24/25 WATER DEPARTMENT SUPPLIES	71000.81100.53200	36.35
		<u>115560</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	0.65
		<u>115572</u>	FY 24/25 PARK MAINTENANCE SUPPLIES	10000.83300.53001	8.28
		<u>115597</u>	FY 24/25 STREET DEPARTMENT SUPPLIES	10000.83500.53206	3.82
		<u>115612</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	76.38
		<u>115620</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	35.09
		<u>115636</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	21.07
		<u>115643</u>	FY 24/25 STREET DEPARTMENT SUPPLIES	10000.83500.53206	14.59
		<u>115665</u>	FY 24/25 WATER DEPARTMENT SUPPLIES	71000.81100.53200	33.54
		<u>115692</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	23.07
		<u>115716</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	22.09
		<u>115779</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	13.24
		<u>115782</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	36.41
		<u>115783</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	2.75
		<u>115787</u>	FY 24/25 MAINTENANCE SUPPLIES - CREDIT	60001.83200.53200	-7.39
		<u>115793</u>	FY 24/25 MAINTENANCE SUPPLIES	60001.83200.53200	25.40
<u>1206</u>	B AND H SIGNS				175.00
APBWEST	Check	<u>21301</u>	SERVICE CALL HART PARK HOUSE	37006.72000.52200	175.00
<u>VEN03440</u>	BIG BEN ENGINEERING				42,500.00
APBWEST	Check	<u>Sierra-2025-001</u>	EMERGENCY VALVE REPLACEMENT ON GROVE A	71000.81100.56011	42,500.00
<u>VEN02212</u>	BLACK & WHITE EMERGENCY VEHICLES				600.00
APBWEST	Check	<u>5870</u>	PD EQUIPMENT UNIT #100	10000.50000.52302	600.00
<u>VEN01658</u>	BRENT BARTLETT				1,993.49
APBWEST	Check	<u>INV040864</u>	REIMB: PURCHASE PROGRAM - COMPUTER	10000.00000.13009	1,993.49
<u>0827</u>	CALIFORNIA PARK & RECREATION SOCIETY				150.00
APBWEST	Check	<u>INV040883</u>	ID #150926 MEMBERSHIP RENEWAL 2025 BRAN	10000.70000.53409	150.00
<u>1727</u>	CHRIS CIMINO				714.40
APBWEST	Check	<u>JUNE2025</u>	JUNE 2025 RETIREE HEALTH INSURANCE	60007.70100.51302	714.40

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>0169</u>	CITY ELECTRIC SUPPLY				28.50
APBWEST	Check	<u>PDA/028584</u>	MISC. SUPPLIES	60001.83200.53200	28.50
<u>0326</u>	CITY OF PASADENA				776.00
APBWEST	Check	<u>30026461</u>	JAN 2025 PASADENA PD INMATE BOOKING AND	10000.50000.52003	776.00
<u>0171</u>	CLINICAL LABORATORY OF SAN BERNARDINO, INC.				1,877.00
APBWEST	Check	<u>2500660-SIE01</u>	FY 24/25 WATER TREATMENT TESTING 3/4/25 -	71000.81100.52200	1,877.00
<u>1121</u>	COLANTUONO, HIGHSMITH & WHATLEY, PC				21,271.35
APBWEST	Check	<u>65190</u>	APRIL 2025 LEGAL SRVCS-RETAINER: GENERAL A	10000.21000.52201	8,820.00
				71000.81100.52201	1,890.00
				72000.32000.52201	1,890.00
		<u>65192</u>	APRIL 2025 LEGAL SRVCS: LABOR/EMPLOYMENT	60007.70100.52201	371.00
		<u>65193</u>	APRIL 2025 LEGAL SRVCS: SPECIAL COUNSEL	10000.21000.52201	3,736.50
		<u>65194</u>	APRIL 2025 LEGAL SRVCS: ASSESSMENT & PROP	32012.83000.52200	185.50
		<u>65195</u>	APRIL 2025 LEGAL SRVCS: CODE ENFORCEMENT	10000.40000.52201	291.50
		<u>65196</u>	APRIL 2025 LEGAL SRVCS: IMPLEMENTATION OF	10000.40000.52201	503.50
		<u>65197</u>	APRIL 2025 LEGAL SRVCS: MISCELLANEOUS LITIG	10000.21000.52201	53.00
		<u>65198</u>	APRIL 2025 LEGAL SRVCS: WATER & UTILITIES	71000.81100.52201	503.50
		<u>65199</u>	APRIL 2025 LEGAL SRVCS: MATER DOLORSA DEV	10000.40000.52201	736.00
		<u>65200</u>	APRIL 2025 LEGAL SRVCS: ADV. PROT. SIERRA M/	10000.40000.52201	212.00
		<u>65201</u>	APRIL 2025 LEGAL SRVCS: V. SOUTHERN CA. EDI	10000.21000.52201	2,078.85
<u>1167</u>	COMMUNITY MEDIA OF THE FOOTHILLS				2,547.16
APBWEST	Check	<u>016</u>	FY 24/25 TELECAST OF CITY MEETINGS MAY 202	60003.30000.52100	2,547.16
<u>VEN02953</u>	CPACINC.COM				10,587.37
APBWEST	Check	<u>SI-1300903</u>	ADOBE AI ASSIST ACCROBAT 5 MONTH LICENSES	60003.30000.52200	141.20
		<u>SI-1300923</u>	13.8 IN MICROSOFT SURGACE LAPTOP 7	60003.30000.53103	3,835.88
		<u>SI-1300949</u>	ADOBE ACROBAT SUBS STANDARD DC 5 MONTH	60003.30000.52200	78.67
		<u>SI-1300963</u>	ADOBE SUB ACROBAT PRO 5 MONTH LICENSES	60003.30000.52200	124.82
		<u>SI-1301041</u>	ECOFLOW DELTA PRO 3 4096WH PORTABLE POW	60003.30000.53103	6,406.80
<u>VEN02259</u>	DAVE'S REFRIGERATION SERVICE				600.00
APBWEST	Check	<u>INV040885</u>	SERVICE CALL	60001.83200.52301	600.00
<u>1181</u>	DELTA DISTRIBUTING				59.43
APBWEST	Check	<u>167929</u>	FY 24/25 JANITORIAL SUPPLIES	60001.83200.53200	59.43
<u>VEN03180</u>	DICKS AUTO SUPPLY				1,050.66
APBWEST	Check	<u>230052</u>	FY 24/25 AUTO PARTS	60000.83100.53208	438.98
		<u>230067</u>	FY 24/25 AUTO PARTS	60000.83100.53208	85.77
		<u>230098</u>	FY 24/25 AUTO PARTS	60000.83100.53208	56.45
		<u>230212</u>	FY 24/25 AUTO PARTS	60000.83100.53208	420.51
		<u>230228</u>	FY 24/25 AUTO PARTS	60000.83100.53208	48.95
<u>0507</u>	DIRECT CONNECTION				2,445.23
APBWEST	Check	<u>94014</u>	WATER BILL LETTERHEAD	71000.32000.53101	2,445.23
<u>1072</u>	DISPLAY SALES				10,675.00
APBWEST	Check	<u>INV6771</u>	DOWNTOWN FLAG HARDWARE	10000.83500.53206	10,675.00
<u>VEN04105</u>	DR. ANGELICA LOZA-GOMEZ M.D., PC.				500.00
APBWEST	Check	<u>238</u>	Medical Director Services MAY 2025	10000.64000.52200	500.00
<u>VEN03198</u>	EDWARD DELCOURE				607.24
APBWEST	Check	<u>JUNE2025</u>	JUNE 2025 RETIREE HEALTH INSURANCE	60007.70100.51302	607.24
<u>1649</u>	EMERGENCY RESPONSE CRIME SCENE CLEANING				650.00
APBWEST	Check	<u>T2025-226</u>	BIO WASTE/DISPOSAL	10000.50000.52006	650.00
<u>VEN01708</u>	EXSTREEM PEST CONTROL				735.00
APBWEST	Check	<u>31826</u>	MONTHLY SERVICE FOR PEST CONTROL APRIL 2C	60000.83100.52200	735.00
<u>VEN01936</u>	FOOTHILL COMMUNICATIONS INC				15,591.52
APBWEST	Check	<u>INV7355</u>	EMERGENCY RADIOS WITH BACKUP BATTERY	71000.81100.53200	15,591.52
<u>VEN01613</u>	GANAHL LUMBER COMPANY				66.63
APBWEST	Check	<u>142132019</u>	MISC. MAINT. SUPPLIES	10000.83500.53206	66.63
<u>0226</u>	GRAINGER INC.				2,441.20
APBWEST	Check	<u>9376794559</u>	AIR FILTERS FOR FACILITIES - EATON FIRE	10000.80000.53998	426.53
		<u>9377074175</u>	AIR FILTERS FOR FACILITIES - EATON FIRE	10000.80000.53998	2,450.72
		<u>9469010830</u>	MAINT. SUPPLIES - CREDIT	60001.83200.53200	-35.98
		<u>9469010848</u>	MAINT. SUPPLIES - CREDIT	60001.83200.53200	-293.70
		<u>9469010855</u>	MAINT. SUPPLIES - CREDIT	60001.83200.53200	-106.37
<u>0814</u>	HDL, COREN & CONE				2,658.30

Vendor Set: 01 - Vendor Set 01

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount	Vendor Total
		APBWEST	Check	<u>SIN049888</u>	APR - JUNE 2025 PROF. SRVCS/PROPERTY TAX	60002.30000.52100	2,658.30	
<u>1359</u>	HIRERIGHT, LLC							40.00
		APBWEST	Check	<u>H0247183</u>	BACKGROUND SCREENING 4/1/25 - 4/30/25	60007.70101.52100	40.00	
<u>VEN03991</u>	HIRSCH PIPE AND SUPPLY CO INC							424.36
		APBWEST	Check	<u>1166227</u>	MAINT. SUPPLIES	72000.81200.53206	424.36	
<u>0398</u>	HONG L. TAM							10,132.61
		APBWEST	Check	<u>5-5-2025</u>	2/16/25 - 4/15/25 STRUCTURAL PLAN CHECK SE	10000.40000.52100	10,132.61	
<u>VEN01969</u>	INLAND EMPIRE STAGES							1,561.80
		APBWEST	Check	<u>63901</u>	SENIOR EXCURSION - MAY	37006.72000.52200	1,561.80	
<u>0937</u>	INTERSTATE BATTERY SYSTEM OF							169.58
		APBWEST	Check	<u>40614</u>	BATTERY 5110	60000.83100.53208	169.58	
<u>VEN04033</u>	JACOB KNAPP							205.78
		APBWEST	Check	<u>INV040888</u>	REMB: BRUSH JACKET PATCHS	10000.61000.53300	205.78	
<u>1044</u>	JESSE TORIBIO							357.20
		APBWEST	Check	<u>JUNE2025</u>	JUNE 2025 RETIREE HEALTH INSURANCE	60007.70100.51302	357.20	
<u>0515</u>	LANDSCAPE WAREHOUSE							201.91
		APBWEST	Check	<u>2801269</u>	FY 24/25 MAINTENANCE SUPPLIES	10000.83300.53202	201.91	
<u>1446</u>	LOS ANGELES COUNTY REGISTRAR-RECORDER							1,614.47
		APBWEST	Check	<u>25-2099.1</u>	NOV 5, 2024 PRE. GENERAL ELECTION COST REV	10000.12000.52207	1,614.47	
<u>1065</u>	MAIL BOX & POSTAL							950.00
		APBWEST	Check	<u>0095</u>	LIVESCAN SERVICE 10/3/24 - 3/27/25	60007.70101.52100	950.00	
<u>VEN03258</u>	MAJOR TOM INC							4,816.00
		APBWEST	Check	<u>1456</u>	PD DISPATCH ELECTRICAL REPAIRS	60001.83200.56010	4,816.00	
<u>VEN04444</u>	MANCILLA'S QUALITY PRINTING LLC							151.80
		APBWEST	Check	<u>16734</u>	OFFICE SUPPLIES - RUBBER STAMPS	10000.40000.53100	151.80	
<u>VEN01070</u>	MARTIN CRUZ							714.40
		APBWEST	Check	<u>JUN2025</u>	JUNE 2025 RETIREE HEALTH INSURANCE	60007.70100.51302	714.40	
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC							13,900.00
		APBWEST	Check	<u>64645</u>	APRIL 2025 LANDSCAPE MAINTENANCE - EXTEN	10000.83300.52200	7,923.00	
						32012.83000.52200	4,448.00	
						60001.83200.52200	1,529.00	
<u>VEN03392</u>	MISAC							725.00
		APBWEST	Check	<u>200007927</u>	2025 CONFERENCE CHRISTIAN DELGADO	60003.30000.53402	725.00	
<u>VEN03042</u>	NATIONAL TRAINING CONCEPTS INC							315.00
		APBWEST	Check	<u>25-051</u>	TRAINING: NTC LESS LETHAL INST. COURSE: FISH	10000.50000.52205	315.00	
<u>1642</u>	NBS							1,469.90
		APBWEST	Check	<u>202503-1630</u>	PROFF. SERVICE 4/1/25 - 6/30/25	10000.82000.52100	1,469.90	
<u>VEN04200</u>	NIKO MOBILE CARWASH							480.00
		APBWEST	Check	<u>198803</u>	PD CAR WASH 5/12/25	10000.50000.52200	440.00	
				<u>198804</u>	CODE ENFORCEMENT CAR WASH 5/12/25	10000.40000.53999	40.00	
<u>VEN04007</u>	OCCUPATIONAL HEALTH CENTERS OF CA							372.00
		APBWEST	Check	<u>86584652</u>	PRE-EMPLOYMENT EXAM	60007.70101.52106	372.00	
<u>0786</u>	OFFICE DEPOT, INC							189.05
		APBWEST	Check	<u>398829371001</u>	OFFICE SUPPLIES	10000.50000.53100	49.24	
				<u>415971577001</u>	OFFICE SUPPLIES	60002.31100.53100	-9.83	
				<u>416157439001</u>	OFFICE SUPPLIES	60002.31100.53100	9.93	
				<u>419146859001</u>	OFFICE SUPPLIES	10000.50000.53100	63.70	
				<u>421703467001</u>	OFFICE SUPPLIES	60002.31100.53100	61.68	
				<u>422508467001</u>	OFFICE SUPPLIES	60002.31100.53100	14.33	
<u>2110</u>	PLUMBERS DEPOT INC.							394.74
		APBWEST	Check	<u>PD-58634</u>	MAINT. SUPPLIES	72000.81200.53205	394.74	
<u>0680</u>	POSTMASTER							436.00
		APBWEST	Check	<u>INV040889</u>	PO BOX #457 RENEWAL 12 MON RENEWAL	60002.31100.53101	436.00	
<u>0338</u>	PRUDENTIAL OVERALL SUPPLY							399.32
		APBWEST	Check	<u>52882831</u>	FY 24/25 UNIFORM SUPPLY	60001.83200.53303	264.91	
				<u>52884557</u>	FY 24/25 UNIFORM SUPPLY	60001.83200.53303	134.41	
<u>VEN04165</u>	R&A TANK TECHNOLOGIES LLC							165.00
		APBWEST	Check	<u>0408-0508</u>	APRIL 2025 MONTHLY INSPECTION	60000.83100.55001	165.00	
<u>VEN02937</u>	RCI IMAGE SYSTEMS							344.45
		APBWEST	Check	<u>77678</u>	FY 24-25 DOCUMENT SCANNING SERVICES	10000.40000.52200	344.45	
<u>1485</u>	RED SUPPLY INC							361.14

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount	Vendor Total
		APBWEST	Check	<u>17672</u>	MAINT SUPPLIES	10000.83300.53202	131.40	
				<u>18554</u>	MAINT SUPPLIES	60001.83200.53200	12.29	
				<u>18747</u>	MAINT SUPPLIES	60001.83200.53200	13.06	
				<u>18833</u>	MAINT SUPPLIES	60001.83200.53200	204.39	
<u>0267</u>	REGIONAL TAP SERVICE CENTER							28.80
		APBWEST	Check	<u>6025072</u>	APRIL 2025 REGIONAL TAP SERVICES CENTER-CA	37004.80000.52001	28.80	
<u>VEN03177</u>	RELIABLE BUILDING MAINTENANCE LLC							4,561.83
		APBWEST	Check	<u>1153</u>	MAY 2025 FACILITIES JANITORIAL SERVICES	60001.83200.52200	4,561.83	
<u>VEN04440</u>	RINCON CONSULTANTS INC							5,345.00
		APBWEST	Check	<u>65407</u>	NOISE ORDINANCE UPDATE 4/1/25 - 4/30/25	10000.30000.53000	5,345.00	
<u>VEN02718</u>	ROADLINE PRODUCTS INC							304.15
		APBWEST	Check	<u>21247</u>	MAINTENANCE SUPPLIES: PAINT	71000.81100.53206	304.15	
<u>VEN01670</u>	ROGERS, ANDERSON, MALODY & SCOTT, LLP							2,000.00
		APBWEST	Check	<u>77325</u>	FY 24/25 GANN LIMIT COMPLIANCE REVIEW	60002.30000.52100	2,000.00	
<u>0821</u>	SOUTHWEST HYDROTECH							1,823.09
		APBWEST	Check	<u>31632</u>	BROOKSIDE PRV STATION - SERVICE CALL	71000.81100.53212	1,823.09	
<u>VEN01027</u>	STUBBIES							140.69
		APBWEST	Check	<u>24718</u>	PW UNIFORMS	60001.83200.53303	140.69	
<u>0478</u>	SUN BADGE							464.33
		APBWEST	Check	<u>423711</u>	FIRE DEPT UNIFORM BADGES	10000.61000.53303	464.33	
<u>1245</u>	THE WORKSHOP							176.80
		APBWEST	Check	<u>74293</u>	EATON FIRE SIGNS	10000.30000.53998	88.40	
				<u>74293.1</u>	SAVE THE DATE SIGNS	60003.30000.52100	88.40	
<u>VEN04051</u>	TITAN AUTOMATION & IRON							1,271.75
		APBWEST	Check	<u>2365</u>	GATE TRACK - SERVICE CALL	60001.83200.52301	1,271.75	
<u>VEN04256</u>	TRUEPOINT SOLUTIONS LLC							1,541.25
		APBWEST	Check	<u>3848</u>	APRIL 2025 PSA ONLINE PERMITTING PLATFORM	40000.83500.56009	1,541.25	
<u>0410</u>	UNDERGROUND SERVICE ALERT							115.45
		APBWEST	Check	<u>420250701</u>	FY 24/25 UNDERGROUND ALERTS	71000.81100.52200	115.45	
<u>VEN04227</u>	UNITED RENTALS							168.75
		APBWEST	Check	<u>221217653-025</u>	EQUIP. RENTAL	71000.81100.53200	168.75	
<u>VEN02702</u>	VITAL MEDICAL SERVICES LLC							672.00
		APBWEST	Check	<u>4648</u>	APRIL 2025 EVIDENTIARY BLOOD DRAW	10000.50000.52107	672.00	
<u>0158</u>	VULCAN MATERIALS COMPANY							737.40
		APBWEST	Check	<u>3373391</u>	COLD MIX	10000.83500.53206	737.40	
<u>0335</u>	WATERLINE TECHNOLOGIES							2,965.34
		APBWEST	Check	<u>5736374</u>	FY 24/25 CHLORINE GAS SUPPLIES	71000.81100.53209	1,557.67	
				<u>5736440</u>	CYLINDER RETURN 4/22/25	71000.81100.53209	-150.00	
				<u>5738931</u>	FY 24/25 CHLORINE GAS SUPPLIES	71000.81100.53209	1,557.67	
<u>VEN03472</u>	WEST & ASSOCIATES ENGINEERING INC							7,688.00
		APBWEST	Check	<u>1025.04.12</u>	CONSTRUCTION MANAGEMENT AND INSPECTIC	71000.81100.56011	7,688.00	
<u>0574</u>	WEST COAST ARBORISTS, INC.							17,050.00
		APBWEST	Check	<u>224627</u>	FY 24/25 ARBORIST CONTRACT 1/15/25 - 1/15/	38004.83300.52200	3,800.00	
				<u>228201</u>	FY 24/25 ARBORIST CONTRACT 4/16/25 - 4/17/2	38004.83300.52200	13,250.00	
<u>0426</u>	WESTERN WATER WORKS							6,094.15
		APBWEST	Check	<u>1267816-00</u>	FY 24/25 WATER DISTRIBUTION SUPPLIES	71000.81100.53200	5,618.99	
				<u>1269321-00</u>	FY 24/25 WATER DISTRIBUTION SUPPLIES	71000.81100.53200	475.16	
<u>0425</u>	WILLDAN ASSOCIATES							455.00
		APBWEST	Check	<u>002-32436</u>	DEC 2024 PLAN CHECK AND INSPECTION SERVIC	10000.40000.52100	455.00	
Report Total:							230,426.77	



Packet: APPKT08029 - GEN BOA MAN 5/27/25
Vendor Set: 01 - Vendor Set 01

Check Date: 05/05/2025

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>0823</u>	BANK OF AMERICA				28,735.60
APBWEST	Check	<u>INV040736</u>	OM - OPEN VPN ACCESS SERV. SUB. 3/8/25 - 3/7	60003.30000.52200	1,680.00
		<u>INV040737</u>	OM - WORK MGMT. PRO YR. SUB 3/15/25 - 3/14	60003.30000.52200	4,137.41
		<u>INV040738</u>	OM - NETWORK SOLUTIONS	60003.30000.52200	19.99
		<u>INV040739</u>	OM - STARLINK ROAM UNLIMITED 3/17/25 - 4/1	60003.30000.52200	165.00
		<u>INV040740</u>	OM - WEBSITE SECURITY CERTIFICATES	60003.30000.52200	696.00
		<u>INV040741</u>	OM - DNS RENEWAL	60003.30000.52200	4.99
		<u>INV040742</u>	OM - CAPIO CONF: CAR RENTAL FEE	60003.30000.53402	229.20
		<u>INV040743</u>	OM - TRANSCRIPTION SOFTWARE LIC. FEE	60003.30000.52200	79.03
		<u>INV040744</u>	OM - CAPIO CONF: LODGING FEE - CONCHAS	60003.30000.53402	1,510.65
		<u>INV040745</u>	OM - MOBILE DEVICE EXTR. TOOL MEMB. 4/2/2	60003.30000.52200	140.00
		<u>INV040747</u>	OM - MISAC CONF. 2025: LODGING FEE DEPOSIT	60003.30000.53402	235.75
		<u>INV040748</u>	OM - MISAC CONF. 2025: LODGING FEE DEPOSIT	60003.30000.53402	235.75
		<u>INV040750</u>	OM - STARLINK 2TB SUB. 4/8/25 - 5/8/25	60003.30000.52200	500.00
		<u>INV040751</u>	OM - CAPIO CONF: LODGING FEE - CONCHAS - C	60003.30000.53402	-279.34
		<u>INV040752</u>	BB - DEPT ANNUAL REPORT - PRINT SERV	10000.61000.53102	259.20
		<u>INV040754</u>	BB - DEPT ANNUAL REPORT - PRINT SERV (FREE)	10000.61000.53102	259.20
		<u>INV040756</u>	BB - CMS - TRAINING BOOK SUPPIES	10000.61000.52205	152.15
		<u>INV040757</u>	BB - CMS - TRAINING BOOK SUPPIES	10000.61000.52205	76.07
		<u>INV040758</u>	BB - EMS RECERT FEE: LADD	10000.64000.52205	250.00
		<u>INV040760</u>	BB - BRUSH ABATEMENT PROJ: SIGNAGE	10000.61000.53102	272.20
		<u>INV040761</u>	BB - SURVEY MONKEY ANNUAL PLAN 3/27/25-3,	10000.61000.53409	468.00
		<u>INV040762</u>	BB - STORAGE FOR FD MASTER PLAN	10000.61000.53409	11.99
		<u>INV040763</u>	BB -CONF. PARKING FEE	10000.61000.53402	16.80
		<u>INV040764</u>	BB - EMS RECRT FEE: CHU	10000.64000.52205	250.00
		<u>INV040765</u>	BB - TOOL SET	10000.61000.53300	1,458.61
		<u>INV040766</u>	BB - EVENT MATERIALS	10000.61000.53999	20.98
		<u>INV040767</u>	BB - GRAMMARLY TYPING ASSISTANCE	10000.61000.53409	30.00
		<u>INV040768</u>	GB - LACPACA CONF.: LODGING FEE - BARRIENTC	10000.50000.52200	642.36
		<u>INV040769</u>	MH - 2025 FBWS EOC STAFF MEAL	60007.70100.53999	215.91
		<u>INV040770</u>	MH - BUDGET BOOK: BINDING SERV FEE	60007.70100.53999	22.89
		<u>INV040771</u>	MH - CIRA BOARD MEETING: AIRPORT PRK. FEE	60007.70100.53402	24.00
		<u>INV040772</u>	RM - CONGRESSWOMAN MEETING: MEAL	60002.30000.53402	733.18
		<u>INV040773</u>	RM - CAPITAL HILL CONF: AIR FAIR - CARLSON	60002.30000.53402	664.96
		<u>INV040774</u>	RM - CAPITAL HILL CONF: AIR FAIR - REYNOSO	60002.30000.53402	624.97
		<u>INV040775</u>	RM - CAPITAL HILL CONF: AIR FAIR - PARKHURST	60002.30000.53402	664.96
		<u>INV040776</u>	JR - CAPTIAL HILL CONF: MEAL - CARLSON	60002.30000.53402	72.10
		<u>INV040777</u>	JR - CAPTIAL HILL CONF: MEAL - REYNOSO	60002.30000.53402	79.34
		<u>INV040778</u>	JR - JR - CAPTIAL HILL CONF: CAR FARE	60002.30000.53402	30.11
		<u>INV040779</u>	JR - CAPTIAL HILL CONF: LODGING FEE - REYNOS	60002.30000.53402	564.57
		<u>INV040780</u>	JR - CAPTIAL HILL CONF: LODGING FEE - CARLSO	60002.30000.53402	564.57
		<u>INV040781</u>	JR - CAPTIAL HILL CONF: LODGING FEE - PARKHU	10000.11000.53402	564.57
		<u>INV040782</u>	JR - CAPTIAL HILL CONF: STAFF MEAL	60002.30000.53402	68.51
		<u>INV040783</u>	JR - CAPTIAL HILL CONF: CAR FARE	60002.30000.53402	27.46
		<u>INV040784</u>	JR - CAPTIAL HILL CONF: STAFF MEAL	60002.30000.53402	85.62
		<u>INV040785</u>	JR - CAPTIAL HILL CONF: AIRPORT PRK. FEE	60002.30000.53402	52.00
		<u>INV040786</u>	LA - CAPIO CONF: LODGING FEE AGUILAR	60002.31100.53402	672.75
		<u>INV040787</u>	LA - CAPIO CONF: AIR FARE - AQUILAR	60002.31100.53402	324.96
		<u>INV040788</u>	LA - CAPIO CONF: CAR RENTAL FEE - AGUILAR	60002.31100.53402	370.99
		<u>INV040789</u>	LA - CAPIO CONF: AIRPORT PRK. FEE - AGUILAR	60002.31100.53402	126.00
		<u>INV040790</u>	LA - IIMC ANNUAL MEMB. FEE	10000.12000.53409	210.00
		<u>INV040791</u>	LA - CAPIO CONF: CAR TOLL FEE - AGUILAR	60002.31100.53402	17.99
		<u>INV040792</u>	TT - STAFF MEETING - MEAL	10000.70000.53999	161.92
		<u>INV040793</u>	TT - CPRS CONF - PARKING FEE	10000.70000.53402	67.69

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
APBWEST	Check	INV040794	TT - CPRS CONF - STAFF MEAL	37006.72000.53999	38.05
		INV040795	TT - CPRS CONF - STAFF MEAL	10000.70000.53402	39.15
		INV040796	TT - SENIOR EXCURSION - MUSEUM	10000.79003.52999	340.00
		INV040797	TT - STORAGE FOR OFFICE RELOCATION	10000.70000.53999	33.39
		INV040798	TT - MARCH BIRTHDAY SNACKS	37006.72000.53999	31.27
		INV040799	TT - BANNER STORAGE CONTAINER	10000.70000.53999	41.86
		INV040800	TT - MARCH BINGO SUPPLIES	37006.72000.53999	35.08
		INV040801	TT - SENIOR BINGO - MEAL & PRIZES	37006.72000.53999	247.09
		INV040802	TT - SENIOR MARCH BINGO - DRINKS	37006.72000.53999	42.98
		INV040803	TT - STAFF MEETING - DRINKS	10000.70000.53999	50.55
		INV040804	TT - SENIOR BINGO - MEAL & PRIZES	37006.72000.53999	22.89
		INV040805	TT - MARCH BINGO - MEAL	37006.72000.53999	49.61
		INV040806	TT - STAFF TRAINING - MEAL	10000.70000.53999	108.56
		INV040807	TT - STAFF MEETING - MEAL	10000.70000.53999	39.75
		INV040808	TT - OLDER AMERICAN - FLOWERS	37006.72000.53999	93.71
		INV040809	TT - SENIOR MOVIE SUPPLIES	37006.72000.53999	53.63
		INV040810	AY - DEPT TRUCK REPAIR COST	60000.83100.53208	306.95
		INV040811	AY - WATER TRUCK RENTAL: FUEL	60000.83100.53208	32.78
		INV040812	AY - STAFF BIRTHDAY - MEAL	71000.81100.53100	52.08
		INV040814	AY - BARRICADE LIGHTS	60000.83100.53208	649.25
		INV040815	AY - DKS - SUBSCRIPTION: 3/21/25 - 4/20/25	60001.83200.52200	39.90
		INV040816	AY - BARRICADE LIGHTS - CREDIT	60000.83100.53208	-75.00
		INV040817	CL - 2025 NPC CONF.: AIR FARE - WOLF	10000.40000.53402	277.25
		INV040818	CL - 2025 NPC CONF.: TRAVE INSUR. - WOLF	10000.40000.53402	23.63
		INV040819	CL - APA ANNUAL MEMB. FEE: WOLF 4/4/25 - 3/	10000.40000.53402	586.46
		INV040820	CL - ESRI ARCGIS ONLINE SUB. 3/27/25 - 3/26/26	10000.40000.53805	2,028.91
		INV040821	CL - ESRI ARCGIS ONLINE SUB. 3/27/25 - 3/26/26	10000.40000.53805	21.09
		INV040823	CL - 2025 NPC CONF.: LODGING FEE - WOLF	10000.40000.53402	1,040.50
		INV040846	HA - PD SUPPLIES	10000.50000.53999	110.50
		INV040848	HA - PD SUPPLIES	10000.50000.53999	18.20
		INV040849	HA - PD EXP	10000.50000.53402	110.42
		INV040850	HA - PD UNIFORMS	10000.50000.53303	173.55
		INV040851	HA - PD OFFICE SUPPLIES	10000.50000.53999	386.59
		INV040852	HA - MONTHLY SUB. FEE - ADOBE	10000.50000.52200	29.99
		INV040853	HA - PD EXP	10000.50000.53999	412.00
		INV040854	HA - PD TRAINING	10000.50000.52005	11.85
		INV040855	HA - PD TRAINING	10000.50000.52005	447.00
		INV040856	HA - PD EXPENSE	10000.50000.53999	85.41
		INV040857	HA - GRANT FINDER	10000.50000.52200	45.00
		INV040858	HA - FUEL PD	10000.50000.53999	99.38
		INV040859	HA - POSTAL SERVICE/BADGES	10000.50000.53999	20.33

Report Total: 28,735.60



Packet: APPKT08033 - GEN MAN 5/27/25
Vendor Set: 01 - Vendor Set 01

Check Date: 05/14/2025

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>VEN01588</u>	EMERGENCY MEDICAL SERVICES AGENCY				155.00
APBWEST	Check	<u>INV040866</u>	COUNTY CERT. PARAMEDIC ACCREDITATION - JO 10000.61000.52205		155.00
				Report Total:	155.00



Packet: APPKT08042 - UB 5/27/25
Vendor Set: 01 - Vendor Set 01

Check Date: 05/20/2025

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>VEN03195</u>	GREATAMERICA FINANCIAL SERVICES				2,383.84
APBWEST	Check	<u>39047319</u>	003-1310860-000 3/5/25 - 4/4/25	60003.30000.53210	373.78
		<u>39173841</u>	003-1443256-000 2/21/25 - 3/20/25	60003.30000.53210	2,010.06
<u>VEN03173</u>	QUADIENT FINANCE USA INC				2,049.00
APBWEST	Check	<u>INV040893</u>	POSTAGE	60002.31100.53101	1,000.00
		<u>INV040894</u>	POSTAGE	60002.31100.53101	1,049.00
<u>VEN04060</u>	QUADIENT INC				38.68
APBWEST	Check	<u>40252964</u>	SERVICE REQUEST/MODEL #IX7 - BRUSH & SPON	60002.31100.53101	38.68
<u>VEN03926</u>	T-MOBILE				362.04
APBWEST	Check	<u>INV040896</u>	972239789 3/21/25 - 4/20/25	60003.30000.55005	362.04
<u>0942</u>	TPX COMMUNICATION				372.50
APBWEST	Check	<u>185283107-0</u>	4/23/25 - 5/22/25 PHONE SERVICE	60003.30000.55005	372.50
<u>0642</u>	VERIZON WIRELESS LA				3,568.25
APBWEST	Check	<u>6111986317</u>	960051887-00001 4/26/25 - 5/25/25	60003.30000.55005	3,568.25
Report Total:					8,774.31



Packet: APPKT08041 - LIB 5/27/25
Vendor Set: 01 - Vendor Set 01

Check Date: 05/20/2025

Table with columns: Vendor Number, Vendor Name, Bank Code, Payment Type, Invoice #, Invoice Description, Account Number, Distribution Amount, Vendor Total. Lists various vendors like AMAZON CAPITAL SERVICES, AMERICAS PRINTER, AMG AND ASSOCIATES INC, BAKER & TAYLOR, INC., BUBBLEMANIA AND COMPANY, CHELSEA LEE, CHRISTOPHER BARNES, FEDEX OFFICE AND PRINT SERVICES, GREY HOUSE PUBLISHING, KING OFFICE SERVICES, LAKESHORE, PLAYAWAY PRODUCTS LLC, SALEM PRESS, INC., THE VERTEX COMPANIES LLC, THOR'S REPTILE FAMILY, TSK ARCHITECTS, W M J COMMUNICATIONS, and WORLD BOOK, INC.

Packet: APPKT08041 - LIB 5/27/25
Vendor Set: 01 - Vendor Set 01

Check Date: 05/20/2025

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Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
APBWEST	Check	<u>ARI0007981</u>	ENCYCLOPEDIA 2025 SET	10000.90000.53406	1,435.40
Report Total:					522,443.09



Packet: APPKT08030 - LIB BOA MAN 5/27/25
Vendor Set: 01 - Vendor Set 01

Check Date: 05/05/2025

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
<u>0823</u>	BANK OF AMERICA				3,926.52
APBWEST	Check	<u>INV040824</u>	LA - SUMMER PROGRAM	39002.90000.53999	203.82
		<u>INV040825</u>	LA - BOOKMARK CONTEST JUDGING - SNACKS	39002.90000.53999	57.79
		<u>INV040826</u>	LA - BOOKMARK CONTEST JUDGING: DRINKS	39002.90000.53999	17.95
		<u>INV040827</u>	LA - EMPLOYEE TEAM BUILDING: MEAL	10000.90000.53999	39.78
		<u>INV040828</u>	LA - BOOK FOR COLLECTION	10000.90000.53406	30.93
		<u>INV040829</u>	LA - WATER DELIVERY SERVICE	10000.90000.53100	82.07
		<u>INV040830</u>	LA - GREEN TEENS - PLANTS	39006.90000.53999	83.22
		<u>INV040831</u>	LA - BOOKMARK CONTEST - GIFT CARDS - PROGR	39002.90000.53999	503.55
		<u>INV040832</u>	LA - BOOKMARK CONTEST GIFT CARDS - PROGR	39002.90000.53999	260.55
		<u>INV040833</u>	LA - LIB COLLECTION: ADULT GROUP NOVELS	10000.90000.53406	145.29
		<u>INV040834</u>	LA - CHILDREN'S ROOM: COMICS	10000.90000.53406	58.50
		<u>INV040835</u>	LA - PROGRAM - GREEN TEENS - SUPPLIES	39006.90000.53999	12.16
		<u>INV040836</u>	LA - ALA CONF.: AIR FARE - REGAN	10000.90000.53402	403.97
		<u>INV040837</u>	LA - ALA CONF.: AIR FARE - LEE	10000.90000.53402	403.97
		<u>INV040838</u>	LA - ALA CONF.: AIR FARE - IMAHARA	10000.90000.53402	403.97
		<u>INV040839</u>	LA - ALA MEMBERSHIP: IMAHARA	10000.90000.53409	46.00
		<u>INV040840</u>	LA - ALA CONF.: REG	10000.90000.53402	294.00
		<u>INV040841</u>	LA - ALA MEMBERSHIP: REGAN	10000.90000.53409	125.00
		<u>INV040842</u>	LA - ALA CONF REG: REGAN & LEE	10000.90000.53402	705.00
		<u>INV040843</u>	LA - ALA CONF REG: REGAN & LEE	10000.90000.53402	705.00
		<u>INV040844</u>	LA - ALA CONF REG: T-SHIRT	10000.90000.53402	19.00
		<u>INV040845</u>	LA - EMPLOYEE APPRECIATION: LEE BIRTH DAY	10000.90000.53999	30.00
Report Total:					3,926.52

RESOLUTION NUMBER 25-32

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE
APPROVING CERTAIN DEMANDS**

WHEREAS, Government Code sections 37208-37209 authorize the City Council to ratify and approve warrants or checks drawn in payment of demands certified or approved by the Director of Finance as conforming to the budget; and,

WHEREAS, the following demands have been reviewed and approved by the Finance Director; and,

WHEREAS, the Finance Director has verified that appropriated funds are available for payment thereof; and,

WHEREAS, the register of audited demands has been submitted to the City Council for approval; and

WHEREAS, City Warrants are the payment of bills, invoices and contractual obligations incurred by the City of Sierra Madre during the period enumerated therein, based on the approved fiscal year budget and existing budgetary authority, Municipal Code authority, or prior policy direction by the City Council; and

WHEREAS, Payroll Transfer is the transfer of funds to cover the payroll costs for all City employees for the period enumerated therein.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Sierra Madre does hereby approve payment of City Warrants in the aggregate amount of \$268,091.68; Sierra Madre Library Warrants in the aggregate amount of \$526,369.61; and Payroll Transfer in the aggregate amount of \$608,649.53 for the fiscal year ending June 30, 2025

APPROVED AND ADOPTED this 27th day of May 2025.

Mayor, City of Sierra Madre, California

I hereby certify that the foregoing Resolution Number 25-32 was adopted by the City Council of the City of Sierra Madre at a regular meeting held on the 27th day of May 2025.

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk, City of Sierra Madre, California

**City of Sierra Madre
Department of Finance
Warrant Register Recap
City Council Meeting of May 27, 2025**

CITY OF SIERRA MADRE AND SIERRA MADRE LIBRARY

City of Sierra Madre Warrants	\$268,091.68
Sierra Madre Library Warrants.....	\$526,369.61
Payroll Transfer.....	\$608,649.53



City of Sierra Madre Agenda Report

*Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member*

Sue Spears, City Treasurer

TO: Mayor and City Council

FROM: Anthony Rainey, Finance Director

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: CONSIDERATION OF APPROVAL OF THE ALLOCATION OF ADDITIONAL DISCRETIONARY PAYMENT (ADP) TO CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) UNFUNDED ACCRUED LIABILITY (UAL)

STAFF RECOMMENDATION

It is recommended that the City Council approve the allocation of the budgeted \$150,000 additional discretionary payment to California Public Employees' Retirement System (CalPERS) Unfunded Accrued Liability, with specific application to targeted amortization bases to maximize long-term savings.

ALTERNATIVES

1. Approve the allocation of the budgeted additional discretionary payment to California Public Employees' Retirement System Unfunded Accrued Liability as recommended.
2. Modify the allocation strategy for the Additional Discretionary Payment payments.
3. Provide staff with further direction.

SUMMARY

Pension obligations represent a significant portion of the City's long-term liabilities, and management of these obligations is essential for fiscal sustainability. In accordance with the City's Pension and Other Post-Employment Benefits (OPEB) Funding Policy adopted on November 12, 2019, through Resolution No. 19-60, staff has developed a targeted approach for the previously budgeted \$150,000 additional discretionary payment to California Public Employees' Retirement System.

This report outlines the allocation of these funds across specific amortization bases within both the Miscellaneous and Safety pension plans to maximize long-term savings and improve the funded status of each plan in alignment with the City's policy minimum threshold of 85%.

ANALYSIS

Current Funded Status

The latest California Public Employees' Retirement System (CalPERS) valuation as of June 30, 2023, indicates the Safety plan is funded at 82.3% (decreased from 83.6% in the previous year) and has an Unfunded Accrued Liability of \$4,770,542. The California Public Employees' Pension Reform Act (PEPRA) Miscellaneous plan is funded at 87.2% as of June 30, 2023, while the PEPRA Safety Police Plan is funded at 86.2%.

According to CalPERS, the overall funded status of the Public Employees' Retirement Fund (PERF) increased by approximately 4% between June 30, 2022 and June 30, 2024. CalPERS reported a preliminary net return of 9.3% on its investments for the 12-month period ending June 30, 2024, which outpaced the discount rate of 6.8%. This strong performance was primarily driven by public equity investments with an estimated 17.5% return and private debt with an estimated 17% return.

Based on these positive investment returns and our continued additional discretionary payments, we are making progress toward achieving our minimum 85% funded ratio goal for both plans. The City's plans remain significantly better funded than the average California agency, which stood at approximately 74% for Miscellaneous plans and 72% for Safety plans according to previous data.

Understanding Additional Discretionary Payments and Amortization Bases

Additional Discretionary Payments (ADPs) are optional payments that agencies can make to CalPERS beyond the required minimum contributions. These payments serve several important purposes:

1. They reduce the Unfunded Accrued Liability (UAL) and future required contributions
2. They can result in significant long-term interest savings
3. They help stabilize annual contributions as a fixed dollar amount, percentage of payroll, or percentage of revenue
4. They accelerate progress toward achieving higher funded ratios

An amortization base is a component of a pension plan's Unfunded Accrued Liability (UAL) that is tracked separately and paid off over a specific period of time. Each base represents a specific source of UAL, such as investment gains/losses, non-investment gains/losses, assumption changes, or benefit changes that occurred in a particular year. By targeting specific amortization bases with longer remaining payment periods, the City can maximize interest savings over time.

Additional Discretionary Payment Allocation Approach

In accordance with Section 3.2.1 of the *City's Pension and Other Post-Employment Benefits Funding Policy*, adopted on November 12, 2019, through Resolution No. 19-60, staff has developed a plan of action to raise the funded ratio above the 85% minimum threshold. After consultation with California Public Employees' Retirement System actuaries and utilizing California Public Employees' Retirement System's projection tools, staff has determined that an allocation of the budgeted \$150,000 Additional Discretionary Payment (ADP) would be most effective when applied to specific amortization bases. The recommended allocation is:

1. **Miscellaneous Plan (Plan #513)** - This plan covers the City's non-safety employees. Staff recommends an Additional Discretionary Payment Amount of \$50,000.
2. **Safety Plan (Plan #514)** - This plan covers the City's police and fire personnel. Staff recommends an Additional Discretionary Payment Amount of \$100,000.

Benefits of Allocation

The recommendation to target specific amortization bases rather than allowing CalPERS to apply the payment generally is particularly important because:

1. **Maximized Long-term Savings:** By targeting bases with longer remaining amortization periods (20-25 years), the City will realize greater interest savings over time.
2. **Accelerated Path to Policy Compliance:** California Public Employees' Retirement System projections indicate this allocation, combined with planned additional payments in FY 25-26, will help return both plans to the minimum 85% funded ratio by FY 26-27.
3. **Improved Budget Predictability:** Reducing these specific bases will help stabilize future required Unfunded Accrued Liability payments, enhancing the City's ability to forecast pension costs.

Long-Term Pension Management Strategy

This Additional Discretionary Payment allocation is part of a comprehensive approach to managing the City's pension obligations:

1. **Continued Monitoring:** Staff will continue to analyze annual actuarial valuations and adjust the Additional Discretionary Payment strategy as needed.
2. **California Employers' Pension Prefunding Trust (CEPPT) Investment Assessment:** The City's \$500,000 investment in the California Employers' Pension Prefunding Trust had a balance of \$487,125 as of May 16, 2025. Staff continues to evaluate the performance of this investment relative to other options.
3. **Future Additional Discretionary Payment Planning:** The financial plan includes an additional prepayment of approximately \$150,000 in FY 25-26 to ensure continued progress toward optimal funding levels.

PLAN ALIGNMENT

Goal 1 - Organizational Sustainability (OS) - "foster an innovative, financially sustainable organization that consistently delivers exceptional services and adapts to the evolving needs of the community."

CONSISTENCY WITH GENERAL PLAN

Not applicable.

FINANCIAL REVIEW/SOURCE OF FUNDING

The \$150,000 additional discretionary payment is included in the approved budget for FY 24-25. No additional appropriation is required.

ENVIRONMENTAL (CEQA)

Not applicable.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at www.cityofsierramadre.com.

Attachments

Resolution 25-18

RESOLUTION NO. 25-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA,
APPROVING THE STRATEGIC ALLOCATION OF A BUDGETED ADDITIONAL
DISCRETIONARY PAYMENT (ADP) TO THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM (CALPERS) UNFUNDED ACCRUED LIABILITY (UAL)**

WHEREAS, the City of Sierra Madre provides retirement benefits to its eligible employees through the California Public Employees' Retirement System (CalPERS); and

WHEREAS, the City Council adopted the Pension and Other Post-Employment Benefits (OPEB) Funding Policy on November 12, 2019, through Resolution No. 19-60, establishing a goal of achieving a minimum funded status of 85% for both Miscellaneous and Safety pension plans; and

WHEREAS, the CalPERS actuarial valuation as of June 30, 2023, reports that the Safety Plan is funded at 82.3%, the PEPRM Miscellaneous Plan at 87.2%, and the PEPRM Safety Plan at 86.2%; and

WHEREAS, the City Council has budgeted \$150,000 in the FY 2024-25 adopted budget as an Additional Discretionary Payment (ADP) toward reducing the City's Unfunded Accrued Liability (UAL); and

WHEREAS, staff has evaluated the amortization bases for the City's CalPERS pension plans and recommends that the ADP be strategically allocated to maximize long-term interest savings and accelerate progress toward the City's funding goals; and

WHEREAS, the recommended allocation of the ADP is as follows:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sierra Madre as follows:

SECTION 1. The City Council hereby approves the strategic allocation of the budgeted \$150,000 Additional Discretionary Payment to CalPERS as recommended by staff in the accompanying Agenda Report dated May 27, 2025.

SECTION 2. The City Manager or designee is authorized to direct payment to CalPERS and to take any necessary actions to apply the payment to the identified amortization bases.

SECTION 3. This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 27th day of May, 2025.

Robert Parkhurst, Mayor

ATTEST:

Laura Aguilar, City Clerk

APPROVED AS TO FORM:

Aleks R. Giragosian, City Attorney



City of Sierra Madre Agenda Report

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Kelly Kriebs, Council Member
Gene Goss, Council Member

Sue Spears, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Arnulfo Yanez, Director of Public Works

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: **CONSIDERATION OF RESOLUTION 25-33, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENT AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT FOR THE DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**

STAFF RECOMMENDATION

It is recommended that:

1. The City Council authorize NBS to prepare and file with the City Clerk, the Engineer's Report concerning the levy and collection of assessments within the Downtown Landscaping Lighting Maintenance Assessment District for the Fiscal Year commencing July 1, 2025 and ending June 30, 2026.

ANALYSIS

With approval of this item, NBS will prepare the Annual Engineer's Reports for the Downtown Landscaping and Lighting Maintenance Assessment District to be approved at the May 27, 2025 City Council Meeting. At that time, the City Council will consider approval of the Annual Engineer's Report and declare intention to confirm and set the assessments for Fiscal Year 2025-26 and set a public hearing date for June 10, 2025 to take public comment, confirm the assessments, and order the levy.

DISTRICT SUMMARY

DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT

The City of Sierra Madre has established the Downtown Landscaping and Lighting Maintenance District to replace the City's four previous special assessment district, which previously funded various services and improvements. The improvements included parking, lighting, landscaping, and associated maintenance within the City's Downtown business district.

In 1996, California Voters adopted Proposition 218, the "Right to Vote on Taxes Act" which added Article XIII D and imposes certain substantive and procedural requirements in order to levy special assessments. The substantive requirements are twofold: (1) assessments can only be imposed for a "special benefit" conferred on an assessed parcel, and (2) assessments must

FOR CITY COUNCIL AGENDA _____

ITEM NUMBER _____

be in proportion to, and no greater than, the special benefit conferred on an assessed parcel. Parcels within the boundary of the Downtown Landscaping and Lighting Maintenance District have special benefit conferred from the improvements of the district. The annual assessments are proportional to the special benefit conferred.

The City collects assessments associated with the benefits on a bi-annually basis in conjunction with the Los Angeles County property tax collections in April and November of each year. The Landscaping and Lighting Act of 1972, requires that the City Council adopt a Resolution Initiating Proceedings, Resolution of Intention, and a Resolution Confirming the Assessment and Ordering the Levy. In addition, a public hearing is required at the time of the adoption of the Resolution Confirming the Assessment and Ordering the Levy

FISCAL IMPACT

There are no fiscal impacts associated with the initial of proceedings.

STRATEGIC PLAN CORRELATION

The project falls within our Strategic Plan under Infrastructure and Growth Management, which involves improving and maintaining city streets.

ALTERNATIVES

Reject the initiation of proceedings, and direct Staff to review and recommend other funding sources to maintain the district.

ATTACHMENT

Resolution 25-33

RESOLUTION NO. 2025-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS AND ORDERING THE PREPARATION OF THE REPORT FOR DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2025-2026

WHEREAS, the City Council (the “City Council”) of the City of Sierra Madre (the “City”) has formed the Downtown Landscaping And Lighting Maintenance Assessment District (the “District”) pursuant to the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22600) (the “Act”); and,

WHEREAS, the City has retained NBS for the purpose of assisting with the annual levy of the District, and to prepare and file a Report;

NOW, THEREFORE, BE IT RESOLVED:

1. **Report:** The City Council hereby orders NBS to prepare and file with the City Clerk the Report concerning the levy and collection of assessments within the District for the fiscal year commencing July 1, 2025 and ending June 30, 2026.
2. **New Improvements or Changes to Existing Improvements:** There are no changes to existing improvements nor are there any items being added to the list of improvements previously approved at the formation of the District.

APPROVED AND ADOPTED THIS 27th DAY OF MAY, 2025

ATTEST:

CITY OF SIERRA MADRE:

Laura Aguilar, City Clerk

Robert Parkhurst, Mayor

APPROVED AS TO FORM:

Aleks Giragosian, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF SIERRA MADRE

I, LAURA AGUILAR, CITY CLERK of the City of Sierra Madre do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the City Council of the City of Sierra Madre held on the 27th day of May 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Sierra Madre, California, this ___ day of _____, 20__.

Laura Aguilar, City Clerk



City of Sierra Madre Agenda Report

*Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member*

Sue Spears, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Arnulfo Yanez, Director of Public Works

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: CONSIDERATION OF RESOLUTION 25-35 TO APPROVE AND ESTABLISH THE ANNUAL SPECIAL TAXES FOR COMMUNITY FACILITIES DISTRICT NO.1 AND ANNUAL ASSESSMENTS FOR EAST BONITA AVENUE SEWER IMPROVEMENT AND EAST MIRA MONTE AVENUE SEWER IMPROVEMENT AND LEVYING SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2025-26

STAFF RECOMMENDATION

It is recommended that the City Council approve Resolution 25-35 and establishes the Fiscal Year 2025-2026 special taxes for Community Facilities District No. 1 (Fund 32011 - Sierra Madre CFD) and annual assessments for East Bonita Avenue Sewer Improvement (Fund 32001 - Bonita Sewer Assessment) and Mira Monte Avenue Sewer Improvement (Fund 32010 - Sewer Assessment District-East Miramonte) and orders levy of special taxes and assessments for the Fiscal Year commencing July 1, 2025, and ending June 30, 2026.

ALTERNATIVES

Reject the initiation of proceedings and direct staff to review and recommend other funding sources to maintain the mentioned districts.

ANALYSIS

Annual rates for Community Facilities District No. 1, East Bonita Avenue Sewer Improvement, and Mira Monte Avenue Sewer Improvement are being presented to the City Council on an annual basis and were previously approved via resolution to be levied as required.

SUMMARY

COMMUNITY FACILITIES DISTRICT NO. 1

This District was established in January 2012 under Ordinance No. 1327 to fund the maintenance portions of the storm drain system serving the Stonegate (One Carter) development. The District is comprised of 28 parcels. The assessment for each parcel is \$238 annually. This assessment is designed to cover the cost of maintaining the clarifier, the catch basins, the administrative costs associated with the District, and the cost of eventual replacement of the clarifier if needed. Fiscal Year 2012-2013 was the first year this charge was implemented. No rate increases are proposed.

SEWER ASSESSMENT DISTRICTS

The City also has two sewer assessment districts, both formed to recover the design and construction cost for the installation of public sewers under the Municipal Improvement Act of 1913. The Sewer Assessment District-East Miramonte (Fund 32010) was formed on April 4, 2004, under Resolution 04-028. The Bonita Sewer Assessment District (Fund 32001) was formed on June 13, 2006, under Resolution 06-039. Funds collected under these districts reimburse the cost of the design and construction of the sewer mains. Staff is recommending that the parcel charges remain unchanged for the fiscal year 2025-2026.

CONSISTENCY WITH GENERAL PLAN

This discussion solicits direction from the City Council and, therefore, has no direct impact on the General Plan. Should direction be given to initiate an amendment to the municipal code, consistency of the amendment with the General Plan will be analyzed and reported.

FINANCIAL REVIEW/SOURCE OF FUNDING

The special taxes for Community Facilities District No. 1 and the annual assessments for the East Bonita Avenue and East Mira Monte Avenue Sewer Improvement Districts are collected directly from benefiting property owners each year. These charges are levied through the Los Angeles County property tax roll and are designed to fully fund the operation, maintenance, and repayment obligations associated with each respective district. The City acts as a pass-through agency, and no General Fund support is required. There is no additional fiscal impact to the City beyond administrative oversight.

ENVIRONMENTAL (CEQA)

This project is categorically exempt from CEQA. California Code of Regulations Title 14, Chapter 3, Section 15301 describes Class 1 exemptions that include the repair, maintenance,

or minor alteration of existing of existing facilities. Specifically, Section 15301(c) exempts the repair and maintenance of existing streets, highways, sidewalks, gutters, etc.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at www.cityofsierramadre.com.

Attachments

Attachment 1 – Resolution 25-35

RESOLUTION NO. 25-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, ESTABLISHING THE FISCAL YEAR 2025-2026 SPECIAL TAXES AND ANNUAL ASSESSMENTS FOR: - COMMUNITY FACILITIES DISTRICT NO. 1 (STONEGATE DRAINAGE), - EAST BONITA AVENUE SEWER IMPROVEMENT DISTRICT (06-01), AND - EAST MIRA MONTE AVENUE SEWER IMPROVEMENT DISTRICT (04-01), AND LEVYING SAID TAXES AND ASSESSMENTS IN ACCORDANCE WITH APPLICABLE LAW

WHEREAS, the City Council of the City of Sierra Madre has previously formed the following financing districts under the applicable State statutes:

- **COMMUNITY FACILITIES DISTRICT NO. 1 (STONEGATE DRAINAGE)**
PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982;

- **EAST BONITA AVENUE SEWER IMPROVEMENT DISTRICT** PURSUANT TO
THE MUNICIPAL IMPROVEMENT ACT OF 1913;

- **EAST MIRA MONTE AVENUE SEWER IMPROVEMENT DISTRICT**
PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913;

(Collectively referred to as the "Districts")

WHEREAS, the City Council, as the legislative body for the Districts, is authorized to levy special taxes and assessments to pay for the costs of eligible improvements and services as specified by each District's formation documents;

WHEREAS, the annual rates to be levied for Fiscal Year 2025–2026 are specified in Exhibit A, attached hereto and incorporated herein by this reference;

WHEREAS, the City Council desires to establish the rates and levy the special taxes and assessments accordingly for FY 2025–2026;

WHEREAS, the special taxes and assessments to be levied are in full compliance with applicable laws and are apportioned without regard to property valuation.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE
CITY COUNCIL FOR THE DISTRICTS AS FOLLOWS:**

1. The foregoing recitals are true and correct and are incorporated herein.

2. The special tax and assessment rates set forth in Exhibit A are hereby confirmed for Fiscal Year 2025–2026.
3. The City Clerk, or their designee, is hereby authorized and directed to transmit a certified list of the parcels to be assessed, and the amounts to be levied, to the Los Angeles County Auditor-Controller for inclusion on the 2025–2026 property tax roll, on or before September 10, 2025, or such other date as may be required by the Auditor-Controller.
4. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 27th day of May, 2025.

ATTEST:

CITY OF SIERRA MADRE

Laura Aguilar, City Clerk

By: _____
Robert Parkhurst, Mayor

APPROVED AS TO FORM:

Aleks Giragoshians, City Attorney

CERTIFICATION

I, Laura Aguilar, City Clerk of the City of Sierra Madre, do hereby certify that the foregoing Resolution No. 25-35 was adopted at a Regular Meeting of the City Council held on May 27, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Sierra Madre, California, and this 27th day of May 2025.

Laura Aguilar, City Clerk

Exhibit "A"
Fiscal Year 2025-2026 Special Tax Levy
COMMUNITY FACILITIES DISTRICT NO. 1
ONE CARTER

PARCEL NO.	AGENCY ACCT NO	AMOUNT
5762039038	256.52	\$238
5762039003		\$238
5762039004		\$238
5762039005		\$238
5762039006		\$238
5762039007		\$238
5762039040		\$238
5762039009		\$238
5762039010		\$238
5762039011		\$238
5762039012		\$238
5762039013		\$238
5762039014		\$238
5762039015		\$238
5762039016		\$238
5762039017		\$238
5762039018		\$238
5762039019		\$238
5762039020		\$238
5762039021		\$238
5762039022		\$238
5762039023		\$238
5762039024		\$238
5762039025		\$238
5762039026		\$238
5762039027		\$238
5762039036		\$238
5762039037		\$238

TOTAL: \$6,902

Exhibit "A" continued.
Fiscal Year 2025-26 Assessments,
EAST BONITA AVENUE SEWER IMPROVEMENT
SEWER DISTRICT NO. 06-01

Parcel No.	Acct No.	Amount
5767038010	266.91	\$1,292.81
5767038011	266.91	\$1,292.81
5767038012	266.91	\$1,292.81
5767038014	266.91	\$1,292.81
5767038015	266.91	\$1,292.81
5767038016	266.91	\$1,292.81
5767038017	266.91	\$1,292.81
5767038018	266.91	\$1,292.81

TOTAL: \$10,342.48

Fiscal Year 2025-26 Assessments
EAST MIRA MONTE AVENUE SEWER IMPROVEMENT
SEWER DISTRICT NO. 04-01

#	PARCEL NO.	ADDRESS	AMOUNT
1	5762-012-002	31 East Mira Monte Ave.	\$590.82
2	5762-012-003	45 East Mira Monte Ave.	\$590.82
3	5762-012-004	49 East Mira Monte Ave.	\$590.82
4	5762-012-005	55 East Mira Monte Ave.	\$590.82
5	5762-012-006	58 East Mira Monte Ave.	\$590.82
6	5762-012-007	63 East Mira Monte Ave.	\$590.82
7	5762-012-008	64 East Mira Monte Ave.	\$590.82
8	5762-012-009	66 East Mira Monte Ave.	\$590.82
9	5762-012-010	70 East Mira Monte Ave.	\$590.82
10	5762-012-011	75 East Mira Monte Ave.	\$590.82
11	5762-012-012	100 East Mira Monte Ave.	\$590.82
12	5762-014-008	110 East Mira Monte Ave.	\$590.82

TOTAL: \$7,089.84



City of Sierra Madre AGENDA REPORT

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member
Sue Spears, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Veronica Saucedo, Acting Police Captain

REVIEWED BY: Gustavo Barrientos, Police Chief
Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: CONSIDERATION OF STATE HOMELAND SECURITY PROGRAM (SHSP) SUBRECIPIENT AGREEMENT GRAND YEAR 2022

STAFF RECOMMENDATION

It is recommended that the City Council authorize the City Manager to approve and sign the grant agreement between the County of Los Angeles and the City of Sierra Madre Police Department for a State Homeland Security Program (SHSP) grant in the amount not to exceed \$45,577.00. The recommendation also includes approval of signatures from the Chief of Police or their designee.

ALTERNATIVES

City Council may:

- A. Decline to approve the grant agreement.
- B. Request modifications to the grant agreement.

EXECUTIVE SUMMARY

Annually, the U.S. Department of Homeland Security (DHS) allocates funds through the Homeland Security Grant Program (HSGP) to local governments. The HSGP consists of three key components:

- State Homeland Security Program (SHSP)
- Urban Area Security Initiative (UASI)

- Operation Stonegarden (OPSG)

The HSGP supports state, local, tribal, and territorial governments in addressing risks associated with terrorism and other emergencies. In Los Angeles County, the County oversees the administration and management of these funds.

Eligible entities may apply for funding under these programs. The Sierra Madre Police Department qualifies for HSGP funding through the SHSP or UASI program.

The HSPG prioritizes projects that address the following focus areas:

The HSGP prioritizes projects that address the following focus areas:

- Protecting soft targets and crowded places
- Enhancing intelligence sharing and analysis
- Combating domestic violent extremism
- Strengthening cybersecurity
- Promoting community preparedness and resilience
- Securing elections
- Enhancing emergency communication systems
- Providing terrorism prevention training for first responders
- Acquiring equipment for disaster response

For FY 2023, the Sierra Madre Police Department submitted a grant application to upgrade its emergency communication systems, specifically focusing on upgrading patrol radios within patrol units.

As a result, the Department has been awarded up to \$45,577.00 through the State Homeland Security Program (SHSP) to implement these critical upgrades.

ANALYSIS

The Police Department retains and employs a variety of equipment to safely achieve its mission through our dedication to professionalism and service, always acting in the interest of justice and the well-being of our community. We strive to enhance the quality of life for all community members by providing professional, compassionate, and responsive law enforcement services. The Department recognizes that radio communication systems require maintenance and upgrades to meet technological advances. The use of all communications equipment is imperative for the mission of the Department, policy, training, law, the safety of officers, and the safety of the community.

ENVIRONMENTAL(CEQA)

This item is not subject to environmental review under the California Environmental Quality Act

(CEQA).

STRATEGIC PLAN CORRELATION

Approving the recommendations ensures the Department is adequately equipped with necessary equipment and resources to safeguard lives and achieve its mission as described in Goal 2, Initiative PS 2.3 of the Strategic Plan.

PUBLIC NOTICE PROCESS

This item is available through the regular agenda notification process. Copies of the report are available via the City website, www.cityofsierramadre.com.

FISCAL IMPACT

This is a federally grant funded and has no fiscal impact to the City of Sierra Madre.

PUBLIC NOTICE

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at www.cityofsierramadre.com.

ATTACHMENTS:

1. 2022 SHSP Sierra Madre Subrecipient Agreement
2. FISCAL YEAR 2022 Homeland Security Grant Program Fact Sheet
3. 2022 SHSP Project Spreadsheet

***State Homeland Security Program
Subrecipient Agreement
Grant Year 2022***

Between the

County of Los Angeles

and the

City of Sierra Madre

**SUBRECIPIENT AGREEMENT
BETWEEN THE
COUNTY OF LOS ANGELES
AND THE
CITY OF SIERRA MADRE**

THIS AGREEMENT ("Agreement") is made and entered into by and between the County of Los Angeles, a political subdivision of the State of California (the "County of Los Angeles"), and the City of Sierra Madre, a public agency (the "Subrecipient").

W I T N E S S E T H

WHEREAS, the U.S. Department of Homeland Security Title 2 Code of Federal Regulations (CFR) through the Office of Grants and Training (G&T), has provided financial assistance for the State Homeland Security Program (SHSP), Assistance Listings Number (formerly Catalog of Federal Domestic Assistance Number) 97.067 – Homeland Security Grant Program directly to the California Governor’s Office of Emergency Services (Cal OES) for the 2022 SHSP, Federal Award Identification No. 037-00000 Federal Award dated October 24, 2022 with a performance period of September 1, 2022 to May 31, 2024. This Federal Award is not a R&D award; and

WHEREAS, the Cal OES provides said funds to the County of Los Angeles, Unique Entity ID (UEI) # MKQ9AQH7R2S5, as its Subgrantee, and the Chief Executive Office (CEO) is responsible for managing and overseeing the SHSP funds that are distributed to other specified jurisdictions within Los Angeles County; and

WHEREAS, this financial assistance is being provided to the Subrecipient in order to address the unique equipment, training, organization, exercise and planning needs of the Subrecipient, and to assist the Subrecipient in building effective prevention and protection capabilities to prevent, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the County of Los Angeles as Subgrantee has obtained approval of the 2022 SHSP grant from Cal OES in the total amount of \$9,481,458.00; and

WHEREAS, the CEO now wishes to distribute 2022 SHSP grant funds to the Subrecipient in the amount of \$45,577.00, as further detailed in this Agreement; and

WHEREAS, the CEO is authorized to enter into subrecipient agreements with cities providing for re-allocation and use of these funds; and to execute all future amendments, modifications, extensions, and augmentations relative to the subrecipient agreements, as necessary; and

WHEREAS, the County of Los Angeles and Subrecipient are desirous of executing this Agreement, and the County of Los Angeles Board of Supervisors on December 6, 2022 authorized the CEO to prepare and execute this Agreement.

NOW, THEREFORE, the County of Los Angeles and Subrecipient agree as follows:

SECTION I

INTRODUCTION

§101. Parties to this Agreement

The parties to this Agreement are:

- A. County of Los Angeles, a political subdivision of the State of California, having its principal office at Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012; and
- B. City of Sierra Madre, a public agency, having its principal office at _____
232 W. Sierra Madre Blvd. Sierra Madre, CA 91024.

§102. Representatives of the Parties and Service of Notices

- A. The representatives of the respective parties who are authorized to administer this Agreement and to whom formal notices, demands and communications must be given are as follows:
 - 1. The representative of the County of Los Angeles is, unless otherwise stated in this Agreement:

Craig Hiramawa, HSGP Grants Director
Chief Executive Office, LAC
500 West Temple Street, Room B-79-2
Los Angeles, CA 90012
Phone: (213) 974-1127
Fax: (213) 687-3765
CHiramawa@ceo.lacounty.gov

Jimmy Nguyen
Chief Executive Office, LAC
500 West Temple Street, Room B-79-2
Los Angeles, CA 90012
Phone: (213) 262-7902
Fax: (213) 687-3765
JNguyen@ceo.lacounty.gov

2. The representative of Subrecipient is:

Name and Title:	<i>Gustavo Barrientos Chief of Police</i>
Organizational UEI Number:	<i>V7AAUMZC1W97</i>
Address:	<i>242 W. Sierra Madre Blvd.</i>
City/State/Zip:	<i>Sierra Madre, CA 91024</i>
Phone:	<i>626-355-1414</i>
FAX:	<i>626-355-5468</i>
Email:	<i>gbarrientos@sierramadrecal.gov</i>

With a copy to:

Name and Title:	<i>Anthony Rainey, Finance Director</i>
Address:	<i>232 W. Sierra Madre Blvd.</i>
City/State/Zip:	<i>Sierra Madre, CA 91024</i>
Phone:	<i>626-355-7135</i>
FAX:	
Email:	<i>arainey@sierramadrecal.gov</i>

- B. Formal notices, demands and communications to be given hereunder by either party must be made in writing and may be effected by personal delivery, regular U.S. Postal mail service and/or e-mail. In the event of personal delivery or email, the message will be deemed communicated upon receipt by the County of Los Angeles. In the event of mail service, the message will be deemed communicated as of the date of mailing.
- C. If the name and/or title of the person designated to receive the notices, demands or communications or the address of such person is changed, written notice must be given, in accord with this section, within five (5) business days of said change.

§103. Independent Party

Subrecipient is acting hereunder as an independent party, and not as an agent or employee of the County of Los Angeles. An employee of Subrecipient is not, and will not be deemed, an employee of the County of Los Angeles by virtue of this Agreement, and Subrecipient must so inform each employee organization and each employee who is hired or retained under this Agreement. Subrecipient must not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of the County of Los Angeles by virtue of this Agreement.

§104. Conditions Precedent to Execution of This Agreement

Subrecipient must provide the following signed documents to the County of Los Angeles, unless otherwise exempted:

- A. Certification and Disclosure Regarding Lobbying, attached hereto as Exhibit A and made a part hereof, in accordance with §411.A.14 of this Agreement. Subrecipient must also file a Disclosure Form at the end of each calendar quarter in which there occurs any event requiring disclosure or which materially affects the accuracy of the information contained in any Disclosure Form previously filed by Subrecipient.
- B. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions, attached hereto as Exhibit B and made a part hereof, as required by Executive Order 12549 in accordance with §411.A.12 of this Agreement.
- C. Certification Regarding Drug-Free Workplace, attached hereto as Exhibit C and made a part hereof, in accordance with §411.A.13 of this Agreement.
- D. Certification of Grant Assurances, attached hereto as Exhibit D and made a part hereof, in accordance with §411.C of this Agreement.

SECTION II

TERM AND SERVICES TO BE PROVIDED

§201. Performance Period

The performance period of this Agreement is from September 1, 2022 to February 29, 2024, unless the County of Los Angeles, with Cal OES approval, provides written notification to the Subrecipient that the performance period has been extended, in which case the performance period will be so extended by such written notification, as provided in §503, below.

§202. Use of Grant Funds

- A. Subrecipient and the County of Los Angeles have previously completed a mutually approved budget/expenditure plan, hereinafter "Budget," for the 2022 SHSP, which has been approved by Cal OES. This information is contained in a copy of the Final Grant Award Letter and Project Worksheet, attached hereto as Exhibit E.

Any request by Subrecipient to modify the Budget must be made in writing with the appropriate justification and submitted to CEO for approval. If during the County of Los Angeles review process, additional information or documentation is required, the Subrecipient will have ten (10) business days to comply with the request. If the Subrecipient does not comply with the request, CEO will issue written notification indicating that the requested modification will not be processed. Modifications must be approved in writing by the County of Los Angeles and Cal OES during the term of this Agreement. Upon approval, all other terms of this Agreement will remain in effect.

Subrecipient must utilize grant funds in accordance with all Federal regulations and State Guidelines.

- B. Subrecipient agrees that grant funds awarded will be used to supplement existing funds for program activities, and will not supplant (replace) non-Federal funds.
- C. Subrecipient must review the Federal Debarment Listing at <https://sam.gov/search/> prior to the purchase of equipment or services to ensure the intended vendor is not listed and also maintain documentation that the list was verified.
- D. Prior to the purchase of equipment or services utilizing a sole source contract or the receipt of single bid response of \$250,000.00 or more, justification must be presented to CEO, who upon review will request approval from Cal OES. Such approval in writing must be obtained prior to the commitment of funds.
- E. Subrecipient must provide any certifications or reports requested by the County of Los Angeles to the CEO indicating Subrecipient's performance under this Agreement, including progress on meeting program goals. Reports must be in the form requested by the County of Los Angeles, and must be provided by the fifteenth (15th) of the following month. Subrecipient is required to complete any survey requests requested by the County of Los Angeles. Subrecipient must also submit completed Project Claims for reimbursement immediately or a minimum on a quarterly basis, and no later than the date stated in §201, above.
- F. Subrecipient must provide an electronic copy of their Annual Single Audit Report, as required by Title 2 Code of Federal Regulations (C.F.R) Part 200, to the County of Los Angeles within 30 calendar days after receipt of the auditor's report(s). In the event the Subrecipient does not meet the Single Audit Threshold

expenditure amount in a fiscal year, the Subrecipient must provide the County of Los Angeles a copy of a letter sent to State Controller's Office noting the Single Audit Threshold was not met, and its exempt status within nine months after the end of the Subrecipient's fiscal year, unless otherwise approved by the County of Los Angeles.

- G. Subrecipient may be monitored by the County of Los Angeles on an annual basis to ensure compliance with Cal OES grant program requirements. The County of Los Angeles anticipates that said monitoring may include, at a minimum, one on-site visit during the term of this Agreement. Monitoring will utilize a Review Instrument (sample attached hereto as Exhibit H, and subject to periodic revisions) to evaluate compliance.
- H. Subrecipient must provide Corrective Action Plan(s) to CEO within thirty (30) days of any audit finding.
- I. Subrecipient use of the Los Angeles Regional Interoperable Communication System's Motorola Solutions, Incorporated Land Mobile Radio System Contract to purchase equipment is unallowable unless the Subrecipient can clearly demonstrate to CEO it meets one of the four federal exceptions to necessitate a noncompetitive procurement before issuance of any contract, amendment, or purchase order.
- J. Subrecipient shall not use grant funds to purchase, extend, or renew any Telecommunications and Video Surveillance services and equipment as substantial or essential component of any system, or as critical technology as part of any system which the Secretary of Defense, in consultation with Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an owned, controlled by, or connected to the People's Republic of China such as and not limited to Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities); or Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
- K. Any equipment acquired pursuant to this Agreement must be authorized in the G&T Authorized Equipment List (AEL) available online at <https://www.fema.gov/authorized-equipment-list> and the Funding Guidelines of the 2022 SHSP Notice of Funding Opportunity, incorporated by reference, and attached hereto as Exhibit F. Subrecipient must provide the CEO a copy of its most current procurement guidelines and follow its own procurement requirements as long as they meet or exceed the minimum Federal requirements and any added Cal OES requirements. Federal procurement requirements for the 2022 SHSP can be found at Title 2 CFR Part 200.313.

Any equipment acquired or obtained with Grant Funds:

1. Will be made available under the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant;
 2. Will be consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that plan;
 3. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
- L. Equipment acquired pursuant to this Agreement will be subject to the requirements of Title 2 CFR Part 200.313. For the purposes of this subsection, "Equipment" is defined as tangible nonexpendable property, having a useful life of more than one year which costs \$5,000.00 or more per unit. Items costing less than \$5,000.00, but acquired under the "Equipment" category of the Grant must also be listed on any required Equipment Listing.
1. Equipment must be used by Subrecipient in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the Equipment may be used in other activities currently or previously supported by a Federal agency.
 2. Subrecipient must make Equipment available for use on other like projects or programs currently or previously supported by the Federal Government, providing such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by the awarding agency.
 3. An Equipment Listing must be maintained listing each item of Equipment acquired with SHSP funds. The Equipment Listing must be kept up to date at all times. Any changes must be recorded in the Listing within ten (10) business days and the updated Listing is to be forwarded to the County of Los Angeles Auditor-Controller (A-C) Shared Services Division. The Equipment Property Records must be maintained that include: (a) a description of the property, (b) a serial number or other identification number, (c) the source of property, (d) who holds title, (e) the acquisition date, (f) and cost of the property, (g) percentage of Federal participation in the cost of the property, (h) the location, (i) use and condition of the

property, (j) and any ultimate disposition data including the date of disposal and sale price of the property. Records must be retained by the subrecipient pursuant to Title 2, Part 200.313 (d) (1) of the CFR.

4. All Equipment obtained under this Agreement must have an appropriate identification decal affixed to it, and, when practical, must be affixed where it is readily visible.
 5. A physical inventory of the Equipment must be taken by the Subrecipient and the results reconciled with the Equipment Listing at least once every two years or prior to any site visit by State or Federal auditors or County of Los Angeles monitors. The Subrecipient is required to have on file a letter certifying as to the accuracy of the Equipment Listing in the frequency as above, and provide to the CEO when requested.
- M. Any Planning paid pursuant to this Agreement must conform to the guidelines as listed in Exhibit F or subsequent grant year programs.
- N. Any Organization activities paid pursuant to this Agreement must conform to the guidelines as listed in Exhibit F.
- O. Any Training paid pursuant to this Agreement must conform to the guidelines as listed in Exhibit F, and must be first submitted to CEO and then pre-authorized by Cal OES. A catalog of federally approved and sponsored training courses is available at <https://www.firstrespondertraining.gov/frts/>.
- P. Any Exercise paid pursuant to this Agreement must conform to the guidelines as listed in Exhibit F. Detailed Homeland Security Exercise and Evaluation Program Guidance is available at <https://www.fema.gov/hseep>.
- Q. Any Personnel activities paid pursuant to this Agreement must conform to the guidelines as listed in Exhibit F.
- R. Subrecipient must provide to CEO a spending plan detailing the required steps and timeframes required to complete the approved projects within the grant timeframe. Subrecipient must submit the spending plan to CEO prior to final execution of the Agreement.
- S. Pursuant to this Agreement, indirect costs are not reimbursable.

SECTION III

PAYMENT

§301. Payment of Grant Funds and Method of Payment

- A. The County of Los Angeles will reimburse Subrecipient up to the maximum grant amount of \$45,577.00 as expenditures are incurred and paid by Subrecipient and all documentation is reviewed and approved by County of Los Angeles. All expenditures must be for the purchase of equipment, exercises, training, organization, and planning as described in Section II of this Agreement. The grant amount represents the amount allocated to Subrecipient in the 2022 SHSP Grant Award Letter from Cal OES.
- B. Subrecipient must submit reimbursement requests to the County of Los Angeles A-C Shared Services Division requesting payment as soon as a Project is completed and expenses are incurred and paid with the required supporting documentation; submission can be sent immediately or at a minimum on a quarterly basis, and no later than the date stated in §201, above. Each reimbursement request must be accompanied by the Reimbursement Form (sample attached hereto as Exhibit G, and subject to periodic revisions). All appropriate back-up documentation must be attached to the reimbursement form, including the method of procurement, bid documentation, purchase orders, invoices, report of goods received, and proof of payment.

For Training reimbursements, Subrecipient must include a copy of the class roster verifying training attendees, proof that prior approval was obtained from Cal OES and that a Cal OES Feedback number has been assigned to the course, and timesheets and payroll registers for all training attendees.

For Exercise reimbursements, Subrecipient must enter the After Action Report (AAR) and Improvement Plan on the State Office of Domestic Preparedness secure portal within sixty (60) days following completion of the exercise and submit proof of prior State approval of the AAR with the reimbursement request.

For Planning reimbursements, Subrecipient must include a copy of the final tangible product.

- C. The County of Los Angeles may, at its discretion, reallocate unexpended grant funds to another subrecipient. Said reallocation may occur upon approval by the County of Los Angeles of a Subrecipient reimbursement submission, inquiry from the County of Los Angeles to the Subrecipient regarding fund utilization, or by written notification from the Subrecipient to the County of Los Angeles that a portion of the grant funds identified in §301.A., above, will not be utilized. As provided in §503, below, any increase or decrease in the grant amount specified

in §301.A., above, may be effectuated by a written notification by the County of Los Angeles to the Subrecipient.

- D. Payment of reimbursement request will be withheld by the County of Los Angeles until the County of Los Angeles has determined that Subrecipient has turned in all supporting documentation and completed the requirements of this Agreement.
- E. It is understood that the County of Los Angeles makes no commitment to fund this Agreement beyond the terms set forth herein.
- F. 1. Funding for all periods of this Agreement is subject to continuing Federal appropriation of grant funds for this program. In the event of a loss or reduction of Federal appropriation of grant funds for this program, the Agreement may be terminated, or appropriately amended, immediately upon notice to Subrecipient of such loss or reduction of Federal grant funds.

2. County of Los Angeles will make a good-faith effort to notify Subrecipient, in writing, of such non-appropriation at the earliest time.

SECTION IV

STANDARD PROVISIONS

§401. Construction of Provisions and Titles Herein

All titles or subtitles appearing herein have been inserted for convenience and do not, and will not be deemed to, affect the meaning or construction of any of the terms or provisions hereof. The language of this Agreement will be construed according to its fair meaning and not strictly for or against either party.

§402. Applicable Law, Interpretation and Enforcement

Each party's performance hereunder must comply with all applicable laws of the United States of America, the State of California, and the County of Los Angeles. This Agreement will be enforced and interpreted, as applicable, under the laws of the United States of America, the State of California and the County of Los Angeles.

If any part, term or provision of this Agreement is held void, illegal, unenforceable, or in conflict with any law of a Federal, State or Local Government having jurisdiction over this Agreement, the validity of the remainder of the Agreement will not be affected thereby.

Applicable Federal or State requirements that are more restrictive will be followed.

§403. Integrated Agreement

This Agreement sets forth all of the rights and duties of the parties with respect to the subject matter hereof, and replaces any and all previous agreements or understandings, whether written or oral, relating thereto. This Agreement may be amended only as provided for herein.

§404. Breach

If any party fails to perform, in whole or in part, any promise, covenant, or agreement set forth herein, or should any representation made by it be untrue, any aggrieved party may avail itself of all rights and remedies, at law or equity, in the courts of law. Said rights and remedies are cumulative of those provided for herein except that in all events, no party may recover more than once, suffer a penalty or forfeiture, or be unjustly compensated.

§405. Prohibition Against Assignment or Delegation

Subrecipient may not do any of the following, unless it has first obtained the written permission of the County of Los Angeles:

- A. Assign or otherwise alienate any of its rights hereunder, including the right to payment; or
- B. Delegate, subcontract, or otherwise transfer any of its duties hereunder.

§406. Permits

Subrecipient and its officers, agents and employees must obtain and maintain all permits and licenses necessary for Subrecipient's performance hereunder and must pay any fees required therefor. Subrecipient further certifies that it will immediately notify the County of Los Angeles of any suspension, termination, lapse, non-renewal or restriction of licenses, certificates, or other documents.

§407. Nondiscrimination and Affirmative Action

Subrecipient must comply with the applicable nondiscrimination and affirmative action provisions of the laws of the United States of America, the State of California, and the County of Los Angeles. In performing this Agreement, Subrecipient must not discriminate in its employment practices against any employee or applicant for employment because of such person's race, religion, national origin, ancestry, sex, sexual orientation, age, physical handicap, mental disability, marital status, domestic partner status or medical condition. Subrecipient must comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60).

If required, Subrecipient must submit an Equal Employment Opportunity Plan to the Department of Justice Office of Civil Rights in accordance with guidelines listed at <https://www.justice.gov/crt>.

Any subcontract entered into by the Subrecipient relating to this Agreement, to the extent allowed hereunder, will be subject to the provisions of this §407 of this Agreement.

§408. Indemnification

Each of the parties to this Agreement is a public entity. This indemnity provision is written in contemplation of the provisions of Section 895.2 of the Government Code of the State of California, which impose certain tort liability jointly upon public entities, solely by reason of such entities being parties to an agreement, and the parties agree that this indemnity provision will apply and will be enforceable regardless of whether Section 895 et seq. is deemed to apply to this Agreement. The parties hereto, as between themselves, consistent with the authorization contained in Government Code Sections 895.4 and 895.6 agree to each assume the full liability imposed upon it or upon any of its officers, agents, or employees by law, for injury caused by a negligent or wrongful act or omission occurring in the performance of this Agreement, to the same extent that such liability would be imposed in the absence of Government Code Section 895.2. To achieve the above-stated purpose, each party agrees to indemnify and hold harmless the other party for any liability arising out of its own negligent acts or omissions in the performance of this Agreement (i.e., the Subrecipient agrees to indemnify and hold harmless the County of Los Angeles for liability arising out of the Subrecipient's negligent or wrongful acts or omissions and the County of Los Angeles agrees to indemnify and hold harmless the Subrecipient for liability arising out of the County of Los Angeles' negligent or wrongful acts or omissions). Each party further agrees to indemnify and hold harmless the other party for liability that is imposed on the other party solely by virtue of Government Code Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if fully set forth herein. Subrecipient certifies that it has adequate self-insured retention of funds to meet any obligation arising from this Agreement.

§409. Conflict of Interest

- A. The Subrecipient covenants that none of its directors, officers, employees, or agents may participate in selecting, or administering, any subcontract supported (in whole or in part) by Federal funds where such person is a director, officer, employee or agent of the subcontractor; or where the selection of subcontractors is or has the appearance of being motivated by a desire for personal gain for themselves or others such as family business, etc.; or where such person knows or should have known that:

1. A member of such person's immediate family, or domestic partner or organization has a financial interest in the subcontract;
2. The subcontractor is someone with whom such person has or is negotiating any prospective employment; or
3. The participation of such person would be prohibited by the California Political Reform Act, California Government Code §87100 et seq. if such person were a public officer, because such person would have a "financial or other interest" in the subcontract.

B. Definitions:

1. The term "immediate family" means domestic partner and/or those persons related by blood or marriage, such as husband, wife, father, mother, brother, sister, son, daughter, father in law, mother in law, brother in law, sister in law, son in law, daughter in law.
2. The term "financial or other interest" means:
 - a. Any direct or indirect financial interest in the specific contract, including but not limited to, a commission or fee, a share of the proceeds, prospect of a promotion or of future employment, a profit, or any other form of financial reward.
 - b. Any of the following interests in the subcontractor ownership: partnership interest or other beneficial interest of five percent or more; ownership of five percent or more of the stock; employment in a managerial capacity; or membership on the board of directors or governing body.

- C. The Subrecipient further covenants that no officer, director, employee, or agent may solicit or accept gratuities, favors, or anything of monetary value from any actual or potential subcontractor, supplier, a party to a sub agreement, (or persons who are otherwise in a position to benefit from the actions of any officer, employee, or agent).
- D. The Subrecipient may not subcontract with a former director, officer, or employee within a one-year period following the termination of the relationship between said person and the Subrecipient.
- E. Prior to obtaining the County of Los Angeles' approval of any subcontract, the Subrecipient must disclose to the County of Los Angeles any relationship, financial or otherwise, direct or indirect, of the Subrecipient or any of its officers, directors or employees or their immediate family with the proposed subcontractor and its officers, directors or employees.

- F. For further clarification of the meaning of any of the terms used herein, the parties agree that references are made to the guidelines, rules, and laws of the County of Los Angeles, State of California, and Federal regulations regarding conflict of interest.
- G. The Subrecipient warrants that it has not paid or given and will not pay or give to any third person any money or other consideration for obtaining this Agreement.
- H. The Subrecipient covenants that no member, officer or employee of Subrecipient may have interest, direct or indirect, in any contract or subcontract or the proceeds thereof for work to be performed in connection with this project during his/her tenure as such employee, member or officer or for one year thereafter.
- I. The Subrecipient must incorporate the foregoing subsections of this Section into every agreement that it enters into in connection with this grant and must substitute the term "subcontractor" for the term "Subrecipient" and "sub subcontractor" for "Subcontractor".

§410. Restriction on Disclosures

Any reports, analyses, studies, drawings, information, or data generated as a result of this Agreement are to be governed by the California Public Records Act (California Government Code Sec. 6250 et seq.).

§411. Statutes and Regulations Applicable To All Grant Contracts

- A. Subrecipient must comply with all applicable requirements of State, Federal, and County of Los Angeles laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this Agreement. Subrecipient must comply with applicable State and Federal laws and regulations pertaining to labor, wages, hours, and other conditions of employment. Subrecipient must comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of this Agreement. These requirements include, but are not limited to:

- 1. CFR

Subrecipient must comply with Title 2 CFR Part 200.

- 2. Single Audit Act

Since Federal funds are used in the performance of this Agreement, Subrecipient must, as applicable, adhere to the rules and regulations of the Single Audit Act (31 USC Sec. 7501 et seq.), 2 CFR Part 200 and any administrative regulation or field memos implementing the Act.

3. Americans with Disabilities Act

Subrecipient hereby certifies that, as applicable, it will comply with the Americans with Disabilities Act 42, USC §§12101 et seq., and its implementing regulations. Subrecipient will provide reasonable accommodations to allow qualified individuals with disabilities to have access to and to participate in its programs, services and activities in accordance with the provisions of the Americans with Disabilities Act. Subrecipient will not discriminate against persons with disabilities nor against persons due to their relationship to or association with a person with a disability. Any subcontract entered into by Subrecipient, relating to this Agreement, to the extent allowed hereunder, will be subject to the provisions of this paragraph.

4. Political and Sectarian Activity Prohibited

None of the funds, materials, property or services provided directly or indirectly under this Agreement may be used for any partisan political activity, or to further the election or defeat of any candidate for public office. Neither may any funds provided under this Agreement be used for any purpose designed to support or defeat any pending legislation or administrative regulation. None of the funds provided pursuant to this Agreement may be used for any sectarian purpose or to support or benefit any sectarian activity.

Subrecipient must file a Disclosure Form at the end of each calendar quarter in which there occurs any event requiring disclosure or which materially affects the accuracy of any of the information contained in any Disclosure Form previously filed by Subrecipient. Subrecipient must require that the language of this Certification be included in the award documents for all sub-awards at all tiers and that all subcontractors certify and disclose accordingly.

5. Records Inspection

At any time during normal business hours and as often as either the County of Los Angeles, the U.S. Comptroller General or the Auditor General of the State of California may deem necessary, Subrecipient must make available for examination all of its records with respect to all matters covered by this Agreement. The County of Los Angeles, the U.S. Comptroller General and the Auditor General of the State of California have the authority to audit, examine and make excerpts or transcripts from records, including all Subrecipient's method of procurement, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement.

Subrecipient agrees to provide any reports requested by the County of Los Angeles regarding performance of this Agreement.

6. Records Maintenance

Records, in their original form, must be maintained in accordance with requirements prescribed by the County of Los Angeles with respect to all matters specified in this Agreement. Original forms are to be maintained on file for all documents specified in this Agreement. Such records must be retained for a period five (5) years after termination of this Agreement and after final disposition of all pending matters. "Pending matters" include, but are not limited to, an audit, litigation or other actions involving records. The County of Los Angeles may, at its discretion, take possession of, retain and audit said records. Records, in their original form pertaining to matters covered by this Agreement, must at all times be retained within the County of Los Angeles unless authorization to remove them is granted in writing by the County of Los Angeles.

7. Subcontracts and Procurement

Subrecipient must, as applicable, comply with the Federal, State and County of Los Angeles standards in the award of any subcontracts. For purposes of this Agreement, subcontracts include but are not limited to purchase agreements, rental or lease agreements, third party agreements, consultant service contracts and construction subcontracts.

Subrecipient must, as applicable, ensure that the terms of this Agreement with the County of Los Angeles are incorporated into all Subcontractor agreements. The Subrecipient must submit all Subcontractor agreements to the County of Los Angeles for review prior to the release of any funds to the Subcontractor. The Subrecipient must withhold funds to any Subcontractor agency that fails to comply with the terms and conditions of this Agreement and their respective Subcontractor agreement.

8. Labor

Subrecipient must, as applicable, comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed requirements for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System Personnel Administration (5 CFR 900, Subpart F).

Subrecipient must, as applicable, comply with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7); the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874); the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements; and the Hatch Act (5 USC §§1501-1508 and 7324-7328).

Subrecipient must, as applicable, comply with the Federal Fair Labor Standards Act (29 U.S.C. §201) regarding wages and hours of employment.

None of the funds may be used to promote or deter union/labor organizing activities. CA Gov't Code Sec. 16645 et seq.

9. Civil Rights

Subrecipient must, as applicable, comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of disabilities; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; (j) the requirements of any other nondiscrimination statute(s) that may apply to the application; and (k) P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

10. Environmental

Subrecipient must, as applicable, comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

Subrecipient must, as applicable, comply with environmental standards which may be prescribed pursuant to the following: (a) institution of

environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93205); and (i) Flood Disaster Protection Act of 1973 §102(a) (P.L. 93-234).

Subrecipient must, as applicable, comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

Subrecipient must, as applicable, comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

Subrecipient must, as applicable, comply with the Federal Water Pollution Control Act (33 U.S.C. §1251 et seq.), which restores and maintains the chemical, physical and biological integrity of the Nation's waters.

Subrecipient must, as applicable, ensure that the facilities under its ownership, lease or supervision that are utilized in the accomplishment of this project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal Grantor agency 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.

By signing this Agreement, Subrecipient warrants and represents that it will, as applicable, comply with the California Environmental Quality Act (CEQA), Public Resources Code §21000 et seq.

Subrecipient must, as applicable, comply with the Energy Policy and Conservation Act (P.L. 94-163, 89 Stat. 871).

Subrecipient must, as applicable, comply with the provision of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 U.S.C. 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

11. Preservation

Subrecipient must, as applicable, comply with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

12. Suspension, Debarment, Ineligibility and Voluntary Exclusion

Subrecipient must, as applicable, comply with Title 2 CFR Part §3000, regarding Suspension and Debarment, and Subrecipient must submit a Certification Regarding Debarment, attached hereto as Exhibit B, required by Executive Order 12549 and any amendment thereto. Said Certification must be submitted to the County of Los Angeles concurrent with the execution of this Agreement and must certify that neither Subrecipient nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department head or agency. Subrecipient must require that the language of this Certification be included in the award documents for all sub-award at all tiers and that all subcontractors certify accordingly.

13. Drug-Free Workplace

Subrecipient must, as applicable, comply with the federal Drug-Free Workplace Act of 1988, 41 USC §701, Title 44 Code of Federal Regulations (CFR) Part §17; the California Drug-Free Workplace Act of 1990, CA Gov't Code §§8350-8357, and Subrecipient must complete the Certification Regarding Drug-Free Workplace Requirements, attached hereto as Exhibit C, and incorporated herein by reference. Subrecipient must require that the language of this Certification be included in the award documents for all sub-award at all tiers and that all subcontractors certify accordingly.

14. Lobbying Activities

Subrecipient must, as applicable, comply with 31 U.S.C.1352 and complete the Disclosure of Lobbying Activities, (OMB 0038-0046), attached hereto as Exhibit A, and incorporated herein by reference.

15. Miscellaneous

Subrecipient must, as applicable, comply with the Laboratory Animal Welfare Act of 1966, as amended (P.L. 89-544, 7 USC §§2131 et seq.).

B. Statutes and Regulations Applicable To This Particular Grant Agreement

Subrecipient must comply with all applicable requirements of State and Federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this particular grant program. Subrecipient must, as applicable, comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of this Agreement. These requirements include, but are not limited to:

Title 2 CFR Part 200; EO 12372; U.S. Department of Homeland Security, Office of State and Local Government Coordination and Preparedness, Office for Domestic Preparedness, ODP WMD Training Course Catalogue; and DOJ Office for Civil Rights.

Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code Chapter 7 of Division 1 of Title 2, §8607.1(e) and CCR Title 19, §§2445-2448.

Provisions of Title 2, 6, 28, 44 CFR applicable to grants and cooperative agreements, including Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services; Part 38, Equal Treatment of Faith-based Organizations; Part 42, Nondiscrimination/Equal Employment Opportunities Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; Part 64, Floodplain Management and Wetland Protection Procedures; Federal laws or regulations applicable to Federal Assistance Programs; Part 69, New Restrictions on Lobbying; Part 70, Uniform Administrative Requirements for Grants and Cooperative Agreements (including sub-awards) with Institutions of Higher Learning, Hospitals and other Non-Profit Organizations; and Part 83, Government-Wide Requirements for a Drug Free Workplace (grants).

Nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or 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 Programs Financial and Administrative Guide for Grants, M7100.1, and all other applicable Federal laws, orders, circulars, or regulations.

1. Travel Expenses

Subrecipient, as provided herein, will be compensated for Subrecipient's reasonable travel expenses incurred in the performance of this

Agreement, to include travel and per diem, unless otherwise expressed. Subrecipient's total travel for in-State and/or out-of-State and per diem costs must be included in the contract budget(s). All travel, including out-of-State travel, that is not included in the budget(s) will not be reimbursed without prior written authorization from the County of Los Angeles.

Subrecipient's administrative-related travel and per diem reimbursement costs will not be reimbursed. For programmatic-related travel costs, Subrecipient's reimbursement rates may not exceed the amounts established under the grant.

C. Compliance With Grant Requirements

To obtain the grant funds, the State required an authorized representative of the County of Los Angeles to sign certain promises regarding the way the grant funds would be spent. These requirements are included in Exhibit F and in the State's "Grant Assurances". By signing these Grant Assurances and accepting Exhibit F, the County of Los Angeles became liable to the State for any funds that are used in violation of the grant requirements. The State's Grant Assurances are incorporated into this Agreement through Exhibit D. Subrecipient will be liable to the Grantor for any funds the State determines the Subrecipient used in violation of these Grant Assurances.

Pursuant to this Agreement, Subrecipient shall execute the 2022 Certification of Grant Assurances in Exhibit D, accepting and agreeing to abide by all provisions, assurances, and requirements therein. Subrecipient agrees to indemnify and hold harmless the County of Los Angeles for any sums the State or Federal government determines Subrecipient used in violation of the Grant Assurances.

To the extent Exhibit D conflicts with language or provisions contained in this Agreement, or contains more restrictive requirements under Federal and State law, Exhibit D shall control.

D. Noncompliance With Grant Requirements

Subrecipient understands that failure to comply with any of the above assurances and requirements, including Exhibit D, may result in suspension, termination or reduction of grant funds, and repayment by the Subrecipient to the County of Los Angeles of any unauthorized expenditures.

§412. Federal, State and Local Taxes

Federal, State and local taxes are the responsibility of the Subrecipient as an independent party and not of the County of Los Angeles and must be paid prior to requesting reimbursement. However, these taxes are an allowable expense under the grant program.

§413. Inventions, Patents and Copyrights

A. Reporting Procedure for Inventions

If any project produces any invention or discovery ("Invention") patentable or otherwise under Title 35 of the U.S. Code, including, without limitation, processes and business methods made in the course of work under this Agreement, the Subrecipient must report the fact and disclose the Invention promptly and fully to the County of Los Angeles. The County of Los Angeles will report the fact and disclose the Invention to the State. Unless there is a prior agreement between the County of Los Angeles and the State, the State will determine whether to seek protection on the Invention. The State will determine how the rights in the Invention, including rights under any patent issued thereon, will be allocated and administered in order to protect the public interest consistent with the policy ("Policy") embodied in the Federal Acquisition Regulations System, which is based on Ch. 18 of Title 35 U.S.C. Sections 200 et seq. (Pub. L. 95-517, Pub. L. 98-620, Title 37 CFR Part 401); Presidential Memorandum on Government Patent Policy to the Heads of the Executive Departments and Agencies, dated 2/18/1983; and Executive Order 12591, 4/10/87, 52 FR 13414, Title 3 CFR, 1987 Comp., p. 220 (as amended by Executive Order 12618, 12/22/87, 52 FR 48661, Title 3 CFR, 1987 Comp., p. 262). Subrecipient hereby agrees to be bound by the Policy, and will contractually require its personnel to be bound by the Policy.

B. Rights to Use Inventions

As applicable, County of Los Angeles will have an unencumbered right, and a non-exclusive, irrevocable, royalty-free license to use, manufacture, improve upon, and allow others to do so for all government purposes, any Invention developed under this Agreement.

C. Copyright Policy

1. Unless otherwise provided by the State or the terms of this Agreement, when copyrightable material ("Material") is developed under this Agreement, the County of Los Angeles, at its discretion, may copyright the Material. If the County of Los Angeles declines to copyright the Material, the County of Los Angeles will have an unencumbered right, and a non-exclusive, irrevocable, royalty-free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Material developed under this Agreement.
2. The State will have an unencumbered right, and a non-exclusive, irrevocable, royalty-free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Material developed under this Agreement or any Copyright purchased under this Agreement.
3. Subrecipient must comply with Title 24 CFR 85.34.

D. Rights to Data

The State and the County of Los Angeles will have unlimited rights or copyright license to any data first produced or delivered under this Agreement. "Unlimited rights" means the right to use, disclose, reproduce, prepare derivative works, *distribute* copies to the public, and perform and display publicly, or permit others to do so; as required by Title 48 CFR 27.401. Where the data are not first produced under this Agreement or are published copyrighted data with the notice of 17 U.S.C. Section 401 or 402, the State acquires the data under a copyright license as set forth in Title 48 CFR 27.404(f)(2) instead of unlimited rights. (Title 48 CFR 27.404(a)).

E. Obligations Binding on Subcontractors

Subrecipient must require all subcontractors to comply with the obligations of this section by incorporating the terms of this section into all subcontracts.

§414. Child Support Assignment Orders

Under the terms of this Agreement, Subrecipient must, as applicable, comply with California Family Code Section 5230 et seq.

§415. Minority, Women, And Other Business Enterprise Outreach Program

It is the policy of the County of Los Angeles to provide Minority Business Enterprises, Women Business Enterprises and all other business enterprises an equal opportunity to participate in the performance of all Subrecipient's contracts, including procurement, construction and personal services. This policy applies to all of the Subrecipient's contractors and sub-contractors.

§416. Compliance with Fair Chance Employment Practices

Subrecipient shall comply with fair chance employment hiring practices set forth in California Government Code Section 12952, Employment Discrimination: Conviction History. Subrecipient's violation of this paragraph of the Agreement may constitute a material breach of the Agreement. In the event of such material breach, County of Los Angeles may, in its sole discretion, terminate the Agreement.

§417. Method of Payment and Required Information

The County of Los Angeles may, at its sole discretion, determine the most appropriate, efficient, secure, and timely form of payment provided under this Agreement. Subrecipient further agrees that the default form of payment shall be Electronic Funds Transfer (EFT) or Direct Deposit, unless an alternative method of payment is deemed appropriate by the A-C.

Subrecipient shall provide the A-C with electronic banking and related information for the Subrecipient and/or any other payee that the Subrecipient designates to receive payment pursuant to this Agreement at <https://directdeposit.lacounty.gov/>. Such electronic banking and related information includes, but is not limited to: bank account number and routing number, legal business name, valid taxpayer identification number or TIN, a working e-mail address capable of receiving remittance advices and other payment related correspondence, and any other information that the A-C determines is reasonably necessary to process the payment and comply with all accounting, record keeping, and tax reporting requirements.

Any provision of law, grant, or funding agreement requiring a specific form or method of payment other than EFT or Direct Deposit shall supersede this requirement with respect to those payments. At any time during the duration of this Agreement, the Subrecipient may submit a written request for an exemption to this requirement and must be based on specific legal, business or operational needs and explain why the payment method designated by the A-C is not feasible and an alternative is necessary. The A-C, in consultation with CEO, shall decide whether to approve exemption requests.

SECTION V

DEFAULTS, SUSPENSION, TERMINATION, AND AMENDMENTS

§501. Defaults

Should either party fail for any reason to comply with the contractual obligations of this Agreement within the time specified by this Agreement, the non-breaching party reserves the right to terminate the Agreement, reserving all rights under State and Federal law.

§502. Termination

This Agreement may be terminated, in whole or in part, from time to time, when such action is deemed by the County of Los Angeles, in its sole discretion, to be in its best interest. Termination of work hereunder shall be effected by notice of termination to the Subrecipient specifying the extent to which performance of work is terminated and the date upon which such termination becomes effective. The date upon which such termination becomes effective shall be no less than ten (10) days after the notice is sent.

§503. Amendments

Except as otherwise provided in this paragraph, any change in the terms of this Agreement, including changes in the services to be performed by Subrecipient, that are agreed to by the Subrecipient and the County of Los Angeles must be incorporated into this Agreement by a written amendment properly signed by persons who are authorized to bind the parties. Notwithstanding the foregoing, any increase or decrease of the grant amount specified in §301.A., above, or any extension of the performance period specified in §201, above, does not require a written amendment, but may be effectuated by a written notification by the County of Los Angeles to the Subrecipient.

SECTION VI

ENTIRE AGREEMENT

§601. Complete Agreement

This Agreement contains the full and complete Agreement between the two parties. Neither verbal agreement nor conversation or other communication with any officer or employee of either party will affect or modify any of the terms and conditions of this Agreement.

§602. Number of Pages and Attachments

This Agreement may be executed utilizing wet, scanned digital, and electronic signatures, each of which is deemed to be an original. This Agreement includes (26) pages and (8) Exhibits which constitute the entire understanding and agreement of the parties.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the Subrecipient and County of Los Angeles have caused this Agreement to be executed by their duly authorized representatives.

COUNTY OF LOS ANGELES

BY _____
FESIA A. DAVENPORT
Chief Executive Officer
Date _____

BY _____
CELIA ZAVALA
Executive Officer, Board of Supervisors

BY _____
ARLENE BARRERA
Auditor-Controller

APPROVED AS TO FORM

DAWYN R, HARRISON
County Counsel

BY _____
Deputy County Counsel

CITY OF SIERRA MADRE

BY _____
City Representative/Title (Signature) (Print Name) Date

APPROVED AS TO FORM

BY _____
City Attorney (Signature) (Print Name) Date

ATTEST

BY _____
City Clerk (Signature) (Print Name) Date

EXHIBITS

- Exhibit A..... Certification Regarding Lobbying
 - A.1..... Disclosure of Lobbying Activities
- Exhibit B..... Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions
- Exhibit C..... Certification Regarding Drug-Free Workplace
- Exhibit D..... Certification of Grant Assurances
- Exhibit E..... Final Grant Award Letter and Project Worksheet
- Exhibit F..... FY 2022 Federal Notice of Funding Opportunity
 - F.1..... FY 2022 Cal OES Supplement to Federal Notice of Funding Opportunity
- Exhibit G..... Reimbursement Form and Instructions
- Exhibit H..... Monitoring Instrument



Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, 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 contract, grant, loan, 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 subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether sub-awardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to *Title 31 U.S.C. Section 1352*. The filing of a form is required for each payment or agreement to make payment to any lobbying entity 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 a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or sub-award recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; sub-grant announcement number; the contract, subgrant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a.) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b.) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

<p>1. Type of Federal Action:</p> <p><input type="checkbox"/> B a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p><input type="checkbox"/> B a. bid/offer/application b. initial award c. post-award</p>	<p>3. Report Type:</p> <p><input type="checkbox"/> A a. initial filing b. material change</p> <p>For Material Change Only: Year _____ Quarter _____ date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee</p> <p style="text-align: center;">Tier, <i>If known</i>: _____</p> <p>Congressional District, <i>if known</i>: _____</p>		<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>County of Los Angeles Chief Executive Office - HSGA 500 West Temple Street, Room B-79-2 Los Angeles, CA 90012</p> <p>Congressional District, <i>if known</i>: _____</p>
<p>6. Federal Department/Agency:</p> <p>Department of Homeland Security</p>	<p>7. Federal Program Name/Description:</p> <p>Homeland Security Grant Program</p> <p>CFDA Number, if applicable: 97.067</p>	
<p>8. Federal Action Number, if known: _____</p>	<p>9. Award Amount, if known: _____</p>	
<p>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI): (attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>	<p>b. Individuals Performing Services (last name, first name, MI - include address if different from 10a)</p>	
<p>11. Amount of Payment (check all that apply) :</p> <p>_____ <input type="checkbox"/> Actual <input type="checkbox"/> Planned</p>	<p>13. Type of Payment (check all that apply):</p> <p><input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____</p>	
<p>12. Form of Payment (check all that apply):</p> <p><input type="checkbox"/> a. cash</p> <p><input type="checkbox"/> b. in-kind; specify: _____</p> <p style="text-align: center;">nature _____ value _____</p>		
<p>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment indicated in item 11: (attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>		
<p>15. Continuation Sheet(s) SF-LLL-A attached: <input type="radio"/> Yes <input checked="" type="radio"/> No</p>		
<p>16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>		<p>Signature: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Telephone: _____ (area code)</p> <p>Date: _____</p>
<p>Federal Use Only:</p>		<p>Authorized for Local Reproduction Standard Form – LLL</p>

**DISCLOSURE OF LOBBYING ACTIVITIES
CONCONTINUATION SHEET**

Continuation of 10 a-b: additional sheets may be added if necessary

Reporting Entity:

_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip
_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip
_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip
_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip

Continuation of 14: (additional sheets may be added if necessary)

Brief Description of Services and Payments indicated in item 11:

**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 24 CFR Part 24 Section 24.510, Participants' responsibilities.

**(READ ATTACHED INSTRUCTIONS FOR CERTIFICATION BEFORE
COMPLETING)**

1. The prospective recipient of Federal assistance funds certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

AGREEMENT NUMBER

City of Sierra Madre

CONTRACTOR/BORROWER/AGENCY

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this document, the prospective recipient of Federal assistance is providing the certification as set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to which this agreement is entered, if at any time the prospective recipient of Federal assistance funds learns that its certification was erroneous, when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective recipient of Federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation on this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective recipient of Federal assistance funds further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Procurement or Non Procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

STATE OF CALIFORNIA

DRUG-FREE WORKPLACE CERTIFICATION

STD. 21

COMPANY/ORGANIZATION NAME:

The contractor or grant recipient named above hereby certifies compliance with *Government Code Section 8355* in matters relating to providing a drug-free workplace. The above-named contractor or recipient will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by *Government Code Section 8355(a)*.
2. Establish a Drug-Free Awareness Program as required by *Government Code Section 8355(b)*, to inform employees about all of the following:
 - (a) The dangers of drug abuse in the workplace,
 - (b) The person's or organization's policy of maintaining a drug-free workplace,
 - (c) Any available counseling, rehabilitation and employee assistance programs, and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
3. Provide as required by *Government Code Section 8355(c)*, that every employee who works on the proposed contract or subgrant:
 - (a) Will receive a copy of the company's drug-free policy statement, and
 - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or subgrant.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or Recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

DATE EXECUTED

Los Angeles

EXECUTED IN THE COUNTY OF

CONTRACTOR or RECEIPEINT SIGNATURE

TITLE

FEDERAL I.D. NUMBER

STATEMENT ON THE DRUG-FREE WORKPLACE

To comply with the enactment of Senate Bill 1120, (*Chapter 1170, Statutes of 1990*), which established the Drug-Free Workplace Act of 1990, the Sierra Madre Police Dept.

(your agency)

accordingly provides this statement of compliance.

In order to maintain funding eligibility, state agencies, along with those in receipt of grant and contractual awards, must certify that they provide drug-free workplaces and have issued drug-free workplace statements to their employees [*Section 8355(a) of the Government Code*]. Consequently, in accordance with this directive, this statement is issued to meet this requirement.

The Sierra Madre/ SMPD (*your agency*), an agency within the State of California has adopted this statement in compliance with legislation which addresses issues to avoid the dangers arising from drug and alcohol abuse in the workplace. These dangers include death and injury to the employee, co-workers, or the public resulting from accidents, dereliction of duty, poor judgment and carelessness. Substance abuse also results in lost productivity, reduced efficiency, and increased absenteeism by the substance abuser and interferes with the job performance of employees who do not use illegal or unauthorized substances. [*Section 8355(b)(1)*]

California law prohibits the unlawful manufacture, dispensation, possession, or illegal use of a controlled substance. That prohibition extends to all places and includes the worksite of California state employees. [*Section 8355(a)*]

Employees convicted of a violation of criminal drug statute, when the violation occurred at an employee's worksite, shall report the conviction to the granting and monitoring State agency upon conviction. [*Section 8356(a)(1)(2)*]

In the event of the unlawful manufacture, distribution, dispensation, possession or illegal use of a controlled substance at a State worksite, the State may take disciplinary action pursuant to the law and/or require the satisfactory completion of a drug abuse assistance or rehabilitation program. [*Section 8355(b)(4)*]

The Employee Assistance Program (EAP) provides drug problem assessment and referral to appropriate counseling and rehabilitation services. The EAP is available to all agency employees. Procedures exist to ensure the confidentiality of EAP records. Contact your personnel office for further information.

It is the intent of the Sierra Madre/ SMPD (*your agency*) to ensure by execution of this statement of compliance that each employee shall abide by the terms of this drug-free workplace statement. [*Section 8355(c)*]



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application, within prescribed timelines.

The requirements outlined in these assurances apply to Applicant and any of its subrecipients.

I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:

- (a) Applicable Federal Regulations (see below);
- (b) Federal Program Notice of Funding Opportunity (NOFO);
- (c) Federal Preparedness Grants Manual;
- (d) California Supplement to the NOFO; and
- (e) Federal and State Grant Program Guidelines.

Federal Regulations

Government cost principles, uniform administrative requirements, and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.). Updates are issued by the [Office of Management and Budget \(OMB\)](http://www.whitehouse.gov/omb/) and can be found at <http://www.whitehouse.gov/omb/>.

State and federal grant award requirements are set forth below. The Applicant hereby agrees to comply with the following:

1. Proof of Authority

The Applicant will obtain proof of authority from the city council, governing board, or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

- (a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required;
- (b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board, or authorized body;
- (c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board, or authorized body;



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

- (d) The Applicant is authorized by the city council, governing board, or authorized body to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project cost, if any) to ensure proper planning, management and completion of the project described in this application; and
- (e) Official executing this agreement is authorized by the Applicant.

This Proof of Authority must be maintained on file and readily available upon request.

2. Period of Performance

The period of performance is specified in the Award. The Applicant is only authorized to perform allowable activities approved under the award, within the period of performance.

3. Lobbying and Political Activities

As required by Section 1352, Title 31 of the United States Code (U.S.C.), for persons entering into a contract, grant, loan, or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Applicant certifies that:

- (a) 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (b) 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (c) The Applicant shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§ 1501- 1508 and §§ 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

4. Debarment and Suspension

As required by Executive Orders 12549 and 12689, and 2 C.F.R. § 200.214 and codified in 2 C.F.R. Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its subrecipients:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, 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 (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

5. Non-Discrimination and Equal Employment Opportunity

The Applicant will comply with all state and federal statutes relating to non-discrimination, including:



Standard Assurances

For Cal OES Federal Non-Disaster Grant Programs

- (a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. § 2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;
- (b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
- (c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794), which prohibits discrimination against those with disabilities or access and functional needs;
- (d) Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §§ 12101- 12213), which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs;
- (e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (f) Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd—2), relating to confidentiality of patient records regarding substance abuse treatment;
- (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)— be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201);
- (h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification or national origin;
- (i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;
- (j) California Public Contract Code § 10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;



Standard Assurances

For Cal OES Federal Non-Disaster Grant Programs

- (k) DHS policy to ensure the equal treatment of faith-based organizations, under which the Applicant must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;
- (l) The Applicant will comply with California's Fair Employment and Housing Act (FEHA) (California Government Code §§ 12940, 12945, 12945.2), as applicable. FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave, military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions;
- (m) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
- (n) The requirements of any other nondiscrimination statute(s) that may apply to this application.

6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

7. Environmental Standards

The Applicant will comply with state and federal environmental standards, including:

- (a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000-21177), to include coordination with the city or county planning agency;
- (b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387);
- (c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
- (d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;



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For Cal OES Federal Non-Disaster Grant Programs

- (e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities;
- (f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
- (g) Executive Order 11514 which sets forth national environmental standards;
- (h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;
- (i) The Safe Drinking Water Act of 1974, (P.L. 93-523);
- (j) The Endangered Species Act of 1973, (P.L. 93-205);
- (k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
- (l) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.);
- (m) Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

8. Audits

For subrecipients expending \$750,000 or more in federal grant funds annually, the Applicant will perform the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

9. Cooperation and Access to Records

The Applicant must cooperate with any compliance reviews or investigations conducted by DHS. In accordance with 2 C.F.R. § 200.337, the Applicant will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award. The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

10. Conflict of Interest

The Applicant will establish safeguards to prohibit the Applicant's employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Financial Management

False Claims for Payment - The Applicant will comply with 31 U.S.C §§ 3729-3733 which provides that Applicant shall not submit a false claim for payment, reimbursement, or advance.

12. Reporting - Accountability

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), including but not limited to (a) the reporting of subawards obligating \$30,000 or more in federal funds, and (b) executive compensation data for first-tier subawards as set forth in 2 C.F.R. Part 170, Appendix A. The Applicant also agrees to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A.

13. Whistleblower Protections

The Applicant must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

14. Human Trafficking

The Applicant will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits the Applicant or its subrecipients from: (1) engaging in trafficking in persons during the period of time that the award is in effect; (2) procuring a commercial sex act during the period of time that the award is in effect; or (3) using forced labor in the performance of the award or subawards under the award.

15. Labor Standards

The Applicant will comply with the following federal labor standards:

- (a) The Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts, and
- (b) The Federal Fair Labor Standards Act (29 U.S.C. § 201 et al.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.

16. Worker's Compensation

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

17. Property-Related

If applicable to the type of project funded by this federal award, the Applicant will:

- (a) Comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchase;
- (b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires federal award subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;



Standard Assurances

For Cal OES Federal Non-Disaster Grant Programs

- (c) Assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. § 469a-1 et seq.); and
- (d) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

- (a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;
- (b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and
- (c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

19. Use of Cellular Device While Driving is Prohibited

The Applicant is required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

20. California Public Records Act and Freedom of Information Act

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code section 6250 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

HOMELAND SECURITY GRANT PROGRAM (HSGP) – PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS

21. Acknowledgment of Federal Funding from DHS

The Applicant must acknowledge its use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

22. Activities Conducted Abroad

The Applicant must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

23. Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. If the Applicant collects PII, the Applicant is required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. The Applicant may refer to the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as a useful resource.

24. Copyright

The Applicant must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

25. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude the Applicant from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

26. Energy Policy and Conservation Act

The Applicant must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

27. Federal Debt Status

The Applicant is required to be non-delinquent in its repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

28. Fly America Act of 1974

The Applicant must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

29. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, the Applicant must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.



Standard Assurances

For Cal OES Federal Non-Disaster Grant Programs

30. Non-supplanting Requirement

If the Applicant receives federal financial assistance awards made under programs that prohibit supplanting by law, the Applicant must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non- federal sources.

31. Patents and Intellectual Property Rights

Unless otherwise provided by law, the Applicant is subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. The Applicant is subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

32. SAFECOM

If the Applicant receives federal financial assistance awards made under programs that provide emergency communication equipment and its related activities, the Applicant must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

33. Terrorist Financing

The Applicant must comply with Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. The Applicant is legally responsible for ensuring compliance with the Order and laws.

34. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the Applicant's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, the Applicant must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.



Standard Assurances

For Cal OES Federal Non-Disaster Grant Programs

35. USA Patriot Act of 2001

The Applicant must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

36. Use of DHS Seal, Logo, and Flags

The Applicant must obtain permission from their DHS Financial Assistance Office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

37. Performance Goals

In addition to the Biannual Strategy Implementation Report submission requirements outlined in the Preparedness Grants Manual, the Applicant must demonstrate how the grant-funded project addresses the core capability gap associated with each project and identified in the Threat and Hazard Identification and Risk Analysis or Stakeholder Preparedness Review or sustains existing capabilities, as applicable. The capability gap reduction or capability sustainment must be addressed in the Project Description of the BSIR for each project.

38. Applicability of DHS Standard Terms and Conditions to Tribes

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon the Applicant and flow down to any of its subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

39. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

The Applicant must comply with the "Build America, Buy America" Act (BABAA), enacted as part of the Infrastructure Investment and Jobs Act and Executive Order 14005. Applicants receiving a federal award subject to BABAA requirements may not use federal financial assistance funds for infrastructure projects unless:



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

- (a) All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (b) All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (c) All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States.

The “Buy America” preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. It does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Per section 70914(c) of BABAA, FEMA may waive the application of a Buy America preference under an infrastructure program in certain cases.

On July 1, 2022, OMB approved FEMA’s General Applicability Public Interest Waiver of the BABAA requirements to be effective for a period of six months, through January 1, 2023. Applicants will not be required to follow the BABAA requirements for FEMA awards made, and any other funding FEMA obligates, during this waiver period. For any new awards FEMA makes after January 1, 2023, as well as new funding FEMA obligates to existing awards or through renewal awards where the new funding is obligated after January 1, 2023, Applicants will be required to follow the BABAA requirements unless another waiver is requested and approved.



Standard Assurances For Cal OES Federal Non-Disaster Grant Programs

IMPORTANT

The purpose of these assurances is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in these assurances. These assurances are binding on Applicant, its successors, transferees, assignees, etc. as well as any of its subrecipients. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Applicant may be ineligible for award of any future grants if Cal OES determines that the Applicant: (1) has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers. Applicants are bound by the Department of Homeland Security Standard Terms and Conditions 2022, Version 3, hereby incorporated by reference, which can be found at: <https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>.

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Applicant: City of Sierra Madre

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____



October 24, 2022

Fesia A. Davenport
Chief Executive Officer
Los Angeles County
500 West Temple Street, Room 713
Los Angeles, CA 90012-0000

SUBJECT: **NOTIFICATION OF SUBRECIPIENT SUBAWARD APPROVAL**
Fiscal Year (FY) 2022 Homeland Security Grant Program (HSGP)
Subaward #2022-0043, Cal OES ID#037-00000
Subaward Period of Performance: 09/01/2022-05/31/2024

Dear Ms. Davenport:

We are pleased to announce the approval of your FY 2022 HSGP subaward in the amount of \$9,481,458.

Once the completed application is received and approved, reimbursement of eligible subaward expenditures may be requested using the California Governor's Office of Emergency Services (Cal OES) Financial Management Forms Workbook. Failure to provide documentation in a timely manner could result in a hold on funding, pursuant to Title 2, Code of Federal Regulations (CFR), Sections 200.338(a) and 200.207(b)(1)-(2).

This subaward is subject to requirements in 2 CFR, Part 200, including the Notice of Funding Opportunity (NOFO), the Preparedness Grants Manual, the California Supplement to the NOFO, and all applicable federal, state, and local requirements. All activities funded with this subaward must be completed within the subaward period of performance.

Subrecipients must obtain additional written approval **prior** to incurring costs for activities such as aviation, watercraft, allowability request logs, noncompetitive procurement, and projects requiring Environmental Planning and Historic Preservation review.



Fesia A. Davenport
October 24, 2022
Page 2 of 2

Your organization will be required to prepare and submit the Biannual Strategy Implementation Report to Cal OES via the Federal Emergency Management Agency Grants Reporting Tool (GRT) semi-annually for the duration of the subaward period of performance or until all activities are completed and the subaward is formally closed. Failure to submit required reports could result in subaward reduction, suspension, or termination. Throughout the subaward cycle, milestones set in the GRT will be used as indicators of project feasibility, performance, and grant management capacity. This information may also be used in assessing proposals in future grant opportunities.

Due to Los Angeles County's failure to comply with the quarterly drawdown Special Condition for the FY19 HSGP award, the period of performance for Los Angeles County's FY22 award has been shortened to May 31, 2024. The county will be given the opportunity to restore the period of performance to an end date of May 31, 2025, provided that the semi-annual drawdown requirement is met for all three periods within the first eighteen months of the FY22 grant award. A copy of the Special Condition letter for FY 19 has been included for reference.

A Conditional Hold has been placed on your award for the following investments which fall under the National Priority Areas:

IJ# 3 Cybersecurity - \$106,000 Project# 25 Chainalysis.

To release this hold, additional information is required for the investments identified which must be submitted in the December 2022 Biannual Strategy Implementation Report in a manner consistent with Grants Program Directorate Information Bulletin No. 447.

Your dated signature is required on this letter. Please sign and return the original to your Cal OES Program Representative within 20 calendar days upon receipt and keep a copy for your records. For further assistance, please contact your Cal OES Program Representative.

Sincerely,



MARK S. GHILARDUCCI
Director

Fesia Davenport
Fesia Davenport (Nov 14, 2022 11:23 PST)

Fesia A. Davenport
Los Angeles County

Date

Project Ledger

Sierra Madre
FY 2022 State Home Security Program (SHSP) Projects
 Grant Subaward: 2022-0043
 Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022

POP Start Date	9/1/2022
POP End Date	5/31/2024

Investment Justification (IJ)	Project No.	Project Title	Funding Source	Discipline	Solution Area	Total Budgeted
IJ.06	026	LE P25 Compliant Portable Radios	HSGP-SHSP	LE	Equipment	\$ 45,577

Total \$ 45,577

Planning

Sierra Madre
 FY 2022 State Home Security Program (SHSP) Projects
 Grant Subaward: 2022-0043
 Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022

POP Start Date	9/1/2022
POP End Date	5/31/2024

Investment Justification (IJ)	Project No.	Planning Activity	Funding Source	Discipline	Solution Area Sub-Category	Expenditure Category	Final Product	Noncompetitive Procurement over \$250K	Budgeted Cost
									\$ -

Organization

Sierra Madre
FY 2022 State Home Security Program (SHSP) Projects

Grant Subaward: 2022-0043

Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022

POP Start Date	9/1/2022
POP End Date	5/31/2024

Investment Justification (IJ)	Project No.	Organization	Funding Source	Discipline	Solution Area Sub-Category	Expenditure Category	Detail	Certification on File	Budgeted Cost
									\$ -

Equipment

Sierra Madre
FY 2022 State Home Security Program (SHSP) Projects
 Grant Subaward: 2022-0043
 Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022
POP Start Date	9/1/2022
POP End Date	5/31/2024

Investment Justification (IJ)	Project No.	Equipment Description (Include Quantity)	AEL #	AEL Title	Funding Source	Discipline	Solution Area Sub-Category	Deployable / Shareable	Noncompetitive Procurement over \$250K	Hold Trigger	Budgeted Cost
											\$ 45,577
IJ.06	26.16	Purchase P25 Compliant all-spectrum (UHF/VHF/800/700 MHz) portable radios and accessories	06CP-01-PORT; 06CP-03-PRAC	Radio, Portable; Accessories, Portable Radio	HSGP-SHSP	LE	Interoperable Communications Equipment	Deployable	No	No Hold Indicated	\$ 45,577

Training

Sierra Madre
 FY 2022 State Home Security Program (SHSP) Projects
 Grant Subaward: 2022-0043
 Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022

POP Start Date	9/1/2022
POP End Date	5/31/2024

Investment Justification (I)	Project No.	Course Name	Funding Source	Discipline	Solution Area Sub-Category	Expenditure Category	Feedback Number	Training Activity	Total # Trainee(s)	Identified Host	Noncompetitive Procurement	EHP Hold	EHP Approval Date	Budgeted Cost
														\$ -

Exercise

Sierra Madre
 FY 2022 State Home Security Program (SHSP) Projects
 Grant Subaward: 2022-0043
 Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022
POP Start Date	9/1/2022
POP End Date	5/31/2024

Investment Justification (IJ)	Project No.	Exercise Title	Funding Source	Discipline	Solution Area Sub-Category	Expenditure Category	Date of Exercise	Exercise Type	Identified Host	Date of AAR entered into HSEEP	Noncompetitive Procurement over \$250K	EHP Hold	Budgeted Cost
													\$ -

The Department of Homeland Security (DHS) Notice of Funding Opportunity (NOFO) Fiscal Year 2022 Homeland Security Grant Program

Release Date: May 13, 2022

Effective April 4, 2022, the Federal Government transitioned from using the Data Universal Numbering System or DUNS number, to a new, non-proprietary identifier known as a Unique Entity Identifier or UEI. For entities that have an active registration in the System for Award Management (SAM) prior to this date, the UEI has automatically been assigned and no action is necessary. For all entities filing a new registration in SAM.gov on or after April 4, 2022, the UEI will be assigned to that entity as part of the SAM.gov registration process.

UEI registration information is available on GSA.gov at [Unique Entity Identifier Update | GSA](#).

Visit [Grants.gov](#) for registration information. Detailed information regarding UEI and SAM is also provided in Section D of this funding notice.

Additional Information can be found on [Grants.gov](#).

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FEMA

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3. Period of Performance: 36 months
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A. Program Description

1. Issued By

U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/Grant Programs Directorate (GPD)

2. Assistance Listings Number

97.067



3. Assistance Listings Title

Homeland Security Grant Program

4. Funding Opportunity Title

Fiscal Year 2022 Homeland Security Grant Program (HSGP)

- State Homeland Security Program (SHSP)
- Urban Area Security Initiative (UASI)
- Operation Stonegarden (OPSG)

5. Funding Opportunity Number

DHS-22-GPD-067-000-02

6. Authorizing Authority for Program

Section 2002 of the Homeland Security Act of 2002 (Pub. L. No. 107-296, as amended) (6 U.S.C. § 603)

7. Appropriation Authority for Program

Department of Homeland Security Appropriations Act, 2022 (Pub. L. No. 117-103)

8. Announcement Type

Initial

9. Program Category

Preparedness: Community Security

10. Program Overview, Objectives and Priorities**a. Overview**

The Fiscal Year (FY) 2022 Homeland Security Grant Program (HSGP) is one of three grant programs that constitute the DHS/FEMA focus on enhancing the ability of state, local, tribal, and territorial governments, as well as nonprofits, to prevent,



protect against, respond to, and recover from terrorist attacks. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by DHS to help strengthen the Nation's communities against potential terrorist attacks. Among the five basic homeland security missions noted in the DHS Strategic Plan, the HSGP supports the goal to Strengthen National Preparedness and Resilience.

In FY 2022, there are three components of the HSGP:

1. State Homeland Security Program (SHSP): SHSP assists state, local, tribal, and territorial (SLTT) efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism.
2. Urban Area Security Initiative (UASI): UASI assists high-threat, high-density Urban Area efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism.
3. Operation Stonegarden (OPSG): OPSG supports enhanced cooperation and coordination among Customs and Border Protection (CBP), United States Border Patrol (USBP), and federal, state, local, tribal, and territorial law enforcement agencies to improve overall border security. OPSG provides funding to support joint efforts to secure the United States' borders along routes of ingress/egress to and from international borders, to include travel corridors in states bordering Mexico and Canada, as well as states and territories with international water borders. SLTT law enforcement agencies utilize their inherent law enforcement authorities to support the border security mission and do not receive any additional authority as a result of participation in OPSG.

The [2022-2026 FEMA Strategic Plan](#) outlines three goals designed to position FEMA to address the increasing range and complexity of disasters, support the diversity of communities we serve, and complement the nation's growing expectations of the emergency management community. The HSGP supports FEMA's efforts to achieve equitable outcomes for those we serve (Goal 1) and to promote and sustain a prepared nation (Goal 3). We invite our stakeholders and partners to also adopt these priorities and join us in building a more prepared and resilient nation.



Finally, for FY 2022, DHS is focused on the criticality of information sharing and collaboration to building a national culture of preparedness and protecting against terrorism and other threats to our national security. The threats to our nation have evolved during the past two decades. We now face continuous cyber threats by sophisticated actors, threats to soft targets and crowded places, and threats from domestic violent extremists who currently pose the greatest terrorism threat to the nation¹. Therefore, for FY 2022, DHS has identified six priority areas related to the most serious threats to the nation. Recipients are expected to address those priority areas with their HSGP funds.

b. Objective

The objective of the FY 2022 HSGP is to fund SLTT efforts to prevent terrorism and prepare the Nation for threats and hazards that pose the greatest risk to the security of the United States.

c. Priorities

SHSP and UASI Funding Priorities

Given the evolving national security threat landscape, DHS/FEMA has evaluated the national risk profile and set priorities that help inform appropriate allocation of scarce security dollars. In assessing the national risk profile for FY 2022, six priority areas attract the most concern. Due to the unique threats that the nation faces in 2022, DHS/FEMA has determined that recipients should allocate a total of 30 percent of their SHSP and UASI award funds across these six priority areas. As indicated below, four of the priorities have minimum spend requirements totaling 12 percent of SHSP and UASI awards. Recipients will have the flexibility to allocate the remaining 18 percent across the priorities. The following are the six priority areas for FY 2022, along with the minimum corresponding percentage of SHSP and UASI funds that each recipient will be required to allocate:

1. Enhancing the protection of soft targets/crowded places – 3 percent
2. Enhancing information and intelligence sharing and analysis – 3 percent
3. Combating domestic violent extremism – 3 percent
4. Enhancing cybersecurity – no minimum percent
5. Enhancing community preparedness and resilience – 3 percent



6. Enhancing election security – no minimum percent

Additional information about these priority areas and how they relate to achieving anti-terrorism capabilities is included in Section D.10.b.II of this NOFO. Failure by a recipient to propose investments and projects that align with the priority areas and spending requirements will result in a recipient having a portion of their SHSP and UASI funds (up to 30 percent) placed on hold until they provide projects that sufficiently align to the National Priority Areas, and total at least the minimum percentages per National Priority Area priority area (as applicable) and overall 30 percent of total SHSP and UASI funds.

A state or high-risk urban area must allocate the remaining 70 percent of their funding to gaps identified through their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR) process.

Likewise, there are several enduring security needs that crosscut the homeland security enterprise to which recipients should consider allocating funding across core capability gaps and national priorities. The following are enduring needs that help recipients implement a comprehensive approach to securing communities:

1. Effective planning²
2. Training and awareness campaigns
3. Equipment and capital projects
4. Exercises

The table below provides a breakdown of the FY 2022 SHSP and UASI priorities (the focus of OPSG remains unique to border security), showing the core capabilities enhanced and lifelines supported, as well as examples of eligible project types for each area. A detailed description of allowable investments for each project type is included in the [Preparedness Grants Manual](#). DHS/FEMA anticipates that in future years, national priorities will continue to be included and will be updated as the threats evolve and as capability gaps are closed. Applicants are strongly encouraged to begin planning to sustain existing capabilities through funding mechanisms other than DHS preparedness grants. The example project types in the table below are allowable to prepare for disasters unrelated to acts of terrorism as long as they also help achieve target capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism.

National Priorities

Priorities	Core Capabilities	Lifelines	Example Project Types
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FEMA

<p>Enhancing Cybersecurity</p>	<p>Cybersecurity</p> <p>Intelligence and information sharing</p> <p>Planning</p> <p>Public information and warning</p> <p>Operational coordination</p> <p>Screening, search, and detection</p> <p>Access control and identity verification</p> <p>Supply chain integrity and security</p> <p>Risk management for protection programs and activities</p> <p>Long-term vulnerability reduction</p> <p>Situational assessment</p> <p>Infrastructure systems</p> <p>Operational communications</p>	<p>Safety and Security</p>	<p>Cybersecurity risk assessments</p> <p>Migrating online services to the “.gov” internet domain</p> <p>Projects that address vulnerabilities identified in cybersecurity risk assessments</p> <p>Improving cybersecurity of critical infrastructure to meet minimum levels identified by the Cybersecurity and Infrastructure Security Agency (CISA), and the National Institute of Standards and Technology Cybersecurity Framework</p> <p>Cybersecurity training and planning</p>
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<p>Enhancing the Protection of Soft Targets/ Crowded Places</p>	<p>Operational coordination</p> <p>Public information and warning</p> <p>Intelligence and information sharing</p> <p>Interdiction and disruption</p> <p>Screening, search, and detection</p> <p>Access control and identity verification</p> <p>Physical protective measures</p> <p>Risk management for protection programs and activities</p>	<p>Safety and Security</p>	<p>Operational overtime</p> <p>Physical security enhancements</p> <p>Closed-circuit television (CCTV) security cameras Security screening equipment for people and baggage Lighting Access controls Fencing, gates, barriers, etc.</p> <p>Unmanned aircraft system detection technologies</p>
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<p>Enhancing information and intelligence sharing and analysis</p>	<p>Intelligence and information sharing</p> <p>Interdiction and disruption</p> <p>Planning</p> <p>Public information and warning</p> <p>Operational coordination</p> <p>Risk management for protection programs and activities</p>	<p>Safety and Security</p>	<p>Fusion center operations (Fusion Center project will be required under this investment, no longer as a stand-alone investment)</p> <p>Information sharing with all DHS components; fusion centers; other operational, investigative, and analytic entities; and other federal law enforcement and intelligence entities</p> <p>Cooperation with DHS officials and other entities designated by DHS in intelligence, threat recognition, assessment, analysis, and mitigation</p> <p>Identification, assessment, and reporting of threats of violence</p> <p>Joint intelligence analysis training and planning with DHS officials and other entities designated by DHS</p>
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<p>Combating Domestic Violent Extremism</p>	<p>Interdiction and disruption</p> <p>Intelligence and information sharing</p> <p>Planning</p> <p>Public information and warning</p> <p>Operational coordination</p> <p>Risk management for protection programs and activities</p>	<p>Safety and Security</p>	<p>Open-source analysis of disinformation and misinformation campaigns, targeted violence and threats to life, including tips/leads, and online/social media-based threats</p> <p>Sharing and leveraging intelligence and information, including open-source analysis</p> <p>Execution and management of threat assessment programs to identify, evaluate, and analyze indicators and behaviors indicative of domestic violent extremists</p> <p>Training and awareness programs (e.g., through social media, suspicious activity reporting [SAR] indicators and behaviors) to help prevent radicalization</p> <p>Training and awareness programs (e.g., through social media, SAR indicators and behaviors) to educate the public on misinformation and disinformation campaigns and resources to help them identify and report potential instances of domestic violent extremism</p>
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<p>Enhancing Community Preparedness and Resilience</p>	<p>Planning</p> <p>Public Information and Warning</p> <p>Community Resilience</p> <p>Risk Management for Protection</p> <p>Programs and Activities</p> <p>Mass Care Services</p> <p>Intelligence and Information Sharing</p> <p>Risk and Disaster Resilience Assessment</p> <p>Long Term Vulnerability Reduction</p>	<p>Safety and Security</p>	<p>Establish, train, and maintain Community Emergency Response Teams (CERT) and Teen CERT, with a focus on historically underserved communities, including procurement of appropriate tools, equipment and training aides</p> <p>Local delivery of CERT Train-the-Trainer and CERT Program Manager to build local program training and maintenance capacity</p> <p>Provide continuity training, such as FEMA's Organizations Preparing for Emergency Needs training, to faith-based organizations, local businesses, and community-based organizations such as homeless shelters, food pantries, nonprofit medical providers and senior care facilities to bolster their resilience to all hazards</p> <p>Partner with local school districts to deliver the Student Tools for Emergency Planning curriculum or other educational programming to guide students on how to create emergency kits and family communications plans</p> <p>Partner with key stakeholders to assist with completing the Emergency Financial First Aid Kit or a similar tool to bolster the disaster centric financial resilience of individuals and households</p> <p>Execute <i>You are the Help Until the Help Arrives</i> workshops in concert with community-based</p>
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<p>Enhancing Election Security</p>	<p>Cybersecurity</p> <p>Intelligence and information sharing</p> <p>Planning</p> <p>Long-term vulnerability reduction</p> <p>Situational assessment</p> <p>Infrastructure systems</p>	<p>Safety and Security</p>	<p>Physical security planning support</p> <p>Physical/site security measures – e.g., locks, shatter proof glass, alarms, etc.</p> <p>General election security navigator support</p> <p>Cyber navigator support</p> <p>Cybersecurity risk assessments, training, and planning</p> <p>Projects that address vulnerabilities identified in cybersecurity risk assessments</p> <p>Iterative backups, encrypted backups, network segmentation, software to monitor/scan, and endpoint protection</p> <p>Distributed Denial Of Service protection</p> <p>Migrating online services to the “.gov” internet domain</p>
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Enduring Needs

Priorities	Core Capabilities	Lifelines	Example Project Types
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<p>Planning</p>	<p>Planning</p> <p>Risk management for protection programs and activities</p> <p>Risk and disaster resilience assessment</p> <p>Threats and hazards identification</p> <p>Operational coordination</p> <p>Community resilience</p>	<p>Safety and Security</p>	<p>Development of: Security Risk Management Plans Threat Mitigation Plans Continuity of Operations Plans Response Plans</p> <p>Efforts to strengthen governance integration between/among regional partners</p> <p>Joint training and planning with DHS officials and other entities designated by DHS</p> <p>Cybersecurity training and planning</p> <p>Revision of existing plans to strengthen community resilience in underserved communities</p>
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<p>Training & Awareness</p>	<p>Long-term vulnerability reduction</p> <p>Public information and warning</p> <p>Operational coordination</p> <p>Situational assessment</p> <p>Community resilience</p>	<p>Safety and Security</p>	<p>Active shooter training</p> <p>Intelligence analyst training</p> <p>SAR and terrorism indicators/behaviors training</p> <p>Security training for employees</p> <p>Public awareness/preparedness campaigns</p> <p>Joint training and planning with DHS officials and other entities designated by DHS</p> <p>Cybersecurity training and planning</p> <p>Sharing and leveraging intelligence and information</p> <p>Targeted outreach and preparedness training for underserved communities in conjunction with community-based organizations</p>
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<p>Equipment & Capital Projects</p>	<p>Long-term vulnerability reduction</p> <p>Infrastructure systems</p> <p>Operational communications</p> <p>Interdiction and disruption</p> <p>Screening, search and detection</p> <p>Access control and identity verification</p> <p>Physical protective measures</p>	<p>Safety and Security</p>	<p>Protection of high-risk, high-consequence areas or systems that have been identified through risk assessments</p> <p>Physical security enhancements</p> <p>Security cameras (CCTV)</p> <p>Security screening equipment for people and baggage</p> <p>Lighting</p> <p>Access Controls</p> <p>Fencing, gates, barriers, etc.</p> <p>Enhancing Weapons of Mass Destruction (WMD) and/or improvised explosive device (IED) prevention, detection, response and recovery capabilities</p> <p>Chemical/Biological/Radiological/Nuclear/Explosive (CBRNE) detection, prevention, response, and recovery equipment</p>
<p>Exercise</p>	<p>Long-term vulnerability reduction</p> <p>Operational coordination</p> <p>Operational communications</p> <p>Community resilience</p>	<p>Safety and Security</p>	<p>Response exercises, including exercise planning with community-based organizations</p>



For FY 2022, each SHSP and UASI recipient is required to submit an Investment Justification (IJ) for the four National Priority Areas with associated minimum spend requirements. Each of these four investments must also account for at least the relevant minimum percentage (12 percent) of the applicant's SHSP and UASI allocation. State Administrative Agencies (SAAs) may submit complete project-level information at the time of application, including the National Priority Area IJs, but are not required to do so. **As a reminder, all SHSP- and UASI-funded projects must have a demonstrated nexus to achieving target capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism.** However, such projects may simultaneously support enhanced preparedness for disasters unrelated to acts of terrorism.

DHS/FEMA also requires SHSP and UASI recipients (states, territories, and high-risk urban areas) to complete a THIRA/SPR and prioritize grant funding to support closing capability gaps or sustaining capabilities that address national priorities and/or support enduring needs. Additional information on the THIRA/SPR process, including other National Preparedness System (NPS) tools and resources, can be found at <https://www.fema.gov/national-preparedness-system>. Detailed information on THIRA/SPR timelines and deadlines can be found in the [Preparedness Grants Manual](#).

OPSG Funding Priorities

The table below provides a breakdown of the FY 2022 OPSG funding priority, which remains focused on and unique to border security.

National Priorities

Priorities	Core Capabilities	Lifelines	Example Project Types
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<p>Enhancing information and intelligence sharing and analysis, and cooperation with federal agencies, including DHS</p>	<p>Intelligence and information sharing</p>	<p>Safety and Security</p>	<p>Participation in the DHS/ICE 287(g) training program</p> <p>Information sharing with all DHS components; fusion centers; other operational, investigative, and analytic entities; and other federal law enforcement and intelligence entities</p> <p>Cooperation with DHS officials and other entities designated by DHS in intelligence, threat recognition, assessment, analysis, and mitigation</p> <p>Identification, assessment, and reporting of threats of violence</p> <p>Joint intelligence analysis training and planning with DHS officials and other entities designated</p>
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For FY 2022, each OPSG applicant is required to clearly articulate and identify how the Concept of Operations addresses the national priority identified above.

11. Performance Measures

Performance metrics for this program:

SHSP and UASI:

- Percentage of funding allocated by the recipient to core capabilities to build or sustain national priorities identified in the section above
- Percentage of funding and projects allocated by the recipient that align to capability gaps identified through the THIRA/SPR process
- Percentage of projects identified by the recipient that address a capability gap in a core capability that has a target(s) rated as high

FEMA will calculate and analyze the above metrics through a review of state/territory and urban area SPR submissions and required programmatic reports.

OPSG:

- Number of contacts that occurred as a result of OPSG deployments
 - Number of arrests that resulted from OPSG contacts
 - Value of drug seizures that resulted from OPSG contacts

B. Federal Award Information

1. Available Funding

\$1,120,000,000

HSGP Programs	FY 2022 Allocation
SHSP	\$415,000,000
UASI	\$615,000,000
OPSG	\$90,000,000
Total	\$1,120,000,000

SHSP Allocations

For FY 2022, DHS/FEMA will award SHSP funds based on DHS/FEMA's relative risk methodology and statutory minimums pursuant to the *Homeland Security Act of 2002*, as amended. **THIRA/SPR results do not impact grant allocations or awards.**

Each state and territory will receive a minimum allocation under the SHSP using thresholds established in the *Homeland Security Act of 2002*, as amended. All 50 States, the District of Columbia, and the Commonwealth of Puerto Rico will receive 0.35 percent of the total funds allocated for grants under Section 2003 and Section 2004 of the *Homeland Security Act of 2002*, as amended. Each of the four



territories (American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands) will receive a minimum allocation of 0.08 percent of the total funds allocated for grants under Section 2003 and 2004 of the *Homeland Security Act of 2002*, as amended.

Each state must include a separate IJ for each of the four National Priority Areas with a minimum spend requirement. **All projects related to the minimum spend for the National Priority Area must be included in the IJ.** For the National Priority Areas that have a minimum spend percentage requirement, the funding level in each of those National Priority Area investments **must equal or exceed** the percentage for that respective National Priority Area, calculated as a percentage of the state's SHSP allocation in the table below. The funding levels across all six National Priority Areas **must equal or exceed 30 percent** of the total SHSP allocation.

FY 2022 SHSP Allocations

State/Territory	FY 2022 Allocation	State/Territory	FY 2022 Allocation
Alabama	\$4,847,500	Montana	\$4,847,500
Alaska	\$4,847,500	Nebraska	\$4,847,500
American Samoa	1,108,000	Nevada	\$4,847,500
Arizona	\$4,847,500	New Hampshire	\$4,847,500
Arkansas	\$4,847,500	New Jersey	\$7,074,841

State/Territory	FY 2022 Allocation	State/Territory	FY 2022 Allocation
California	\$57,035,623	New Mexico	\$4,847,500
Colorado	\$4,847,500	New York	\$68,033,267
Connecticut	\$4,847,500	North Carolina	\$5,085,387
Delaware	\$4,847,500	North Dakota	\$4,847,500
District of Columbia	\$5,085,387	Northern Mariana Islands	\$1,108,000
Florida	\$9,343,905	Ohio	\$6,190,947
Georgia	\$5,288,656	Oklahoma	\$4,847,500
Guam	\$1,108,000	Oregon	\$4,847,500
Hawaii	\$4,847,500	Pennsylvania	\$8,136,252
Idaho	\$4,847,500	Puerto Rico	\$4,847,500



State/Territory	FY 2022 Allocation	State/Territory	FY 2022 Allocation
Illinois	\$13,894,910	Rhode Island	\$4,847,500
Indiana	\$4,847,500	South Carolina	\$4,847,500
Iowa	\$4,847,500	South Dakota	\$4,847,500
Kansas	\$4,847,500	Tennessee	\$4,847,500
Kentucky	\$4,847,500	Texas	\$18,210,451
Louisiana	\$4,847,500	U.S. Virgin Islands	\$1,108,000
Maine	\$4,847,500	Utah	\$4,847,500
Maryland	\$7,074,841	Vermont	\$4,847,500
Massachusetts	\$6,190,947	Virginia	\$8,136,252
Michigan	\$5,085,387	Washington	\$6,190,947



State/Territory	FY 2022 Allocation	State/Territory	FY 2022 Allocation
Minnesota	\$4,847,500	West Virginia	\$4,847,500
Mississippi	\$4,847,500	Wisconsin	\$4,847,500
Missouri	\$4,847,500	Wyoming	\$4,847,500
Total			\$415,000,000

UASI Allocations

Eligible candidates for the FY 2022 UASI program are identified in the table below. Eligibility has been determined through an analysis of relative risk of terrorism faced by the 100 most populous Metropolitan Statistical Areas (MSAs) in the United States, in accordance with the *Homeland Security Act of 2002*, as amended. Detailed information on MSAs is publicly available from the United States Census Bureau at <https://www.census.gov/programs-surveys/metro-micro.html>. **THIRA/SPR results do not impact grant allocations or awards.**

The following table identifies the UASI allocations for each high-risk urban area based on DHS/FEMA's relative risk methodology pursuant to the *Homeland Security Act of 2002*, as amended.

In its application, each high-risk urban area, through the state, must include a separate IJ for each of the four National Priority Areas with minimum spend requirements. **All projects related to the minimum spend for the National Priority Area must be included in the IJ.** For the National Priority Areas that have a minimum spend percentage requirement, the funding level in each of those National Priority Area investments **must equal or exceed** the percentage for that respective National Priority Area, calculated as a percentage of the urban area's



UASI allocation in the table below. The funding levels across all six National Priority Areas **must equal or exceed 30 percent** of the total UASI allocation.

FY 2022 UASI Allocations

State/Territory	Urban Area	FY 2022 UASI Allocation
Arizona	Phoenix Area	\$5,250,000.00
California	Anaheim/Santa Ana Area	\$5,250,000.00
California	Bay Area	\$37,049,000.00
California	Los Angeles/Long Beach Area	\$67,182,000.00
California	Riverside Area	\$3,900,000.00
California	Sacramento Area	\$3,800,000.00
California	San Diego Area	\$16,696,000.00
Colorado	Denver Area	\$3,900,000.00
District of Columbia	National Capital Region	\$51,127,000.00
Florida	Miami/Fort Lauderdale Area	\$14,750,000.00
Florida	Orlando Area	\$3,800,000.00
Florida	Tampa Area	\$3,800,000.00
Georgia	Atlanta Area	\$6,700,000.00
Illinois	Chicago Area	\$67,182,000.00
Indiana	Indianapolis Area	\$1,500,000.00
Louisiana	New Orleans Area	\$1,500,000.00
Maryland	Baltimore Area	\$3,800,000.00

Massachusetts	Boston Area	\$16,900,000.00
Michigan	Detroit Area	\$5,250,000.00
Minnesota	Twin Cities Area	\$5,250,000.00
Missouri	Kansas City Area	\$1,500,000.00
Missouri	St. Louis Area	\$3,800,000.00
Nevada	Las Vegas Area	\$5,250,000.00
New Jersey	Jersey City/Newark Area	\$18,915,000.00
New York	New York City Area	\$176,599,000.00
North Carolina	Charlotte Area	\$3,800,000.00
Ohio	Cincinnati Area	\$1,500,000.00
Ohio	Cleveland Area	\$1,500,000.00
Oregon	Portland Area	\$3,800,000.00
Pennsylvania	Philadelphia Area	\$16,900,000.00
Pennsylvania	Pittsburgh Area	\$1,500,000.00
Texas	Dallas/Fort Worth/Arlington Area	\$16,900,000.00
Texas	Houston Area	\$24,600,000.00
Texas	San Antonio Area	\$3,800,000.00
Virginia	Hampton Roads Area	\$3,800,000.00
Washington	Seattle Area	\$6,250,000.00
Total		\$615,000,000.00

OPSG Allocations



FEMA

For FY 2022, DHS/FEMA will award OPSG funds based on risk and the anticipated effectiveness of the proposed use of grant funds upon completion of the application review process. The FY 2022 OPSG risk assessment is designed to identify the risk to border security and to assist with the distribution of funds for the grant program. Funding under OPSG is distributed based on the risk to the security of the border and the effectiveness of the proposed projects. Entities eligible for funding are the state, local, and tribal law enforcement agencies that are located along the border of the United States. DHS/FEMA will make final award determinations based upon a review of the anticipated effectiveness of the state's application as described in Section D, below. **The THIRA/SPR process is not required for OPSG.**

For the purposes of OPSG, the risk is defined as the potential for an adverse outcome assessed as a function of threats, vulnerabilities, and consequences associated with an incident, event, or occurrence.

Based upon ongoing intelligence analysis and extensive security reviews, DHS/CBP continues to focus the bulk of OPSG funds based upon risk analyses. The risk model used to allocate OPSG funds considers the potential risk that certain threats pose to border security and estimates the relative risk faced by a given area. In evaluating risk, DHS/CBP considers intelligence, situational awareness, criminal trends, and statistical data specific to each of the border sectors, and the potential impacts that these threats pose to the security of the border area. For vulnerability and consequence, DHS/CBP considers the expected impact and consequences of successful border events occurring in specific areas.

Threat and vulnerability are evaluated based on specific operational data from DHS/CBP. Threat components present in each of the sectors are used to determine the overall threat score. These components are terrorism, criminal noncitizens, drug trafficking organizations, and noncitizen smuggling organizations.

Effectiveness of the proposed investments will be evaluated based on the recipient's investment strategy, budget, collaboration, and past performance.

2. Projected Number of Awards



56

3. Period of Performance

36 months

4. Projected Period of Performance Start Date(s)

September 1, 2022

5. Projected Period of Performance End Date(s)

August 31, 2025

6. Funding Instrument Type

Grant

C. Eligibility Information**1. Eligible Applicants**

The SAA is the only entity eligible to submit HSGP applications to DHS/FEMA, including those applications submitted on behalf of UASI and OPSG applicants. All 56 states and territories, including any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, are eligible to apply for SHSP funds. Tribal governments may not apply directly for HSGP funding; however, funding may be available to tribes under SHSP and OPSG through the SAA.

2. Applicant Eligibility Criteria

Eligible high-risk urban areas for the FY 2022 UASI program have been determined through an analysis of relative risk of terrorism faced by the 100 most populous MSAs in the United States. Subawards will be made by the SAAs to the designated high-risk urban areas.



In FY 2022, OPSG eligible subrecipients are local units of government at the county level or equivalent level of government and federally recognized tribal governments in states bordering Canada or Mexico and states and territories with international water borders. All applicants must have active ongoing USBP operations coordinated through a CBP sector office to be eligible for OPSG funding.

In FY 2022, OPSG subrecipients eligible to apply for and receive a subaward directly from the SAAs are divided into three Tiers. Tier 1 entities are local units of government at the county level or equivalent and federally recognized tribal governments that are on a physical border in states bordering Canada, states bordering Mexico, and states and territories with international water borders. Tier 2 eligible subrecipients are those not located on the physical border or international water but are contiguous to a Tier 1 county. Tier 3 eligible subrecipients are those not located on the physical border or international water but are contiguous to a Tier 2 eligible subrecipient. The tier structure is only applicable with regard to eligibility. OPSG funding allocations are based on the assessed border security risks as determined by the USBP.

An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: 1) a **current employee, personnel, official, staff, or leadership** of the non-federal entity; and 2) **duly authorized to apply** for an award on behalf of the non-federal entity at the time of application.

Further, the Authorized Organization Representative (AOR) must be a duly authorized current employee, personnel, official, staff, or leadership of the recipient and **provide an email address unique to the recipient at the time of application and upon any change in assignment during the period of performance. Consultants or contractors of the recipient are not permitted to be the AOR of the recipient.**

3. Other Eligibility Criteria

a. National Incident Management System (NIMS) Implementation

Prior to allocation of any federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS. The list of objectives used for



progress and achievement reporting is on FEMA's website at <https://www.fema.gov/emergency-managers/nims/implementation-training>.

Please see the [Preparedness Grants Manual](#) for more information on NIMS.

B. Emergency Management Assistance Compact (EMAC) Membership

In support of the National Preparedness Goal (the Goal), SHSP recipients must belong to, be in, or act as a temporary member of EMAC, except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time. All assets supported in part or entirely with FY 2022 HSGP funding must be readily deployable and NIMS-typed, when possible, to support emergency or disaster operations per existing EMAC agreements. In addition, funding may be used for the sustainment of core capabilities that, while they may not be physically deployable, support national response capabilities, such as Geographic/Geospatial Information Systems (GIS), interoperable communications systems, capabilities as defined under the Mitigation Mission Area of the Goal, and fusion centers.

C. Law Enforcement Terrorism Prevention Activities (LETPA)

Per section 2006 of the *Homeland Security Act of 2002*, as amended (6 U.S.C. § 607), DHS/FEMA is required to ensure that at least 25 percent of grant funding appropriated for grants awarded under HSGP's authorizing statute are used for LETPAs. ***For FY 2022, DHS/FEMA is requiring that at least 30 percent of grant funding appropriated under HSGP is used for LETPA.*** DHS/FEMA meets this requirement, in part, by requiring all recipients allocate at least **30 percent** of the combined HSGP funds allocated under SHSP and UASI towards LETPAs, as defined in 6 U.S.C. § 607. The LETPA allocation can be from SHSP, UASI, or both. The 30 percent LETPA allocation may be met by funding projects in any combination of the six National Priority Areas identified above and any other investments. The 30 percent LETPA allocation requirement is in addition to the 80 percent pass-through requirement to local units of government and tribes, referenced below. The [Preparedness Grants Manual](#) includes additional information on project selection considerations and allowable activities for LETPA investments.



The [National Prevention Framework](#) describes those activities that should be executed upon the discovery of intelligence or information regarding an imminent threat to the homeland, to thwart an initial or follow-on terrorist attack and provides guidance to ensure the Nation is prepared to identify, prevent, avoid, or stop a threatened or actual act of terrorism. Activities outlined in the National Prevention Framework are eligible for use as LETPA-focused funds. Also, where capabilities are shared with the protection mission area, the National Protection Framework activities are also eligible. All other terrorism prevention activities proposed for funding under LETPA must be approved by the FEMA Administrator.

4. Cost Share or Match

There is no cost share or match requirement for the FY 2022 HSGP.

D. Application and Submission Information

1. Key Dates and Times

a. Application Start Date:

May 13, 2022

b. Application Submission Deadline:

June 13, 2022 at 5 p.m. ET

All applications **must** be received by the established deadline. The Non-Disaster (ND) Grants System has a date stamp that indicates when an application is submitted. Applicants will receive an electronic message confirming receipt of their submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled “Timely Receipt Requirements and Proof of Timely Submission” in Section D of this NOFO.

FEMA will not review applications that are received after the deadline or consider these late applications for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may



include technical problems outside of the applicant's control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. “Timely notification” of FEMA means prior to the application deadline and within 48 hours after the applicant became aware of the issue.

A list of FEMA contacts can be found in Section G of this NOFO, “DHS Awarding Agency Contact Information.” For additional assistance using the ND Grants System, please contact the ND Grants Service Desk at (800) 865-4076 or NDGrants@fema.dhs.gov. The ND Grants Service Desk is available Monday through Friday, 9:00 AM – 6:00 PM Eastern Time (ET). For programmatic or grants management questions, please contact your Program Analyst or Grants Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact the Centralized Scheduling and Information Desk (CSID) by phone at (800) 368-6498 or by e-mail at askcsid@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET.

c. Anticipated Funding Selection Date:

No later than August 17, 2022

D. Anticipated Award Date:

No later than September 30, 2022

E. Other Key Dates

Event	Suggested Deadline for Completion
Obtaining an UEI number	Four weeks before actual submission deadline

Event	Suggested Deadline for Completion
Obtaining a valid Employer Identification Number (EIN)	Four weeks before actual submission deadline
Creating an account with login.gov	Four weeks before actual submission deadline
Registering in SAM or updating SAM registration	Four weeks before actual submission deadline
Registering in Grants.gov	Four weeks before actual submission deadline
Starting application in Grants.gov	One week before actual submission deadline
Submitting the final application in ND Grants	By submission deadline

2. Agreeing to Terms and Conditions of the Award

By submitting an application, applicants agree to comply with the requirements of this NOFO and the terms and conditions of the award, should they receive an award.

3. Address to Request Application Package

See the [Preparedness Grants Manual](#) for requesting and submitting an application.

Initial applications are processed through the [Grants.gov](#) portal. Final applications are completed and submitted through FEMA's Non-Disaster Grants (ND Grants) System. Application forms and instructions are available at Grants.gov. To access these materials, go to <http://www.grants.gov>.

Hard copies of the NOFO can be downloaded at [Grants.gov](#) or obtained via email from the Awarding Office points of contact listed in Section G of this NOFO, "DHS Awarding Agency Contact Information" or by TTY (800) 462-7585.



4. Steps Required to Obtain a Unique Entity Identifier, Register in the System for Award Management (SAM), and Submit an Application

Applying for an award under this program is a multi-step process and requires time to complete. Applicants are encouraged to register early as the registration process can take four weeks or more to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required submission deadlines.

Please review the table above for estimated deadlines to complete each of the steps listed. Failure of an applicant to comply with any of the required steps before the deadline for submitting an application may disqualify that application from funding.

To apply for an award under this program, all applicants must:

1. Apply for, update, or verify their UEI number and Employer Identification Number (EIN) from the Internal Revenue Service;
2. In the application, provide an UEI number;
3. Have an account with login.gov;
4. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
5. Create a Grants.gov account;
6. Add a profile to a Grants.gov account;
7. Establish an Authorized Organizational Representative (AOR) in Grants.gov;
8. Register in ND Grants
9. Submit an initial application in Grants.gov;
10. **Submit the final application in ND Grants, including electronically signing applicable forms; and**
11. Continue to maintain an active SAM registration with current information at all times during which they have an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on their immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Specific instructions on how to apply for, update, or verify a UEI number or SAM registration or establish an AOR are included below in the steps for applying through Grants.gov.

Applicants are advised that FEMA may not make a federal award until the applicant has complied with all applicable SAM requirements. Therefore, an applicant's SAM registration must be active not only at the time of application, but also during the application review period and when FEMA is ready to make a federal award. Further, as noted above, an applicant's or recipient's SAM registration must remain active for the duration of an active federal award. If an applicant's SAM registration is expired at the time of application, expires during application review, or expires any other time before award, FEMA may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

Per 2 C.F.R. § 25.110(c)(2)(iii), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible by contacting askcsid@fema.dhs.gov and providing the details of the circumstances that prevent completion of these requirements. If FEMA determines that there are exigent circumstances and FEMA has decided to make an award, the applicant will be required to obtain an UEI number, if applicable, and complete SAM registration within 30 days of the federal award date.

5. Electronic Delivery

DHS is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS encourages or requires applicants to submit their applications online through Grants.gov, depending on the funding opportunity.

For this funding opportunity, FEMA requires applicants to submit initial applications through Grants.gov and a final application through ND Grants.

6. How to Register to Apply through Grants.gov

For information on how to register to apply through Grants.gov, please see the [Preparedness Grants Manual](#).



7. How to Submit an Initial Application to FEMA via Grants.gov

Standard Form 424 (SF-424) is the initial application for this NOFO.

Grants.gov applicants can apply online using a workspace. A workspace is a shared, online environment where members of a grant team may simultaneously access and edit different web forms within an application. For each Notice of Funding Opportunity, applicants can create individual instances of a workspace. Applicants are encouraged to submit their initial applications in Grants.gov at least seven days before the application deadline.

In Grants.gov, applicants need to submit the following forms:

- SF-424, Application for Federal Assistance
- Grants.gov Lobbying Form, Certification Regarding Lobbying

For further information on how to submit an initial application via Grants.gov, please see the [Preparedness Grants Manual](#).

8. Submitting the Final Application in ND Grants

After submitting the initial application in Grants.gov, eligible applicants will be notified by FEMA and asked to proceed with submitting their complete application package in ND Grants. Applicants can register early with ND Grants and are encouraged to begin their ND Grants registration at the time of this announcement or, at the latest, seven days before the application deadline. Early registration will allow applicants to have adequate time to start and complete their applications.

Applicants needing assistance registering for the ND Grants system should contact ndgrants@fema.dhs.gov or (800) 865-4076. For step-by-step directions on using the ND Grants system and other guides, please see <https://www.fema.gov/grants/guidance-tools/non-disaster-grants-management-system>.

In ND Grants, applicants will be prompted to submit the standard application information and any program-specific information required as described in Section D.10 of this NOFO, "Content and Form of Application Submission." The Standard Forms (SF) are auto generated in ND Grants, but applicants may access these forms in advance through the Forms tab under the [SF-424 family on Grants.gov](#).



Applicants should review these forms before applying to ensure they have all the information required.

For additional application submission requirements, including program-specific requirements, please refer to the subsection titled “Content and Form of Application Submission” under Section D of this NOFO.

9. Timely Receipt Requirements and Proof of Timely Submission

As application submission is a two-step process, the applicant with the AOR role who submitted the application in Grants.gov will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of its initial application. **This notification does not serve as proof of timely submission, as the application is not complete until it is submitted in ND Grants.** Applicants can also view the ND Grants Agency Tracking Number by accessing the Details tab in the submitted workspace section in Grants.gov, under the Agency Tracking Number column. Should the Agency Tracking Number not appear, the application has not yet migrated from Grants.gov into the ND Grants System. Please allow 24 hours for your ND Grants application tracking number to migrate.

All applications must be received in ND Grants by **5:00 PM ET** on the application deadline date. Proof of timely submission is automatically recorded by ND Grants. An electronic date/time stamp is generated within the system when the application is successfully received by ND Grants. Additionally, the applicant(s) listed as contacts on the application will receive a system-generated email to confirm receipt.

10. Content and Form of Application Submission

a. Standard Required Application Forms and Information

The following forms or information are required to be submitted in either Grants.gov or ND Grants. The Standard Forms (SF) are submitted either through Grants.gov, through forms generated in ND Grants, or as an attachment in ND Grants. Applicants may also access the SFs at <https://www.grants.gov/web/grants/forms/sf-424-family.html>.



I. GRANTS.GOV

- **SF-424, Application for Federal Assistance**, initial application submitted through Grants.gov
- **Grants.gov Lobbying Form, Certification Regarding Lobbying**, submitted through Grants.gov

II. ND GRANTS

- **SF-424A, Budget Information (Non-Construction)**, submitted via the forms generated by ND Grants
 - **For construction under an award, submit SF-424C, Budget Information (Construction)**, submitted via the forms generated by ND Grants, in addition to or instead of SF-424A
 - To comply with 2 C.F.R. § 200.402 - 2 C.F.R. § 200.405, HSGP applicants must complete and submit an SF-424A or SF-424C, as appropriate, reflecting cost breakdown per budget cost categories per sub-program (SHSP, UASI, OPSG) and Management and Administration costs as applicable to align with the SHSP and UASI allocations and OPSG requests. The SF-424A or SF-424C with the pre-filled requirements can be found with the HSGP NOFO and associated attachments on grants.gov. Adjustments to the SF-424A or SF-424 C may be required after the FY 2022 OPSG allocations are finalized. GPD Grants Management Specialists will contact applicants for any necessary revisions.
- **SF-424B, Standard Assurances (Non-Construction)**, submitted via the forms generated by ND Grants
 - **For construction under an award, submit SF-424D, Standard Assurances (Construction)**, submitted via the forms generated by ND Grants, in addition to or instead of SF-424B
 - **SF-LLL, Disclosure of Lobbying Activities**, submitted via the forms generated by ND Grants
 - **Indirect Cost Agreement or Proposal**, submitted as an attachment in ND Grants if the budget includes indirect costs and the applicant is required to have an indirect cost rate agreement or proposal. If the applicant does not have or is not required to have an indirect cost rate agreement or proposal, please see Section D.13 of this NOFO, “Funding Restrictions and Allowable Costs,” for further information regarding allowability of indirect costs and whether alternatives to an indirect cost rate agreement or proposal might be

available or contact the relevant FEMA staff identified in Section G of this NOFO, “DHS Awarding Agency Contact Information” for further instructions.

Generally, applicants have to submit either the non-construction forms (i.e., SF-424A and SF-424B) or construction forms (i.e., SF-424C and SF-424D), meaning that applicants that only have construction work and do not have any non-construction work need only submit the construction forms (i.e., SF-424C and SF-424D) and not the non-construction forms (i.e., SF-424A and SF-424B), and vice versa. However, applicants who have both construction and non-construction work under this program need to submit both the construction and non-construction forms.

b. Program-Specific Required Forms and Information

I. IJ Development: SHSP and UASI

As part of the FY 2022 HSGP application process for SHSP and UASI funds, applicants must develop formal IJs that address the proposed investments. Failure to fulfill all of the terms contained in this section will be considered by DHS/FEMA in its evaluation of the effectiveness of the IJs submitted to meet the minimum percent spend requirement for the National Priority Areas. Failure to sufficiently align projects to the National Priority Areas and meet the minimum percent spend requirement will result in funds being placed on hold until those issues are addressed.

FY 2022 SHSP and UASI applications must include one (1) IJ and at least one (1) respective project for each of the four National Priority Areas with a minimum spend requirement (Soft Targets/Crowded Places, Intelligence and Information Sharing, Countering Domestic Violent Extremism, and Community Preparedness and Resilience) identified in this NOFO. Each of these IJs must also meet or exceed the minimum percent spend requirement based on the applicant’s SHSP and UASI allocation stated in this NOFO. **All projects associated with the minimum spend of a National Priority Area *must* be submitted in the same IJ.** SAAs may submit complete project-level information at the time of application but are not required to do so at the time of application. However, any SHSP or UASI application that does not include an IJ for each National Priority Area that meets the minimum spend requirement will have that funding placed on hold (up to the National Priority Area minimum percent and up to 30 percent of the total

SHSP or UASI allocations) until those IJs and project-level details that sufficiently address the National Priority Areas are received and approved by DHS/FEMA.

Each IJ must *demonstrate* how proposed investments:

- Support terrorism preparedness; and
- Support closing capability gaps or sustaining capabilities identified in the community's THIRA/SPR process.

Each IJ must *explain* how the proposed investments will support the applicant's efforts to:

- Prevent a threatened or an actual act of terrorism;
- Prepare for all hazards and threats, while explaining the nexus to terrorism preparedness;
- Protect citizens, residents, visitors, and assets against the greatest threats and hazards, relating to acts of terrorism; and/or
- Respond quickly and equitably to save lives, protect property and the environment, and meet basic human needs in the aftermath of an act of terrorism or other catastrophic incidents.

If not included in the application, SHSP and UASI recipients must submit complete project-level information for each SHSP and UASI IJ as part of the Biannual Strategy Implementation Report (BSIR) due by January 30, 2023. This includes IJs for the National Priority Areas.

DHS/FEMA will evaluate the effectiveness of the projects submitted in support of the National Priority Areas, either at the time of application or as part of the December 2022 BSIR. DHS/FEMA will not reduce FY 2022 HSGP awards based on the effectiveness review but will work with recipients to ensure compliance with the National Priority Area requirements based on the results of the effectiveness review. Recipients and subrecipients will not be permitted to expend funding under the National Priority Areas until the effectiveness of the proposed projects has been reviewed and confirmed by FEMA.

II. Development of Investments and Projects: SHSP and UASI

- Applicants must propose at least four and may include up to 12 investments.



- Within each investment, applicants must propose at least one project to describe the activities they plan to implement with SHSP and UASI funds. There is no limit to the number of projects that may be submitted.
- Required National Priority Area IJs must include the name of the priority in the investment name for easy identification.
- All requested funding must be associated with specific projects. For each project, several pieces of information must be provided to submit the project for consideration in the application, including:
 - Project name;
 - Project description;
 - Subrecipient name, if applicable;
 - Recipient type (e.g., state or local);
 - Project location (zip code of the primary location of the project);
 - Primary core capability the project supports;
 - Whether the project activities are shareable and deployable; and
 - Which National Priority Area (if any) the project supports.
- Projects should describe how the proposed investment supports closing capability gaps or sustaining capabilities identified in the THIRA/SPR process.
- FEMA encourages states to use any DHS provided assessments, such as those performed by DHS's Protective Security Advisors and Cybersecurity Advisors, when developing their IJs.

III. National Priority Area Investments: SHSP and UASI

States are encouraged to review the [Strategic Framework for Countering Terrorism and Targeted Violence](#) when developing investments.

- **Soft Targets/Crowded Places (3 percent)**

Soft targets and crowded places are increasingly appealing to terrorists and other violent extremist actors because of their relative accessibility and the large number of potential targets. This challenge is complicated by the prevalent use of simple tactics and less sophisticated attacks. Segments of our society are inherently open to the general public, and by nature of their purpose do not incorporate strict security measures. Given the increased emphasis by terrorists and other violent extremist actors to leverage less sophisticated methods to inflict harm in public areas, it is vital that the public and private sectors collaborate to

enhance security of locations such as transportation centers, parks, restaurants, shopping centers, special event venues, polling places, and similar facilities.

The malicious use of unmanned aircraft systems poses a threat to the safety and security of the American people, communities, and institutions. Technologies to detect or mitigate unmanned aircraft systems are an allowable use under the HSGP in accordance with the Domestic Counter-Unmanned Aircraft Systems (UAS) National Action Plan. Recipients should ensure that, prior to the testing, acquisition, installation, or use of UAS detection and/or mitigation systems, they seek the advice of counsel experienced with both federal and state criminal, surveillance, and communications laws which may apply to the use of such technologies.

Given the increased risk to soft targets and crowded places, at least one investment must be in support of the state's and high-risk urban area's efforts to protect soft targets/crowded places. Additionally, the proposed investment must meet or exceed the FY 2022 national priority percentage for soft targets/crowded places and will also be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments. States are also encouraged to engage DHS' Protective Security Advisors' security assessments of soft targets to ensure that recommendations from those assessments are taken into consideration when allocating grant funding.

Additional resources and information regarding securing soft targets and crowded places are available through the [Cybersecurity and Infrastructure Security Agency](#) and the [National Institute of Standards and Technology](#).

■ Information and Intelligence Sharing (3 percent)

Effective homeland security operations rely on access to, analysis of, and the timely sharing of open source, unclassified, and classified information, suspicious activity reports, tips/leads, and actionable intelligence on indicators and behaviors to accurately identify, assess, and mitigate a wide array of threats against the United States, including terrorism, threats to life, targeted violence, and other threats within the DHS mission space. Accordingly, DHS works diligently to enhance intelligence collection, integration, analysis, and information sharing capabilities to ensure partners, stakeholders, and senior leaders receive actionable intelligence and information necessary to inform their decisions and

operations. A critical and statutorily charged mission of DHS is to deliver intelligence and information to federal, state, local, and tribal governments and private sector partners. Cooperation and information sharing among state, federal, and local partners across all areas of the homeland security enterprise, including counterterrorism – including both international and domestic terrorism, cybersecurity, border security, transnational organized crime, immigration enforcement, economic security, and other areas, while upholding privacy, civil rights and civil liberties protections, is critical to homeland security operations and the prevention of, preparation for, protection against, and response to acts of terrorism, and other threats to life and criminal acts of targeted violence.

Given the importance of information sharing and collaboration to effective homeland security solutions, at least one investment must be in support of the state's and high-risk urban area's efforts to enhance information sharing and cooperation with DHS and other federal agencies. As noted above, this requirement must include at least one dedicated fusion center project. Additional instructions on development of the fusion center project can be found below. Applicants must justify persuasively how they will contribute to the information sharing and collaboration purposes of the investment and a culture of national preparedness. Additionally, the proposed investment must meet or exceed the FY 2022 national priority percentage for information sharing and will also be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.

Additional resources and information regarding collaboration and information sharing are available through the Department's [Office of Intelligence and Analysis](#).

■ **Domestic Violent Extremism (3 percent)**

As stated in the October 2020 DHS Homeland Threat Assessment, domestic violent extremists, including ideologically motivated lone offenders and small groups, present the most persistent and lethal terrorist threat to the Homeland. These violent extremists capitalize on social and political tensions, which have resulted in an elevated threat environment. They utilize social media platforms and other technologies to spread violent extremist ideologies that encourage violence and influence action within the United States. The COVID-19 pandemic has further created an environment that may lead to accelerated mobilization to targeted violence and/or radicalization to domestic terrorism, including leveraging lawful protests to incite violence, intimidate targets, and promote their violent

extremist ideologies.

Given the rise of domestic violent extremism in recent years, at least one investment must be in support of the state's and high-risk urban area's efforts to combat the rise, influence, and spread of domestic violent extremism. Additionally, the proposed investment must meet or exceed the FY 2022 national priority percentage for domestic violent extremism and will also be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.

Additional resources and information regarding domestic violent extremism are available through [Center for Prevention Programs and Partnerships | Homeland Security \(dhs.gov\)](#).

■ **Cybersecurity (no minimum percent)**

Today's world is more interconnected than ever before, but with increased connectivity comes increased risk of our adversaries, including terrorists, exploiting cyber vulnerabilities and weaknesses to disrupt our way of life. While not required, applicants are encouraged to submit an investment related to their ongoing or near-term high priority cybersecurity projects. The investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments. Cybersecurity investments must support the security and functioning of critical infrastructure and core capabilities as they relate to preventing, preparing for, protecting against, or responding to acts of terrorism. Recipients and subrecipients of FY 2022 HSGP grant awards will be required to complete the 2022 [Nationwide Cybersecurity Review \(NCSR\)](#), enabling agencies to benchmark and measure progress of improving their cybersecurity posture. The Chief Information Officer (CIO), Chief Information Security Officer (CISO) or equivalent for each recipient should complete the NCSR. If there is no CIO or CISO, the most senior cybersecurity professional should complete the assessment. The NCSR is available at no cost to the user and takes approximately 2-3 hours to complete. The 2022 NCSR is estimated to be open from October 2022 – February 2023.

The NCSR is an annual requirement for recipients and subrecipients of HSGP funds. Additionally, FEMA recognizes that some subawards will not be issued until after the NCSR has closed. In such cases, such subrecipients will be required to complete the first available NCSR offered after the subaward has been issued by the pass-through entity. Although not required by SLTTs that did not receive



HSGP funds, all SLTT agencies with preparedness responsibilities are highly encouraged to participate and complete the NCSR to evaluate their cybersecurity posture. For detailed information and background on the NCSR, please see [IB 439](#).

Additional resources and information regarding cybersecurity are available through the [Cybersecurity and Infrastructure Security Agency](#) and the [National Institute of Standards and Technology](#).

■ **Community Preparedness and Resilience (3 percent)**

Community organizations are the backbones of American civic life, both during “blue skies” and in the aftermath of terrorist attacks. Community organizations, such as homeless shelters, food banks, public libraries, faith-based institutions, and nonprofit medical providers must have the capabilities to withstand acts of terrorism and provide essential services, especially to members of underserved communities, in the aftermath of an attack. In addition, individual citizens and volunteer responders, such as Community Emergency Response Teams, are often the first on the scene after a terrorist attack. The ability of these volunteers to provide assistance to their fellow citizens prior to the arrival of professional first responders is paramount to a community’s resilience. FEMA’s [2021 National Household Survey](#) recorded an 11% decline in the number of Americans that have taken at least three preparedness actions to bolster individual and household resilience. In addition, the COVID-19 pandemic has placed a significant burden on community-based organizations such as homeless shelters, food banks, public libraries, faith-based institutions, and nonprofit medical providers to continue to provide key services during and after disasters, including acts of terrorism. This National Priority Area will bolster community preparedness and resilience by investing in local, community-driven capabilities.

Additionally, equity in emergency management requires proactively prioritizing actions that reinforce cultural competency, accessibility, and inclusion, as well as reflect the historical context of specific groups of people. To that end, states, territories, and high-risk urban areas are strongly encouraged to explore how SHSP- and UASI-funded activities can address the needs of underserved, at-risk communities to help ensure consistent and systematic, fair, just, and impartial treatment of all individuals before, during, and after a disaster.



The focus on equity and investing in strategies that meet the needs of underserved communities will strengthen the whole of community system of emergency management. Substantial and ongoing prioritization of, and investment in, underserved communities is essential for the entire system to be effective and efficient. Engaging the whole community requires all members of the community to be part of the emergency management team, including representatives of underserved communities, diverse community members, social and community service groups and institutions, faith-based and disability advocacy groups, academia, professional associations, the private and nonprofit sectors, and government agencies that may not traditionally have been directly involved in emergency management. The whole community includes children; older adults; individuals with disabilities and others with access and functional needs; those from religious, racial, and ethnically diverse backgrounds; people with limited English proficiency; and owners of animals including household pets and service animals.

These factors underpin the requirement that at least one investment must be in support of the state's and urban area's efforts to address community preparedness and resilience. Additionally, the proposed investment must meet or exceed the FY 2022 national priority percentage for community preparedness and resilience and will also be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.

Additional resources and information regarding community preparedness and resilience are available through [Individuals and Communities | FEMA.gov](https://www.fema.gov/individuals-and-communities).

■ **Election Security (no minimum percent)**

In January 2017, DHS designated the infrastructure used to administer the Nation's elections as critical infrastructure. This designation recognizes that the United States' election infrastructure is of such vital importance to the American way of life that its incapacitation or destruction would have a devastating effect on the country. Securing election infrastructure and ensuring an election free from foreign interference are national security priorities. Threats to election systems are constantly evolving, so defending these systems requires constant vigilance, innovation, and adaptation. As such, while not required, applicants are encouraged to submit an investment related to their election security needs.



If submitted, the investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments. **Any activities proposed that could be used to suppress voter registration or turnout will not be approved.**

Additional resources and information regarding election security are available through the [Cybersecurity and Infrastructure Security Agency](#).

IV. Development of Fusion Center Projects: SHSP and UASI

Each applicant must identify a fusion center project that will:

- Indicate alignment to a designated Fusion Center; and
- Provide both a brief narrative description and funding itemization for the proposed project activities that directly support the designated fusion center.

The descriptive narrative and the financial itemization should align improvement or sustainment requests with fusion center activities as they relate to the Fusion Center Performance Measures found in the [Preparedness Grants Manual](#).

Sample Fusion Center Funding Itemization

A sample project description and funding itemization are below. For the itemized projects, clearly identify the anticipated fusion center performance improvement or sustainment as a result of the proposed funding.

The X Fusion enhancement project will fund:

- *Salaries, benefits, and training for X number of Fusion Center intelligence analysts*
- *Travel costs associated with fusion center analyst training*
- *This project will directly sustain the Center's current capabilities and performance and directly aligns with performance measures 2022.XXX*
- *We anticipate seeing an improvement in the quality and quantity of analytic production and responses to requests for information as a direct result of the funding of this project*

The funding itemization for a fusion center project should include the amount and percent of each relevant solution area. As an example:

Solution Area and Amount of Proposed Funding	Percent of Proposed Funding
Planning: \$10,000	2%
Organization: \$200,000	48%
Equipment: \$200,000	48%
Training: \$10,000	2%
Exercises: \$0	0%
Total: \$420,000	100%

V. Completing IJs in the Grant Reporting Tool (GRT): SHSP and UASI

In the Related Documents section of the [Grants.gov](https://www.grants.gov) posting, applicants can find the IJ template and instructions for collecting the required information for investments and projects. Additionally, applicants should utilize the Project Worksheet located in [Grants.gov](https://www.grants.gov) posting to assemble the information required for each project, which will facilitate the input of that information into the GRT.

Applicants must ensure the appropriate National Priority Area “Investment Type” (*Overview Tab – Investment Information Section*) is selected for the corresponding National Priority Area.

VI. Development of Concept of Operations for OPSG

As part of the FY 2022 OPSG application process, each eligible local unit of government at the county or federally recognized tribal government level must develop a strategic plan called a Concept of Operations (CONOP)/Application, which is a formal proposal of action to address a specific situation and forms the basis for Operations Orders, in coordination with state and federal law enforcement agencies, to include, but not limited to CBP/USBP. CONOPs that are developed at the county level should be inclusive of city, county, tribal, and other

local law enforcement agencies that are eligible to participate in OPSG operational activities, and the CONOP/Application should describe participating agencies in the Executive Summary.

CONOP/Application details should include the names of the agencies, points of contact, and individual funding requests. All CONOPs/Applications must be developed in collaboration with the local USBP sector office, the SAA, and the local unit of government. Requests for funding in CONOPs/Applications must be based on risks and the operational enforcement support requirements of its corresponding USBP Sector, as well as the national priorities identified below. USBP Sector offices will forward the CONOPs to USBP Headquarters for vetting and coordination. Applicants will forward corresponding OPSG Applications to the SAA for submission to FEMA. USBP Headquarters will reconcile all submitted CONOPs with the OPSG Applications. FEMA will review and evaluate all CONOPs and OPSG Applications and funding will be allocated based on the review and selection criteria identified in this NOFO.

OPSG Applicants will be required to clearly articulate and identify how the CONOPs will address the national priority identified below:

- **Information and Intelligence Sharing and Cooperation** Effective border security operations rely on access to, analysis of, and the timely sharing of open source, unclassified, and classified information, suspicious activity reports, tips/leads, and actionable intelligence on indicators and behaviors to accurately identify, assess, and mitigate a wide array of threats against the United States, including terrorism, threats to life, targeted violence, and other threats within the DHS mission space. Accordingly, DHS works diligently to enhance intelligence collection, integration, analysis, and information sharing capabilities to ensure partners, stakeholders, and senior leaders receive actionable intelligence and information necessary to inform their decisions and operations. One critical, statutorily required mission of DHS is to deliver intelligence and information to federal, state, local, and tribal governments and private sector partners. Cooperation and information sharing among state, federal, and local partners across all areas of the homeland security enterprise, including both international and domestic terrorism, cybersecurity, transnational organized crime, economic security, border security, immigration enforcement, and other areas, while upholding privacy, civil rights and civil liberties protections, is critical to homeland security operations and the prevention of,

preparation for, protection against, and responding to acts of terrorism, and other threats to life and criminal acts of targeted violence. Given the importance of information sharing and collaboration to effective homeland security solutions, the CONOP must support the recipient's efforts to enhance information sharing and cooperation with DHS and other federal agencies. Applicants must justify persuasively how they will contribute to the information sharing and collaboration purposes of the OPSG program and a culture of national preparedness. Additional resources and information regarding collaboration and information sharing are available through the Department's [Office of Intelligence and Analysis](#).

VII. Detailed Budget

Applicants must provide budget summary worksheets for all funds requested at the time of application. The budget summary worksheets must be complete, reasonable, and cost-effective in relation to the proposed project and should provide the basis of computation of all project-related costs (including management and administrative costs) and any appropriate narrative. FEMA must be able to thoroughly evaluate the projects being submitted based on the information provided. FEMA must be able to determine how much funding is being passed through to subrecipients for each sub-program (UASI, SHSP, OPSG). Consequently, applicants must provide an appropriate level of detail within the budget summary worksheets to clarify what will be purchased and spent. Sample budget summary worksheets are available on the [grants.gov](#) posting for the HSGP in the Related Documents tab and may be used as a guide to assist applicants in the preparation of budgets and budget narratives.

11. Other Submission Requirements

Fusion Center Investments

Of the proposed SHSP- and UASI-funded investments, one single project must be in support of a designated fusion center. Recipients must coordinate with the fusion center when developing a fusion center project prior to submission. See additional information on how to develop the fusion center projects below and in the [Preparedness Grants Manual](#).



Emergency Communications Investments

All emergency communications investments must describe how such activities align with needs identified in their Statewide Communication Interoperability Plan (SCIP). Recipients must coordinate with their Statewide Interoperability Coordinator (SWIC) and/or Statewide Interoperability Governing Body (SIGB) when developing an emergency communications investment prior to submission to ensure the project supports the statewide strategy to improve emergency communications and is compatible and interoperable with surrounding systems. Effective project alignment will require advance coordination with the SWIC and consultation with governing bodies such as the SIGB or Statewide Interoperability Executive Committee (SIEC), as they serve as the primary steering group for the statewide interoperability strategy. Additionally, recipients should consult subject matter experts serving on governance bodies, such as broadband experts, chief information officers, representatives from utilities, or legal and financial experts, when developing proposals. The investment name must include the words “emergency communications” to easily identify any emergency communications investments.

12. Intergovernmental Review

An intergovernmental review may be required. Applicants must contact their state’s Single Point of Contact (SPOC) to comply with the state’s process under Executive Order 12372 (See <https://www.archives.gov/federal-register/codification/executive-order/12372.html>; <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>).

13. Funding Restrictions and Allowable Costs

All costs charged to awards covered by this NOFO must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200, unless otherwise indicated in the NOFO, the terms and conditions of the award, or the Preparedness Grants Manual. This includes, among other requirements, that costs must be incurred, and products and services must be delivered, within the period of performance of the award. See 2 C.F.R. § 200.403(h) (referring to budget periods, which for FEMA awards under most programs, including this program, is the same as the period of performance).



Federal funds made available through this award may be used for the purpose set forth in this NOFO, the [Preparedness Grants Manual](#), and the terms and conditions of the award and must be consistent with the statutory authority for the award. Award funds may not be used for matching funds for any other federal awards, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the Federal Government or any other government entity. See the [Preparedness Grants Manual](#) for more information on funding restrictions and allowable costs.

a. Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services

Recipients and subrecipients of FEMA federal financial assistance are subject to the prohibitions described in section 889 of the [John S. McCain National Defense Authorization Act for Fiscal Year 2019 \(FY 2019 NDAA\)](#), Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to FEMA recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

Guidance is available at [Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services \(Interim\) FEMA Policy #405-143-1](#), or [superseding document](#).

Additional guidance is available [Contract Provisions Guide: Navigating Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards \(fema.gov\)](#).

Effective August 13, 2020, FEMA recipients and subrecipients **may not** use any FEMA funds under open or new awards to:

1. Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
2. Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or



services as a substantial or essential component of any system, or as critical technology of any system; or

3. Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

I. REPLACEMENT EQUIPMENT AND SERVICES

FEMA grant funding may be permitted to procure replacement equipment and services impacted by this prohibition, provided the costs are otherwise consistent with the requirements of the NOFO and the [Preparedness Grants Manual](#).

II. DEFINITIONS

Per section 889(f)(2)-(3) of the FY 2019 NDAA and 2 C.F.R. § 200.216, covered telecommunications equipment or services means:

1. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
2. For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
3. Telecommunications or video surveillance services provided by such entities or using such equipment; or
4. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

Examples of the types of products covered by this prohibition include phones, internet, video surveillance, and cloud servers when produced, provided, or used by the entities listed in the definition of "covered telecommunications equipment or services." See 2 C.F.R. § 200.471.

b. Pre-Award Costs

Pre-award costs are allowable only with the prior written approval of DHS/FEMA and as included in the award agreement. To request pre-award costs, a written request must be included with the application, signed by the AOR of the entity. The letter must outline what the pre-award costs are for, including a detailed budget break-out of pre-award costs from the post-award costs, and a justification for approval.

c. Management and Administration (M&A) Costs

M&A costs are allowed. Recipients may use a maximum of up to 5% of HSGP funds awarded for their M&A, and any funds retained are to be used solely for M&A purposes associated with the HSGP award. Subrecipients may also use a maximum of up to 5% of the funding passed through by the state solely for M&A purposes associated with the HSGP award. M&A activities are those directly relating to the management and administration of HSGP funds, such as financial management and monitoring. M&A expenses must be based on actual expenses or known contractual costs. M&A requests that are simple percentages of the award, without supporting justification, will not be allowed or considered for reimbursement. A maximum of up to five percent of HSGP funds awarded may be retained by the state, and any funds retained are to be used solely for M&A purposes associated with the HSGP award. Subrecipients may also retain a maximum of up to five percent of the funding passed through by the state solely for M&A purposes associated with the HSGP award.

M&A costs are not operational costs. They are the necessary costs incurred in direct support of the grant or as a consequence of the grant and should be allocated across the entire lifecycle of the grant. Examples include preparing and submitting required programmatic and financial reports, establishing and/or maintaining equipment inventory, documenting operational and equipment expenditures for financial accounting purposes, responding to official informational requests from state and federal oversight authorities, including completing the Civil Rights Evaluation Tool as required by DHS, and grant performance measurement or evaluation activities. Please see the [Preparedness Grants Manual](#) for additional information on direct costs.

Recipients or subrecipients may apply or credit M&A funding toward the recipient's requirement to allocate funding toward the five National Priority Areas. For example, if a recipient spends \$5,000 to manage or administer its funding dedicated toward its soft targets/crowded places investment, the recipient may credit that funding toward its requirement to allocate at least 3 percent of its award to the enhancing the protection of soft targets and crowded places National Priority Area.

A state's HSGP funds for M&A calculation purposes includes the total of its SHSP, UASI, and OPSG awards. While the SAA may retain up to five percent of this total for M&A, the state must still ensure that all subrecipient award amounts meet the mandatory minimum pass-through requirements that are applicable to each HSGP program. To meet this requirement, the percentage of SHSP and UASI funds passed through to local or tribal jurisdictions must be based on the state's total HSGP award prior to withholding any M&A.

In retaining these funds, states may retain a maximum of 2.5 percent of the OPSG allocation, which must be withheld from the pass-through to each subrecipient county or tribe in an equal percentage. The SAA may also retain additional funding from its SHSP award to manage and administer the OPSG award, but that additional amount is also capped at an amount equal to 2.5 percent of the OPSG award. Examples applying this principle:

SAA 1:

- Total award: \$6,000,000
- SHSP: \$1,000,000 OPSG: \$2,500,000 UASI: \$2,500,000
- M&A Maximum: \$300,000 (5 percent of \$6,000,000)
- Maximum M&A for SHSP = \$50,000
- Maximum M&A for OPSG = \$125,000. Of that amount, \$62,500 (2.5 percent) may be retained from the OPSG allocation, and the other \$62,500 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond the \$50,000 available to manage the SHSP allocation.
- Maximum M&A for UASI = \$125,000

SAA 2:



- Total award: \$4,500,000
- SHSP: \$3,500,000 OPSG: \$1,000,000
- M&A Maximum: \$225,000 (5 percent of \$4,500,000)
- Maximum M&A for SHSP = \$175,000
- Maximum M&A for OPSG = \$50,000. Of that amount, \$25,000 (2.5 percent) may be retained from the OPSG allocation, and the other \$25,000 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond the \$175,000 available to manage the SHSP allocation.

HSGP recipients are also reminded that any M&A charged to a recipient's or subrecipient's UASI funding must be directly allocable to administration of the UASI grant program and cannot be used to cover M&A costs that are directly allocable to SHSP or OPSG funding. Similarly, any M&A charged to a recipient's or subrecipient's SHSP or OPSG funding cannot be used to cover M&A costs directly allocable to UASI funding.

Please note, [IB 365: Management and Administration Costs in the Homeland Security Grant Program](#) and DHS/FEMA [Policy 207-087-1](#) **do not apply to awards made in FY 2022 under this NOFO**. Please also reference [IB 416](#) for additional clarification on OPSG M&A, but to the extent that there is any conflict between IB 416 and this NOFO, the requirements of this NOFO will apply to FY 2022 awards made under this NOFO.

D. Indirect Facilities & Administrative (F&A) Costs

Indirect costs are allowable under this program as described in 2 C.F.R. Part 200, including 2 C.F.R. § 200.414. Applicants with a current negotiated indirect cost rate agreement that desire to charge indirect costs to an award must provide a copy of their negotiated indirect cost rate agreement at the time of application. Not all applicants are required to have a current negotiated indirect cost rate agreement. Applicants that are not required by 2 C.F.R. Part 200 to have a negotiated indirect cost rate agreement but are required by 2 C.F.R. Part 200 to develop an indirect cost rate proposal must provide a copy of their proposal at the time of application. Applicants who do not have a current negotiated indirect cost rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to the FEMA Grants Management Specialist for further

instructions. Applicants who wish to use a cost allocation plan in lieu of an indirect cost rate must also reach out to the FEMA Grants Management Specialist for further instructions. Post-award requests to charge indirect costs will be considered on a case-by-case basis and based upon the submission of an agreement or proposal as discussed above or based upon on the de minimis rate or cost allocation plan, as applicable.

E. Funds Transfer Restriction

The recipient is prohibited from transferring funds between programs (includes SHSP, UASI, and OPSG). Recipients can submit an investment/project where funds come from multiple funding sources (e.g., SHSP and UASI), however, recipients are not allowed to divert funding from one program to another due to the risk-based funding allocations, which were made at the discretion of DHS/FEMA.

F. Other Direct Costs

I. Planning

Planning costs are allowed under this program. Please see the [Preparedness Grants Manual](#) for more information.

II. Organization

Organization costs are allowed under this program. Please see the [Preparedness Grants Manual](#) for more information.

III. Equipment

Equipment costs are allowed under this program. Please see the [Preparedness Grants Manual](#) for more information.

- **General Purpose Equipment** HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC³ and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended.



Examples of such general-purpose equipment may include:

- Law enforcement vehicles;
 - Emergency medical services (EMS) equipment and vehicles;
 - Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized CBRNE response;
 - Interoperability of data systems, such as computer aided dispatch (CAD) and record management systems (RMS); and
 - Office equipment for staff⁴ engaged in homeland security program activity.
- **Controlled Equipment** For decades, the federal government has provided equipment to state, local, and tribal law enforcement agencies (LEAs) through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. As discussed below, certain equipment is "prohibited" and is not allowable under HSGP. For some controlled equipment that is allowable under the HSGP, additional documentation, justifications, reviews, and approvals are required, including but not limited to proof of policies and procedures to safeguard individuals' privacy, civil rights, and civil liberties.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on controlled equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to controlled equipment expenditures and keep grant recipients up to date on future developments.

Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. The purchase of tracked armored vehicles, camouflage uniforms, weapons and weapons accessories, including ammunition, is not allowed with HSGP funds. Grant funds under this program must also comply with [IB 426](#) and may not be used for the purchase of the following equipment: 1) firearms; 2) ammunition; 3) grenade launchers; 4) bayonets; or 5) weaponized

aircraft, vessels, or vehicles of any kind with weapons installed.

IV. Training

Training costs are allowed under this program. Please see the [Preparedness Grants Manual](#) for more information.

V. Exercises

Exercise costs are allowed under this program. Please see the [Preparedness Grants Manual](#) for more information.

VI. Personnel

Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. Under OPSG, overtime costs are allowable only in so far as they meet the intent of the program. All recipients and subrecipients of HSGP funds, including SHSP, UASI, and OPSG allocations, may not use more than 50 percent of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50 percent personnel cap, please see FEMA [IB 421b](#), Clarification on the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008* (Public Law 110-412) – the PRICE Act. Please see the [Preparedness Grants Manual](#) for more information.

VII. Operational Overtime

Operational overtime costs are allowed under this program. Prior to use of funds for operational overtime, recipients must receive approval from DHS/FEMA. Operational overtime costs are also subject to the 50 percent personnel cap. Please see the [Preparedness Grants Manual](#) for more information.

VIII. Travel

Domestic travel costs are allowed under this program, as provided for in this NOFO and in the [Preparedness Grants Manual](#). International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA.



IX. Construction and Renovation

Construction and renovation costs to achieve capability targets related to preventing, preparing for, protecting against, or responding to acts of terrorism are allowed under this program. For construction and renovation costs to be allowed, they must be specifically approved by DHS/FEMA in writing prior to the use of any program funds. Applicants must use the Environmental Planning and Historical Preservation (EHP) approval process. Limits on the total amount of grant funding that may be used for construction or renovation may apply. Additionally, recipients are required to submit [SF-424C and SF-424D](#). Please see the [Preparedness Grants Manual](#) for more information.

X. Maintenance and Sustainment

Maintenance- and sustainment-related costs, such as maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees, are allowable. Please see the [Preparedness Grants Manual](#) for more information.

XI. Critical Emergency Supplies

Critical emergency supplies are allowed under this program. Please see the [Preparedness Grants Manual](#) for more information.

XII. Secure Identification

Secure Identification costs are allowed under this program. Please see the [Preparedness Grants Manual](#) for more information.

Allowable Cost Matrix

The following matrix provides allowable cost activities that fall under each of the cost categories noted above. Recipients and subrecipients must follow all applicable requirements in 2 C.F.R. Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. HSGP funds may be used to cover the costs for evaluating the impact of these grants on the state or urban area's core capabilities and capability gaps. This list is not exhaustive, therefore, if there are any questions regarding allowable costs,



please contact the appropriate HQ FEMA Preparedness Officer. For additional information on allowable costs, see the [Preparedness Grants Manual](#).

TABLE

[1] Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.

[2] This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs

E. Application Review Information

1. Application Evaluation Criteria

a. Programmatic Criteria

I. Risk Methodology

The risk methodology determines the relative risk of terrorism faced by a given area considering the potential risk of terrorism to people, critical infrastructure, and economic security. The analysis includes, but is not limited to, threats from violent domestic extremists, international terrorist groups, and individuals inspired by terrorists abroad. See the [Preparedness Grants Manual](#) for additional information on the risk methodology.

NOTE: The THIRA/SPR process is separate from the risk methodology and its results do not affect grant allocations.

The Risk Methodology is used to inform allocations under HSGP. For more information on the SHSP, UASI, and OPSG allocation processes, please see Section B.1 of this NOFO, “Available Funding for the NOFO.”

II. Application Evaluation Criteria

FEMA will evaluate the FY 2022 HSGP applications for completeness, adherence to programmatic guidelines, and anticipated effectiveness of the proposed investments. FEMA’s review will include verification that each IJ and project:



- Aligns with at least one core capability identified in the Goal;
- Demonstrates how investments support closing capability gaps or sustaining capabilities identified in the THIRA/SPR process; and
- Supports a NIMS-typed resource and whether those assets are deployable/shareable to support emergency or disaster operations per existing EMAC agreements.

In addition to the above, FEMA will evaluate whether proposed projects are: 1) both feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the three-year period of performance. FEMA will use the information provided in the application and after the submission of the first BSIR to determine the feasibility and effectiveness of a grant project. To that end, IJs should include:

- An explanation of how the proposed project(s) will achieve objectives as identified in the SPR, including expected long-term impact where applicable, and which core capability gap(s) it helps to close and how;
- A summary of the status of planning and design efforts accomplished to date (e.g., included in a capital improvement plan); and
- A project schedule with clear milestones.

Recipients are expected to conform, as applicable, with accepted engineering practices, established codes, standards, modeling techniques, and best practices, and participate in the development of case studies demonstrating the effective use of grant funds, as requested.

FEMA will also review any submitted National Priority Area-aligned IJs and projects to ensure they meet the minimum spend requirements. Additional information on how the National Priority Area IJs and projects will be reviewed for effectiveness is included in the Review and Selection Process section below.

b. Financial Integrity Criteria

Prior to making a federal award, FEMA is required by 31 U.S.C. § 3354, as enacted by the Payment Integrity Information Act of 2019, Pub. L. No. 116-117 (2020); 41 U.S.C. § 2313; and 2 C.F.R. § 200.206 to review information available through any Office of Management and Budget (OMB)-designated repositories of governmentwide eligibility qualification or financial integrity information, including



whether the applicant is suspended or debarred.

FEMA may also pose additional questions to the applicant to aid in conducting the pre-award risk review. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant:

1. Financial stability.
2. Quality of management systems and ability to meet management standards.
3. History of performance in managing federal award.
4. Reports and findings from audits.
5. Ability to effectively implement statutory, regulatory, or other requirements.

c. Supplemental Financial Integrity Criteria and Review

Prior to making a federal award where the anticipated total federal share will be greater than the simplified acquisition threshold, currently \$250,000:

1. FEMA is required to review and consider any information about the applicant, including information on the applicant's immediate and highest-level owner, subsidiaries, and predecessors, if applicable, that is in the designated integrity and performance system accessible through the System for Award Management (SAM), which is currently the [Federal Awardee Performance and Integrity Information System \(FAPIIS\)](#).
2. An applicant, at its option, may review information in FAPIIS and comment on any information about itself that a federal awarding agency previously entered.
3. FEMA will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

2. Review and Selection Process

I. SHSP and UASI

All proposed investments will undergo a federal review by DHS/FEMA to verify compliance with all administrative and eligibility criteria identified in the NOFO.



The federal review will be conducted by FEMA HQ Preparedness Officers. FEMA HQ Preparedness Officers will use a checklist to verify compliance with all administrative and eligibility criteria identified in the NOFO. Recipients must be able to demonstrate how investments support closing capability gaps or sustaining capabilities identified in the THIRA/SPR process. IJs will be reviewed at both the investment and project level.

Emergency communications investments will be jointly reviewed by FEMA and the DHS Emergency Communications Division (ECD) to verify compliance with SAFECOM guidance. FEMA and ECD will coordinate directly with the recipient on any compliance concerns and will provide technical assistance as necessary to help ensure full compliance.

Additional Effectiveness Evaluation Criteria for the National Priority Areas

FEMA will evaluate the FY 2022 HSGP IJs and projects submitted in support of the National Priority Areas for anticipated effectiveness. FEMA's review will include verification that each IJ or project meets the National Priority Area required spend percentages.

Cybersecurity investments will be reviewed by DHS/FEMA, CISA, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the criteria set forth in this NOFO.

Soft Targets/Crowded Places investments will be reviewed by DHS/FEMA, CISA, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the criteria set forth in this NOFO.

Information Sharing and Cooperation Investments will be reviewed by DHS/FEMA, DHS Office of Intelligence and Analysis, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the criteria set forth in this NOFO.

For additional information on Fusion Center requirements, please see the [Preparedness Grants Manual](#).



Domestic violent extremism investments will be reviewed by DHS/FEMA, DHS Office of Intelligence and Analysis, DHS Center for Prevention Programs and Partnerships, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the scoring criteria set forth in this NOFO.

Community preparedness and resilience investments will be reviewed by DHS/FEMA and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the scoring criteria set forth in this NOFO.

Election security investments will be reviewed by DHS/FEMA, CISA, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the scoring criteria set forth in this NOFO.

FEMA will determine whether the proposed approach is clear, logical, and reasonable to address the priority areas of interest and contribute to a culture of national preparedness. This includes factors such as the objectives and strategies proposed to address the priority area, how the objectives and strategies overcome legal, political, or practical obstacles to reduce overall risk, the process and criteria to select additional relevant projects, and the approach to monitor awards to satisfy the funding percentage allocations.

For applicants that elect to submit IJs and project-level details for the National Priority Areas at the time of application, effectiveness will be evaluated prior to award. If the projects are found to not sufficiently align with the National Priority Area(s), applicants may have funds placed on hold (up to 30 percent) until the projects are revised to satisfactorily address the National Priority Areas.

For applicants that elect to submit IJs and project-level details for the National Priority Areas as part of the December 2022 BSIR, they will have funds placed on hold in the amount of 30 percent. The hold will be released only after their December 2022 BSIR submission has been reviewed, and projects related to the National Priority Areas deemed in alignment by DHS/FEMA.

SAAs are still required to meet pass-through requirements even if funds are on hold related to the National Priority Areas.



To that end, IJs should include:

- How the proposed investment addresses the National Priority Area;
- An explanation of how the proposed projects were selected and will achieve objectives and strategies to build or sustain the core capability gaps identified in the SPR, including expected long-term impact where applicable;
- A summary of the collaboration efforts to prevent, prepare for, protect against, and respond to acts of terrorism as well as anticipated outcomes of the project.

For FY 2022 SHSP and UASI investments and projects related to the National Priority Areas, effectiveness will be evaluated based on the following five factors:

- Investment Strategy (40%): Proposals will be evaluated based on the quality and extent to which applicants describe an effective strategy that demonstrates that proposed projects support the program objective of preventing, preparing for, protecting against, and responding to acts of terrorism, to meet its target capabilities, and otherwise reduce the overall risk to the high-risk urban area, the state, or the Nation.
- Budget (20%): Proposals will be evaluated based on the extent to which applicants describe a budget plan for each investment demonstrating how the applicant will maximize cost effectiveness of grant expenditures.
- Impact/Outcomes (40%): Proposals will be evaluated on how this investment helps the jurisdiction close capability gaps identified in its SPR and addresses the relevant National Priority Area outlined in this NOFO. Further, proposals will be evaluated on their identification and estimated improvement of core capability(ies), the associated standardized target(s) that align with their proposed investment, and the ways in which the applicant will measure and/or evaluate improvement.
- Past Performance (additional consideration): Proposals will be evaluated based on the applicants demonstrated capability to execute the proposed investments. In evaluating applicants under this factor FEMA will consider the information provided by the applicant and may also consider relevant information from other sources.

II. OPSG



Applications will be reviewed by the SAA and USBP Sector Headquarters for completeness and adherence to programmatic guidelines and evaluated for anticipated feasibility, need, and impact of the Operations Orders. For more information on Operations Orders and other requirements of OPSG, see the [Preparedness Grants Manual](#).

DHS/FEMA will verify compliance with all administrative and eligibility criteria identified in the NOFO and required submission of Operations Orders and Inventory of Operations Orders by the established due dates. DHS/FEMA and USBP will use the results of both the risk analysis and the federal review by DHS/FEMA to make recommendations for funding to the Secretary of Homeland Security.

FY 2022 OPSG funds will be allocated among the eligible jurisdictions based on risk-based prioritization using the OPSG Risk Assessment described above. Final funding allocations are determined by the Secretary of Homeland Security, who may consider information and input from various law enforcement offices or subject-matter experts within the Department. Factors considered include, but are not limited to threat, vulnerability, miles of the border, and other border-specific law enforcement intelligence, as well as the feasibility of FY 2022 Operations Orders to designated localities within border states and territories.

F. Federal Award Administration Information

1. Notice of Award

Before accepting the award, the AOR and recipient should carefully read the award package. The award package includes instructions on administering the grant award and the terms and conditions associated with responsibilities under federal awards. **Recipients must accept all conditions in this NOFO and the [Preparedness Grants Manual](#) as well as any specific terms and conditions in the Notice of Award to receive an award under this program.**

See the [Preparedness Grants Manual](#) for information on Notice of Award.

2. Pass-Through Requirements



Awards made to the SAA for HSGP carry additional **statutorily mandated** pass-through requirements. Pass-through is defined as an obligation on the part of the SAA to make funds available to local units of government, combinations of local units, tribal governments, or other specific groups or organizations. These entities are defined at 6 U.S.C. § 101(13) as:

- A county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government.
- An Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation.
- A rural community, unincorporated town or village, or other public entity.

Four criteria must be met to pass-through grant funds:

- The SAA must make a firm written commitment to passing through grant funds to subrecipients;
- The SAA's commitment must be unconditional (i.e., no contingencies for the availability of SAA funds);
- There must be documentary evidence (i.e., award document, terms, and conditions) of the commitment; and
- The award terms must be communicated to the subrecipient.

Timing and Amount

The SAA must pass-through at least 80 percent of the funds awarded under SHSP and UASI to the above-defined local or tribal units of government within 45 calendar days of receipt of the funds. "Receipt of the funds" occurs either when the SAA accepts the award or 15 calendar days after the SAA receives notice of the award, whichever is earlier.

SAAs are sent notification of HSGP awards via the GPD's ND Grants system. If an SAA accepts its award within 15 calendar days of receiving notice of the award in the ND Grants system, the 45 calendar days pass-through period will start on the date the SAA accepted the award. Should an SAA not accept the HSGP award within 15 calendar days of receiving notice of the award in the ND Grants

system, the 45 calendar days pass-through period will begin 15 calendar days after the award notification is sent to the SAA via the ND Grants system.

It is important to note that the period of performance start date does not directly affect the start of the 45 calendar days pass-through period. For example, an SAA may receive notice of the HSGP award on August 25, 2022, while the period of performance dates for that award are September 1, 2022, through August 31, 2025. In this example, the 45-day pass-through period will begin on the date the SAA accepts the HSGP award or September 9, 2022 (15 calendar days after the SAA was notified of the award), whichever date occurs first. The period of performance start date of September 1, 2022, would not affect the timing of meeting the 45-calendar day pass-through requirement.

Other SHSP and UASI Pass-Through Requirements

The signatory authority of the SAA must certify in writing to DHS/FEMA that pass-through requirements have been met. **A letter of intent (or equivalent) to distribute funds is not considered sufficient.** A letter of intent is not a firm commitment and if issued before FEMA makes the award, then a letter of intent is also not unconditional since it is inherently conditioned on receipt of funds.

The pass-through requirement does not apply to SHSP awards made to the District of Columbia, Guam, American Samoa, the U.S. Virgin Islands, or the Commonwealth of the Northern Mariana Islands. **The Commonwealth of Puerto Rico is required to comply with the pass-through requirement**, and its SAA must also obligate at least 80 percent of the funds to local units of government within 45 calendar days of receipt of the funds.

Under SHSP, the SAA may retain more than 20 percent of funding for expenditures made by the state on behalf of the local unit(s) of government, such as expenditures by the state in order to pass through goods or services to local unit(s) of government in lieu of cash. This may occur only with the written consent, such as a Memorandum of Understanding, between the SAA and the local unit(s) of government. Separate written consent is necessary for each local unit of government in which more than 20 percent of funding is retained on their behalf by the state. The written consent must specify the amount of funds to be retained and the intended use of funds, including whether any goods or services will be passed through in lieu of cash. It must also be signed by authorized representatives of

both the state and the local unit of government.

States shall review their written consent agreements yearly and ensure that they are still valid. If a written consent agreement is already in place from previous fiscal years, DHS/FEMA will continue to recognize it for FY 2022, unless the written consent review indicates the local government is no longer in agreement. If modifications to the existing agreement are necessary, the SAA should contact their assigned FEMA HQ Preparedness Officer.

However, even if a written consent agreement is in place from previous fiscal years, **the SAA must still initially carry out the pass-through documentation for its FY 2022 award and comply with the four pass-through criteria described above before the written consent agreement can take effect for purposes of the FY 2022 funding.**

Additional OPSG Requirements

The recipient is prohibited from obligating or expending funds provided through this award until each unique and specific county-level or equivalent Operational Order/Fragmentary Operations Order budget has been reviewed and approved through an official electronic mail notice issued by DHS/FEMA removing this special programmatic condition.

3. Administrative and National Policy Requirements

In addition to the requirements in this section and elsewhere in this NOFO, FEMA may place specific terms and conditions on individual awards in accordance with 2 C.F.R. Part 200.

In addition to the information regarding DHS Standard Terms and Conditions and Ensuring the Protection of Civil Rights, see the [Preparedness Grants Manual](#) for additional information on administrative and national policy requirements, including the following:

- Environmental Planning and Historic Preservation (EHP) Compliance
- FirstNet
- National Incident Management System (NIMS) Implementation
- [SAFECOM Guidance on Emergency Communications Grants](#)



a. DHS Standard Terms and Conditions

All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at: [DHS Standard Terms and Conditions](#).

The applicable DHS Standard Terms and Conditions will be those in effect at the time the award was made. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

b. Ensuring the Protection of Civil Rights

As the Nation works towards achieving the [National Preparedness Goal](#), it is important to continue to protect the civil rights of individuals. Recipients and subrecipients must carry out their programs and activities, including those related to the building, sustainment, and delivery of core capabilities, in a manner that respects and ensures the protection of civil rights for protected populations.

Federal civil rights statutes, such as Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964, along with DHS and FEMA regulations, prohibit discrimination on the basis of race, color, national origin, sex, religion, age, disability, limited English proficiency, or economic status in connection with programs and activities receiving [federal financial assistance](#) from FEMA.

Recipients must complete the [DHS Civil Rights Evaluation Tool](#) within 30 days of receipt of the Notice of Award. Information about this requirement and a fuller list of the civil rights provisions that apply to recipients can be found in the [DHS Standard Terms and Conditions of Award](#). Additional information on civil rights provisions is available at <https://www.dhs.gov/civil-rights-resources-recipients-dhs-financial-assistance> and <https://www.fema.gov/about/offices/equal-rights/civil-rights>.

Monitoring and oversight requirements in connection with recipient compliance with federal civil rights laws are also authorized pursuant to 44 C.F.R. Part 7.

In accordance with civil rights laws and regulations, recipients and subrecipients must ensure the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that

have been denied such treatment.

c. Environmental Planning and Historic Preservation (EHP) Compliance

As a federal agency, FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by FEMA, including grant-funded projects, comply with federal EHP laws, Executive Orders, regulations, and policies, as applicable.

FEMA grant funding for new construction or substantial improvement must comply with [Executive Order \(EO\) 14030, Climate-Related Financial Risk](#) and applicable FEMA implementing policies in place at the time of disbursement, including [FEMA Policy #-206-21-0003, Partial Implementation of the Federal Flood Risk Management Standard for Hazard Mitigation Assistance Programs \(Interim\) \(fema.gov\)](#) or superseding policies.

Recipients and subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, the construction of communication towers, modification or renovation of existing buildings, structures, and facilities, or new construction including replacement of facilities, must participate in the FEMA EHP review process. The EHP review process involves the submission of a detailed project description along with any supporting documentation requested by FEMA in order to determine whether the proposed project has the potential to impact environmental resources or historic properties.

In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. Federal law requires EHP review to be completed before federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not in compliance with applicable EHP laws, Executive Orders, regulations, and policies.

DHS and FEMA EHP policy is found in directives and instructions available on the [FEMA.gov EHP page](#), the FEMA website page that includes documents regarding EHP responsibilities and program requirements, including implementation of the National Environmental Policy Act and other EHP regulations and Executive Orders.



The GPD EHP screening form is located at <https://www.fema.gov/media-library/assets/documents/90195>. Additionally, all recipients under this funding opportunity are required to comply with the FEMA GPD EHP Policy Guidance, FEMA Policy #108-023-1, available at <https://www.fema.gov/media-library/assets/documents/85376>.

d. National Incident Management System (NIMS) Implementation

If an entity uses HSGP funding to support emergency communications investments, the following requirements shall apply to all such grant-funded communications investments in support of the emergency communications priorities and recognized best practices:

- The signatory authority for the SAA must certify in writing to DHS/FEMA their compliance with the [*SAFECOM Guidance on Emergency Communications Grants*](#). The certification letter should be coordinated with the SWIC for each state and must be uploaded to ND Grants at the time of the first Program Performance Report submission.
 - All states and territories must designate a full-time SWIC who has the authority and resources to actively improve interoperability with emergency management and response agencies across all levels of government, to include establishing statewide plans, policies, and procedures, and coordinating decisions on communications investments funded through federal grants. Note that the designated full-time SWIC may also be the state's or territory's cybersecurity point of contact. SWIC status information will be maintained by CISA and will be verified by FEMA GPD through programmatic monitoring activities.
 - By the period of performance end date, all states and territories must update the SCIP, with a focus on communications resilience/continuity, to include assessment and mitigation of all potential risks identified in the SCIP: natural disasters, accidental damage (human failures), intentional damage (sabotage, terrorism), cybersecurity, etc. Following the initial update, the SCIP should be updated on an annual basis. SCIP status information will be maintained by CISA and will be verified by FEMA GPD through programmatic monitoring activities.



All states and territories must test their emergency communications capabilities and procedures (as outlined in their operational communications plans) in conjunction with regularly planned exercises (separate/addition emergency communications exercises are not required). Exercises should be used to both demonstrate and validate skills learned in training and to identify gaps in capabilities. Resilience and continuity of communications should be tested during training and exercises to the greatest extent possible. Further, exercises should include participants from multiple jurisdictions, disciplines, and levels of government and include emergency management, emergency medical services, law enforcement, interoperability coordinators, public health officials, hospital officials, officials from colleges and universities, and other disciplines and private sector entities, as appropriate. Findings from exercises should be used to update programs to address gaps in emergency communications as well as emerging technologies, policies, and partners. Recipients are encouraged to increase awareness and availability of emergency communications exercise opportunities across all levels of government.

States, territories, and other eligible grant recipients are advised that HSGP funding may be used to support communications planning (including the cost of hiring a SWIC, participation in governance bodies and requirements delineated above), training, exercises, and equipment costs. Costs for transitioning to the FirstNet network may also be eligible. More information regarding FirstNet can be found in the [Preparedness Grants Manual](#).

4. Reporting

Recipients are required to submit various financial and programmatic reports as a condition of award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent.

See the [Preparedness Grants Manual](#) for information on reporting requirements.

5. Monitoring and Oversight

Per 2 C.F.R. § 200.337, FEMA, through its authorized representatives, has the right, at all reasonable times, to make site visits or conduct desk reviews to review project accomplishments and management control systems to review award progress and to provide any required technical assistance. During site visits or



desk reviews, FEMA will review recipients' files related to the award. As part of any monitoring and program evaluation activities, recipients must permit FEMA, upon reasonable notice, to review grant-related records and to interview the organization's staff and contractors regarding the program.

Recipients must respond in a timely and accurate manner to FEMA requests for information relating to the award.

See the [Preparedness Grants Manual](#) for information on monitoring and oversight.

G. DHS Awarding Agency Contact Information

1. Contact and Resource Information

a. Program Office Contact

FEMA has assigned state-specific Preparedness Officers for the HSGP. If you do not know your Preparedness Officer, please contact the Centralized Scheduling and Information Desk (CSID) by phone at (800) 368-6498 or by email at askcsid@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET.

b. Centralized Scheduling and Information Desk (CSID)

CSID is a non-emergency comprehensive management and information resource developed by FEMA for grants stakeholders. CSID provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. When necessary, recipients will be directed to a federal point of contact who can answer specific programmatic questions or concerns.

CSID can be reached by phone at (800) 368-6498 or by e-mail at askcsid@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET.

c. Grant Programs Directorate (GPD) Award Administration Division



GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. Additional guidance and information can be obtained by contacting the AAD's Help Desk via e-mail at ASK-GMD@fema.dhs.gov.

d. Equal Rights

The FEMA Office of Equal Rights (OER), in coordination with the DHS Office for Civil Rights and Civil Liberties, is responsible for compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA and recipients of FEMA financial assistance. All inquiries and communications about federal civil rights compliance for FEMA grants under this NOFO should be sent to FEMA-CivilRightsOffice@fema.dhs.gov.

e. Environmental Planning and Historic Preservation

GPD's EHP Team provides guidance and information about the EHP review process to recipients and subrecipients. All inquiries and communications about projects under this NOFO or the EHP review process, including the submittal of EHP review materials, should be sent to gpdehpinfo@fema.dhs.gov.

2. Systems Information

a. Grants.gov

For technical assistance with [Grants.gov](https://www.grants.gov), call the customer support hotline 24 hours per day, 7 days per week (except federal holidays) at (800) 518-4726 or e-mail at support@grants.gov.

b. Non-Disaster (ND) Grants

For technical assistance with the ND Grants system, please contact the ND Grants Helpdesk at ndgrants@fema.dhsgov or (800) 865-4076, Monday through Friday, 9:00 AM – 6:00 PM ET. User resources are available at <https://www.fema.gov/grants/guidance-tools/non-disaster-grants-management-system>



c. Payment and Reporting System (PARS)

FEMA uses the [Payment and Reporting System \(PARS\)](#) for financial reporting, invoicing, and tracking payments. FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients. To enroll in the DD/EFT, recipients must complete a Standard Form 1199A, Direct Deposit Form. If you have questions about the online system, please call the Customer Service Center at (866) 927-5646 or email ask-GMD@fema.dhs.gov.

H. Additional Information

GPD has developed the [Preparedness Grants Manual](#) to guide applicants and recipients of grant funding on how to manage their grants and other resources. Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual for further information. Examples of information contained in the [Preparedness Grants Manual](#) include:

- Actions to Address Noncompliance
- Audits
- Case Studies and Use of Grant-Funded Resources During Real-World Incident Operations
- Community Lifelines
- Conflicts of Interest in the Administration of Federal Awards and Subawards
- Disability Integration
- National Incident Management System
- Payment Information
- Period of Performance Extensions
- Procurement Integrity
- Record Retention
- Whole Community Preparedness
- Other Post-Award Requirements

1. Termination Provisions

FEMA may terminate a federal award in whole or in part for one of the following reasons. FEMA and the recipient must still comply with closeout requirements at 2



C.F.R. §§ 200.344-200.345 even if an award is terminated in whole or in part. To the extent that subawards are permitted under this NOFO, pass-through entities should refer to 2 C.F.R. §200.340 for additional information on termination regarding subawards.

a. Noncompliance

If a recipient fails to comply with the terms and conditions of a federal award, FEMA may terminate the award in whole or in part. If the noncompliance can be corrected, FEMA may first attempt to direct the recipient to correct the noncompliance. This may take the form of a Compliance Notification. If the noncompliance cannot be corrected or the recipient is non-responsive, FEMA may proceed with a Remedy Notification, which could impose a remedy for noncompliance per 2 C.F.R. § 200.339, including termination. Any action to terminate based on noncompliance will follow the requirements of 2 C.F.R. §§ 200.341-200.342 as well as the requirement of 2 C.F.R. § 200.340(c) to report in FAPIIS the recipient's material failure to comply with the award terms and conditions. See also the section on Actions to Address Noncompliance in this NOFO or in the [Preparedness Grants Manual](#).

b. With the Consent of the Recipient

FEMA may also terminate an award in whole or in part with the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated.

c. Notification by the Recipient

The recipient may terminate the award, in whole or in part, by sending written notification to FEMA setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. In the case of partial termination, FEMA may determine that a partially terminated award will not accomplish the purpose of the federal award, so FEMA may terminate the award in its entirety. If that occurs, FEMA will follow the requirements of 2 C.F.R. §§ 200.341-200.342 in deciding to fully terminate the award.



2. Program Evaluation

Recipients and subrecipients are encouraged to incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 ([Evidence Act](#)), Pub. L. No. 115-435 (2019) urges federal awarding agencies and federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.” Evidence Act § 101 (codified at 5 U.S.C. § 311). Evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation.

3. Period of Performance Extensions

Extensions to the period of performance (POP) for this program are allowed. Extensions to the POP identified in the award will only be considered through formal, written requests to the recipient’s FEMA Preparedness Officer and must contain specific and compelling justifications as to why an extension is required. Recipients are advised to coordinate with the FEMA Preparedness Officer as needed when preparing an extension request. Please see the [Preparedness Grants Manual](#) for more information.

Footnotes

1. Strategic Intelligence Assessment and Data on Domestic Terrorism, Federal Bureau of Investigation and Department of Homeland Security, May 2021.
2. Including assessment of critical infrastructure system vulnerabilities and plans to reduce consequences of disruptions, using the Infrastructure Resilience Planning Framework and Regional Resiliency Assessment Methodology produced by the Cybersecurity and Infrastructure Security Agency.

3. Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.
4. This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.



FEMA



***Cal* OES**

**GOVERNOR'S OFFICE
OF EMERGENCY SERVICES**

**Fiscal Year 2022
Homeland Security Grant Program**

***California Supplement to the
Federal Notice of Funding Opportunity***

September 2022

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A – FY 2022 HSGP Final Allocations
 B – FY 2022 HSGP Timeline
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Federal Program Announcement	<p>In May 2022, the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) issued the Fiscal Year (FY) 2022 Homeland Security Grant Program (HSGP), Notice of Funding Opportunity (NOFO) and the <i>FEMA Preparedness Grants Manual</i>.</p> <p>Subrecipients must follow the programmatic requirements in the NOFO, FEMA Preparedness Grants Manual, and the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in Title 2, Code of Federal Regulations (C.F.R.), Part 200.</p>
Information Bulletins	<p>DHS issues Information Bulletins (IBs) to provide updates, clarification, and new requirements throughout the life of the grant.</p>
Grant Management Memoranda	<p>Cal OES issues Grant Management Memoranda (GMMs) which provide additional information and requirements regarding HSGP funds.</p>
Purpose of the California Supplement	<p>The FY 2022 HSGP California Supplement to the NOFO (State Supplement) is intended to complement, rather than replace, the NOFO and the FEMA Preparedness Grants Manual. Applicants are highly encouraged to thoroughly read the NOFO and the Preparedness Grants Manual before referring to the State Supplement. The State Supplement will emphasize differences between the FY 2021 and FY 2022 HSGP and highlight additional California policies and requirements applicable to FY 2022 HSGP.</p>
Eligible Subrecipients	<p>Eligible Applicants, referred to as Subrecipients, include Counties/Operational Areas (OAs), Urban Areas (UAs), State Agencies (SAs), Departments, Commissions, and Boards who have or can obtain appropriate state Department of Finance budget authority for awarded funds, and federally recognized tribes located in California.</p>
Tribal Allocations	<p>The NOFO strongly encourages Cal OES to provide HSGP funds directly to tribes in California. To implement this requirement, a special Request for Proposal will be issued to California's federally recognized tribes. All Subrecipients are encouraged to coordinate with tribal governments to ensure that tribal needs are considered in their grant applications.</p>

Subrecipient Allocations	FY 2022 HSGP Subrecipient final allocations are provided in Attachment A and reflect reductions to Subrecipients who did not submit minimum thresholds for National Priority Areas, including Subrecipients opting out of the award altogether, and increases to Subrecipients that are helping meet statewide minimum level National Priority Area requirements.
Supplanting	Grant funds must be used to supplement existing funds, not replace (supplant) funds that have been appropriated for the same purpose. Subrecipients may be required to provide supporting documentation that certifies a reduction in non-federal resources that occurred for reasons other than the receipt or expected receipt of federal funds. Supplanting will result in the disallowance of the activity associated with this improper use of federal grant funds.
Public/Private Organizations	Subrecipients may contract with other public or private organizations to perform eligible activities on approved HSGP projects.
Debarred/ Suspended Parties	<p>Subrecipients must not make or permit any award (subaward or contract) at any tier, to any party, that is debarred, suspended, or otherwise excluded from, or ineligible for, participation in federal assistance programs.</p> <p>Subrecipients must obtain documentation of eligibility before making any subaward or contract using HSGP funds and must be prepared to present supporting documentation to monitors/auditors.</p> <p>Before entering into a Grant Subaward, the Subrecipient must notify Cal OES if it knows if any of the principals under the subaward fall under one or more of the four criteria listed at 2 C.F.R. § 180.335. The rule also applies to Subrecipients who pass through funding to other local entities.</p> <p>If at any time after accepting a subaward, Subrecipients learn that any of its principals fall under one or more of the criteria listed at 2 C.F.R. § 180.335, immediate written notice must be provided to Cal OES and all grant activities halted until further instructions are received from Cal OES. The rule also applies to subawards passed through by Subrecipients to local entities.</p>

**Key Changes to
the FY 2022
HSGP**

National Priority Areas: There are six National Priority Areas (NPAs) for FY 2022 compared to five in FY2021: one NPA was removed and two were added. SHSP and UASI applicants must include one Investment Justification (IJ) for each NPA that has a minimum spend requirement, where applicable. For the NPAs with no minimum spend requirement, the Department of Homeland Security strongly encourages recipients to make investments in those areas as they are of critical national concern. For those NPAs that have an associated minimum spend, **all projects related to meeting the minimum spend for those NPAs must be included in the same IJ.**

The six NPAs, along with the relevant minimum spend requirement, are:

- Enhancing information and intelligence sharing and cooperation with federal agencies, including the Department of Homeland Security – 3% minimum;
- Enhancing the protection of soft targets/crowded places – 3% minimum;
- Enhancing cybersecurity – no minimum requirement;
- **NEW:** Enhancing community preparedness and resilience – 3% minimum;
- Combating domestic violent extremism – 3% minimum;
- **NEW:** Enhancing election security – no minimum requirement.

Unique Entity Identifier: Effective April 4, 2022, the Federal Government transitioned from using the Data Universal Numbering System or DUNS number, to a new, non-proprietary identifier known as a Unique Entity Identifier or UEI.

Law Enforcement Terrorism Prevention Activities: Increased from 25% to 30% of the subaward.

Investment Justifications: Investments are updated for FY 2022.

Build America, Buy America Act (BABAA): The BABAA requires all federal agencies, including FEMA, to ensure by May 14, 2022, that no federal financial assistance for “infrastructure” projects is provided “unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.”

For FY22 Awards, the BABAA requirement is waived.

Section 2– Federal Changes and Initiatives | 2022

FY 2022 National Priorities

DHS/FEMA annually publishes the [National Preparedness Report](#) (NPR) to report national progress in building, sustaining, and delivering the core capabilities outlined in the goal of a secure and resilient nation. This analysis provides a national perspective on critical preparedness trends for whole community partners to use to inform program priorities, allocate resources, and communicate with stakeholders about issues of concern.

HSGP Subrecipients are required to prioritize grant funding to demonstrate how investments support closing capability gaps or sustaining capabilities identified in the Threat Hazard Identification and Risk Assessment (THIRA)/Stakeholder Preparedness Review (SPR) process.

DHS/FEMA continually assess changes to the threat landscape to further the National Preparedness Goal (NPG) of a secure and resilient nation. The following are national priority areas for FY 2022, including the corresponding percentage of funds required in each area:

- Enhancing information and intelligence sharing and cooperation with federal agencies, including DHS – 3%;
- Enhancing the protection of soft targets/crowded places - 3%;
- Enhancing cybersecurity – no minimum;
- Enhancing community preparedness and resilience – 3%
- Combating domestic violent extremism through enhanced intelligence collection & analysis, training, and community resilience – 3%; and
- Enhancing election security – no minimum.

The NPA specifically addressing emerging threats has been removed, but activities in this category remain allowable expenses under other investment areas. Further, **applicants must spend a minimum of 30% of their SHSP and UASI awards across the six NPAs but have new flexibility on how that funding is allocated.** Although 12% is required in minimum spending across four NPAs, as noted above, the remaining 18% can be allocated across any of the six NPAs. Election security and Enhancing Cybersecurity do not require a minimum allocation.

National Priority projects will be reviewed for effectiveness by DHS/FEMA and must be deemed effective prior to the obligation or expenditure of funds.

**FY 2022 National
Priorities (cont.)**

Projects requiring additional information for DHS/FEMA to determine effectiveness of the project, or projects deemed ineffective, will have a hold placed on their subaward pending submission of requested information and DHS/FEMA approval. Once a project is approved by DHS/FEMA, modifications to the project have special restrictions regarding modifications as indicated below:

Modifications which do not change the project scope and do not decrease the overall project budget can be processed via regular modification request.

Modifications which change the project scope or decrease the overall project budget will require DHS/FEMA approval and must be requested on the National Priority Project Modification Form.

Effectiveness will be evaluated by DHS/FEMA, Cybersecurity and Infrastructure Security Agency, DHS Office of Intelligence and Analysis, DHS Center for Prevention Programs and Partnerships, and/or other DHS components, as appropriate. FEMA will determine whether the proposed approach is clear, logical, and reasonable to address the priority areas of interest and contribute to a culture of national preparedness, based on the following four factors:

- **Investment Strategy (40%):** Projects will be evaluated based on the quality and extent to which the strategy effectively demonstrates supporting the program objective of preventing, preparing for, protecting against, and responding to acts of terrorism, to meet its target capabilities, and otherwise reduce the overall risk to the high-risk urban area, the state, or the nation.
- **Budget (20%):** Projects will be evaluated based on the extent to which a budget plan for each investment demonstrates how grant expenditures maximize cost effectiveness.

FY 2022 National Priorities (cont.)

- **Impact/Outcomes (40%):** Projects will be evaluated on how this investment helps the jurisdiction close capability gaps identified in its Stakeholder Preparedness Review and addresses national priorities outlined in the FY 2022 NOFO. Further, proposals will be evaluated on their identification and estimated improvement of core capability(ies), the associated standardized target(s) that align with their proposed investment, and the ways in which improvements are measured and/or evaluated.
- **Past Performance (additional consideration):** Projects will be evaluated based on the Subrecipient's demonstrated capability to execute the proposed investments. Under this factor, FEMA will consider the information provided by the Subrecipient and may also consider relevant information from other sources.

A detailed description of allowable investments for each national priority is included in the [FY 2022 HSGP NOFO \(Section A\)](#).

National Campaigns and Programs

Whole Community Preparedness – Subrecipients should engage with the whole community to advance individual and community preparedness and to work as a nation to build and sustain resilience. In doing so, Subrecipients are encouraged to consider the needs of individuals with access and functional needs and limited English proficiency in the activities and projects funded by the grant.

Subrecipients should utilize established best practices for whole community inclusion and engage with stakeholders to advance individual and jurisdictional preparedness and resilience. Subrecipients are encouraged to consider the necessities of all Californians in the activities and projects funded by the grant, including children, seniors, individuals with disabilities or access and functional needs, individuals with diverse culture and language use, individuals with lower economic capacity, and other underserved populations.

National Campaigns and Programs (cont.)

Active Shooter Preparedness – DHS developed a comprehensive [Active Shooter Preparedness website](#), which strives to enhance national preparedness through a whole-community approach by providing the necessary products, tools, and resources to help all stakeholders prepare for and respond to an active shooter incident. Subrecipients are encouraged to review the referenced active shooter resources and evaluate their preparedness needs.

Soft Targets and Crowded Places – States, territories, UAs, and public and private sector partners are encouraged to identify security gaps and build capabilities that address security needs and challenges related to protecting locations or environments that are easily accessible to large numbers of people on a predictable or semi-predictable basis that have limited security or protective measures in place, including town centers, shopping malls, open-air venues, outside hard targets/venue perimeters, and other places of meeting and gathering . For more information, please see DHS's [Hometown Security Program](#).

Community Lifelines – FEMA created Community Lifelines to reframe incident information and impacts using plain language and unity of effort to enable the integration of preparedness efforts, existing plans, and identifies unmet needs to better anticipate response requirements. Additional information may be found at the [Community Lifelines Implementation Toolkit website](#).

Strategic Framework for Countering Terrorism and Targeted Violence – DHS adopted the [DHS Strategic Framework for Countering Terrorism and Targeted Violence](#) which explains how the department will use the tools and expertise that have protected and strengthened the country from foreign terrorist organizations to address the evolving challenges of today.

Countering Violent Extremism (CVE) Training - Foreign terrorist groups and individual terrorist thought leaders recruit or inspire Westerners to carry out attacks against western and U.S. targets, including individuals living in communities with the U.S. via, but not limited to, print, video, and social media, as well as through personal interaction. But we also know that violent extremism is not a phenomenon restricted solely to one community and that any effort to counter violent extremism must be applicable to all ideologically motivated violence. Efforts to provide information and training regarding CVE should emphasize the strength of local communities' approach.

National Cybersecurity Review

The [National Cybersecurity Review \(NCSR\)](#) is a required assessment for all Subrecipients of State Homeland Security Program (SHSP) and Urban Areas Security Initiative (UASI) funding to be completed between October and December 2022.

The NCSR is a no-cost, anonymous, and annual self-assessment designed to measure gaps and capabilities of state, local, tribal, territorial, nonprofit, and private sector agencies' cybersecurity programs.

Additionally, FEMA recognizes that some subawards will not be issued until after the NCSR has closed. In these cases, Subrecipients will be required to complete the first available NCSR offered after the subaward has been issued by Cal OES.

The Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent should complete the NCSR. If there is no CIO or CISO, the most senior cybersecurity professional should complete the assessment. Additional information may be found in [IB 439](#) and [429a](#).

NIMS Implementation

Prior to the allocation of any federal preparedness awards, Subrecipients must ensure and maintain the adoption and implementation of the [National Incident Management System \(NIMS\)](#).

Law Enforcement Terrorism Prevention Activities

A minimum of 30% of the total subaward amount must be dedicated to Law Enforcement Terrorism Prevention Activities (LETPA). Activities outlined in the National Prevention Framework and National Protection Framework are eligible for use of LETPA-focused funds. Additionally, investments that support LETPA can also support an NPA. All other terrorism prevention activities proposed for funding under LETPA must be formally pre-approved by FEMA. Refer to [IB 473](#) for additional information.

Management and Administration

The Management and Administration (M&A) allowance for Subrecipients is set at a maximum of 5% for FY 2022 HSGP.

Indirect Costs

Indirect costs are allowable under the FY 2022 HSGP Grant Award. Subrecipients who claim indirect costs may do so, provided they use one of the following two methods:

Indirect Costs (cont.)

1. Subrecipients with an indirect cost rate approved by their cognizant federal agency may claim indirect costs based on the established rate. Indirect costs claimed must be calculated using the base approved in the indirect cost negotiation agreement. A copy of the approved negotiation agreement is required at the time of application.
2. Subrecipients who have never received a negotiated indirect cost rate and receive *less than* \$35 million in *direct* federal funding per year may claim the 10% de minimis indirect cost rate based on Modified Total Direct Costs (MTDC) as defined in [2 C.F.R. § 200.1](#) and Subpart E.

Indirect costs are *in addition to* the M&A allowance and must be included in the Grant Award application as a “Project” and reflected in the Financial Management Forms Workbook (FMFW) on the Indirect cost category ledger if being claimed under the award.

Indirect costs must be based on the claimed direct project costs, excluding equipment expenditures and other distorting items. Up to \$25,000 of each subaward may be included as a direct project cost when calculating indirect costs based on MTDC.

Indirect costs must be claimed no more than once annually, and only at the end of the Subrecipient’s fiscal year. An exception to this rule applies if there is a mid-year change to the approved indirect cost rate; in this case, costs incurred to date must be claimed. At that time, a Grant Subaward Modification reflecting the rate change must also be submitted to Cal OES, along with a copy of the new indirect cost rate agreement.

Organization Costs - Overtime

Operational overtime costs are allowable *for increased security measures at critical infrastructure sites* if associated with detecting, deterring, disrupting, and preventing acts of terrorism and other catastrophic events.

Pursuant to page A-4 of the [Preparedness Grants Manual](#), all operational overtime requests must clearly explain how the request meets the criteria of one or more of the categories listed in *Table 2: Authorized Operational Overtime Categories*.

Requests must address the threat environment as it relates to the event or activity requiring operational overtime support and explains how the overtime activity is responsive to the threat.

**Organization
Costs – Overtime
(cont.)**

Post-event operational overtime requests will only be considered on a case-by-case basis, where it is demonstrated exigent circumstances prevented submission of a request in advance of the event or activity. Requests for overtime costs must be submitted to Cal OES via the Allowability Request Form at the time of application, if the activity will occur within one year of the final application submission. All subsequent requests must be submitted at least 60 days in advance of the activity. **All operational overtime costs must be formally pre-approved in writing by DHS/FEMA.**

Personnel Cap

Pursuant to [6 U.S.C. § 609\(b\)](#), SHSP and UASI funds may be used for personnel costs, totaling up to 50 percent of each fund source. A Subrecipient may request this requirement be waived by DHS/FEMA, via Cal OES. Requests for personnel cap waivers must be submitted separately for each fund source in writing to the Program Representative on official letterhead, with the following information:

- Documentation explaining why the cap should be waived;
- Conditions under which the request is being submitted; and
- A budget and method of calculation of personnel costs both in percentages of the Grant Award **and** in total dollar amount (waivers must be calculated separately for SHSP and UASI, outlining salary, fringe benefits, and any M&A costs).

Subrecipient requests to exceed the personnel cap must be received by Cal OES at the time of application. Subaward modifications impacting the personnel cap will be reviewed on a case-by-case basis and may require the submittal of the above-mentioned information.

Please see [B 421b](#) for more information on the waiver process.

**Equipment
Typing/
Identification
and Use**

Allowable HSGP equipment is listed on the [FEMA Authorized Equipment List](#) (AEL) website.

Subrecipients that allocate HSGP funds towards equipment are required to type and identify the capability associated with that equipment. The [FEMA Resource Typing Library Tool \(RTL\)](#) can be used to help determine the type and capability.

Equipment Typing/ Identification and Use (cont.)

Per FEMA policy, the purchase of weapons and weapon accessories are not allowed with HSGP funds. Special rules apply to pharmaceutical purchases, medical countermeasures, and critical emergency supplies; refer to page A-10 of the Preparedness Grants Manual for additional information.

Expenditures for general purpose equipment are allowable if they align to and support one or more core capabilities identified in the NPG, and in addition, are deployable/sharable through the Emergency Management Assistance Compact and allowable under 6 U.S.C. § 609. Refer to the NOFO and Preparedness Grants Manual for examples of allowable general-purpose equipment.

Equipment Maintenance/ Sustainment

Use of HSGP funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable as described in FEMA [IBs 336](#) and [379](#), as well as Grant Programs Directorate (GPD) Policy [FP-205-402-125-1](#).

Emergency Communications Projects

All Subrecipient emergency communications projects must comply with the SAFECOM Guidance on Emergency Communications Grants and describe in their FMFW how such activities align with the goals of the Statewide Communications Interoperability Plan.

Telecom Equipment and Services Prohibitions

Effective August 13, 2020, section 889(f)(2)-(3) of the [John S. McCain National Defense Authorization Act for FY 2019 \(NDAA\)](#) and [2 C.F.R. § 200.216](#) prohibit DHS/FEMA Recipients and Subrecipients (including their contractors and subcontractors) from using any FEMA funds under open or new awards for the following telecommunications equipment or services:

- 1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
- 2) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- 3) Telecommunications or video surveillance services provided by such entities or using such equipment; or

**Telecom
Equipment and
Services
Prohibitions
(cont.)**

- 4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

Please see [FEMA Policy #405-143-1](#) for additional information.

**Small
Unmanned
Aircraft Systems**

All requests to purchase Small Unmanned Aircraft Systems (SUAS) with FEMA grant funding must comply with [IB 426](#) and include copies of the policies and procedures in place to safeguard individuals' privacy, civil rights, and civil liberties of the jurisdiction that will purchase, take title to, or otherwise use the SUAS equipment. The Authorized Equipment Listing for [03OE-07-SUAS](#) details questions that must be included in the Aviation Request justification. Please reference [Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems](#) and contact your Program Representative for additional information.

**Emergency
Operations Plans**

Subrecipients must update their Emergency Operations Plan at least once every two years to remain compliant with the [Comprehensive Preparedness Guide 101 version 2.0](#).

**Conflict of
Interest**

To eliminate and reduce the impact of conflicts of interest in the subaward process, Subrecipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Subrecipients and pass-through entities are also required to follow any applicable federal, state, local, and tribal statutes or regulations governing conflicts of interest in the making of subawards.

Subrecipients must disclose to their Program Representative, in writing, any real or potential conflict of interest as defined by the federal, state, local, or tribal statutes or regulations, which may arise during the administration of the HSGP subaward within five days of learning of the conflict of interest.

BABAA

The BABA Act requires all federal agencies, including FEMA, to ensure by May 14, 2022, that no federal financial assistance for “infrastructure” projects is provided “unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.” **For FY 2022 this requirement has been waived.** Additional information for the BABA Act is available [here](#).

Section 3– State Changes and Initiatives | 2022

**FY 2022
Investments**

The State prioritized the following investment strategies for the FY 2022 subawards:

1. Enhance Information and Intelligence Sharing and Cooperation with Federal Agencies, including DHS **(National Priority)**;
2. Enhance the Protection of Soft Targets/Crowded Places **(National Priority)**;
3. Enhance Cybersecurity **(National Priority)**;
4. Enhancing Community Preparedness and Resilience **(National Priority)**;
5. Combating Domestic Violent Extremism **(National Priority)**;
6. Strengthen Emergency Communications Capabilities Through Planning, Governance, Technology, and Equipment;
7. Enhance Medical and Public Health Preparedness;
8. Strengthen Information Sharing and Collaboration (non-Fusion Center);
9. Enhance Multi-Jurisdictional/Inter-Jurisdictional All-Hazards/Whole Community Incident Planning, Response & Recovery Capabilities;
10. Protect Critical Infrastructure and Key Resources (includes Food and Agriculture); and
11. Enhance Election Security **(National Priority)**.

**California
Homeland
Security Strategy
Goals**

The State prioritized the following California Homeland Security Strategy Goals for the FY 2022 subawards:

1. Enhance Information Collection, Analysis, and Sharing, in Support of Public Safety Operations Across California;
2. Protect Critical Infrastructure and Key Resources from All Threats and Hazards;
3. Strengthen Security and Preparedness Across Cyberspace;
4. Strengthen Communications Capabilities through Planning, Governance, Technology, and Equipment;
5. Enhance Community Preparedness;
6. Enhance Multi-Jurisdictional/Inter-Jurisdictional All-Hazards Incident Catastrophic Planning, Response, and Recovery Capabilities;
7. Improve Medical and Health Capabilities;
8. Enhance Incident Recovery Capabilities;
9. Strengthen Food and Agriculture Preparedness; and
10. Enhance Homeland Security Exercise, Evaluation, and Training Programs.

**State Initiative
Funding**

For FY 2022, Cal OES shall retain 20% of the SHSP and 18.5% of the UASI funding for state initiatives.

“On Behalf Of”

Cal OES may, in conjunction with local approval authorities, designate funds “on behalf of” local entities who choose to decline or fail to utilize their subaward in a timely manner.

**Public Alert and
Warning**

Cal OES encourages Subrecipients to consider the use of this funding to assist their jurisdiction’s alignment with the [State of California Alert and Warning Guidelines](#), developed pursuant to Senate Bill 833 of the 2018 Legislative Session.

Section 4– Required State Application Components | 2022

**Financial
Management
Forms Workbook**

The FY 2022 Cal OES FMFW includes:

Grant Subaward Face Sheet – Use the Grant Subaward Face Sheet to apply for grant programs. The Grant Subaward Face Sheet must be signed and submitted in portrait format. An active UEI# (Formerly DUNS#) is required. UEI registration information is available sam.gov.

Authorized Body of 5 – Provide the contact information of Authorized Agents (AA), delegated via the GBR or Signature Authorization Form, including staff related to grant activities. More than one person is recommended for designation as the AA; in the absence of an AA, an alternate AA can sign requests.

Project Ledger – The project ledger is used in the application process to submit funding information and is used for submitting cash requests, grant subaward modifications, and assists with the completion of the Biannual Strategy Implementation Report (BSIR).

Planning Ledger – Provides detailed information on grant-funded planning activities with a final product identified.

Organization Ledger – Provides detailed information on grant-funded organizational activities.

Equipment Ledger – Detailed information must be provided under the equipment description for all grant-funded equipment. AEL numbers must be included for all items of equipment. Always refer to the AEL for a list of allowable equipment and conditions, if any.

Training Ledger – Provides detailed information on grant-funded training activities. All training activities must receive Cal OES approval prior to starting the event, including a Training Feedback number. The [Training Request Form](#) must be submitted and approved to obtain a Training Feedback number and should be submitted at **least** 30 days in advance.

Exercise Ledger – Provides detailed information on grant-funded exercises.

M&A Ledger – Provides information on grant-funded M&A activities.

**Financial
Management
Forms Workbook
(cont.)**

Indirect Costs Ledger – Provides information on indirect costs.

Consultant-Contractor Ledger – Provides detailed information on grant-funded consultants and contractors.

Authorized Agent Page – The AA Page must be submitted with the application, all cash requests, and Grant Subaward Modifications. The AA Page must include a valid signature on file with Cal OES and the date.

**Subrecipient
Grants
Management
Assessment**

Per [2 C.F.R. § 200.332](#), Cal OES is required to evaluate the risk of non-compliance with federal statutes, regulations, and grant terms and conditions posed by each Subrecipient of pass-through funding. The [Subrecipient Grants Management Assessment Form](#) contains questions related to an organization's experience in the management of federal grant awards. It is used to determine and provide an appropriate level of technical assistance, training, and grant oversight to Subrecipients during the subaward. The questionnaire must be completed and returned with the grant application.

**Application
Attachments**

Federal Funding Accountability and Transparency Act (FFATA) Financial Disclosure – Use the [FFATA Financial Disclosure Form](#) to provide the information required by the Federal Funding Accountability and Transparency Act of 2006.

Certification Regarding Lobbying – Use the [Certification Regarding Lobbying Form](#) to certify lobbying activities, as stipulated by the Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352.

Intelligence Analysts Certificates – Pursuant to the Preparedness Grants Manual, Cal OES must have certificates for completion of training for fusion center analytical personnel. Please provide copies of certificates for each intelligence analyst, if applicable.

UASI Footprint (UASIs Only) – The Urban Area Working Group (UAWG) establishes the 'footprint' of the UA. A map or list defining the footprint must be included with the application.

UAWG Member Roster (UASIs Only) – A list of all current UAWG members with positions or titles.

Application Attachments (cont.)

Indirect Cost Rate Agreement – If claiming indirect costs at a federally-approved rate, please provide a copy of the approved indirect cost rate agreement.

Standard Assurances

The Standard Assurances list the requirements to which the Subrecipients will be held accountable. All Applicants will be required to submit a signed, **original** of the [FY 2022 Standard Assurances](#) as part of their FY 2022 HSGP application. The required Standard Assurances can be found only in PDF format on the Cal OES website.

NOTE: Self-created Standard Assurances will not be accepted.

Operational Areas and Urban Areas

Governing Body Resolution – The GBR appoints AAs (identified by the individual's name or by a position title) to act on behalf of the governing body and the Applicant by executing any actions necessary for each application and subaward. All Applicants are required to submit a copy of an approved GBR with their grant application. Resolutions may be valid for up to three grant years given the following:

- The resolution identifies the applicable grant program (e.g., EMPG and/or HSGP);
- The resolution identifies the applicable grant years, (e.g., FY 2021, FY 2022, FY 2023); and
- Adheres to any necessary elements required by local protocols, rules, etc., if applicable.

Resolutions that only identify a single grant program will only be valid for that single program. Resolutions that do not identify applicable grant years will only be valid for the grant year in which the resolution was submitted.

Authorized Agent Information – For each person or position appointed by the governing body, identify the individual in the Authorized Body of 5 ledger of the FMFW.

Operational Areas and Urban Areas (cont.)

All changes in AA and contact information must be provided to Cal OES in writing. If the GBR identifies the AA by name, a new Resolution is needed when changes are made. If the GBR identifies the AA by position and/or title, changes may be made by submitting a request on the entity's letterhead, signed by an existing AA. Cal OES will not accept signatures of an AA's designee, unless authorized by the Governing Body's resolution. A change to an AA's designee must be submitted on agency letterhead and signed by the AA, announcing the change to their designee.

Operational Areas Only

Approval Authority Body – OAs must appoint an Anti-Terrorism Approval Body (Approval Authority) to have final approval of the OA's application for HSGP funds. Each member of the Approval Authority must provide written agreement with the OA's application for HSGP funds. The Approval Authority shall consist of the following representatives, and additional voting members may be added by a simple majority vote of the following standing members:

- County Public Health Officer or designee responsible for Emergency Medical Services
- County Fire Chief or Chief of Fire Authority
- Municipal Fire Chief (selected by the OA Fire Chiefs)
- County Sheriff
- Chief of Police (selected by the OA Police Chiefs)

Urban Areas Only

Urban Area Working Groups (UAWGs) – Membership in the UAWG must provide either direct or indirect representation for all relevant jurisdictions and response disciplines (including law enforcement, fire service, EMS, hospitals, public health, and emergency management) that comprise the defined UA. It also must be inclusive of local Citizen Corps Council and tribal representatives. The UAWG should also ensure the integration of local emergency management, public health, and health care systems into a coordinated sustained local capability to respond effectively to a mass casualty incident. Additional group composition criteria is found in the FEMA [Preparedness Grants Manual](#).

THIRA – Subrecipients are required to submit a THIRA for all 32 core capabilities. Beginning in 2019, UAs are required to submit a THIRA every three years. An annual capability assessment will still be required.

**Urban Areas
Only (cont.)**

SPR – The SPR is an annual grant requirement for all states, territories, and UAs. It is an annual capability assessment, which helps jurisdictions identify capability gaps and prioritize investment requirements to reach the targets set in their THIRA.

**Fusion Centers
Only**

All fusion center investments must align to, and reference, specific performance areas of the assessment that the funding is intended to support.

Fusion Centers are also required to follow all Reporting and Administrative Metrics for California Fusion Centers, as set forth in the Governor's Homeland Security Advisor/Cal OES Director's letter dated March 16, 2016. These operational and administrative metrics set forth an integrated and coordinated approach for regular and proactive information and intelligence sharing between all fusion centers in the California State Threat Assessment System (STAS).

**State Agencies
and Tribes Only**

State Agencies, and federally recognized tribes may submit the Signature Authorization Form in lieu of a GBR, signed by the most senior ranking official, such as the Secretary, Director, President, Chancellor, or Chairperson.

Section 5– State Application Process | 2022

Application Submission

Subrecipients must submit an electronic copy of their completed FMFW to their Program Representative for review. After the application is approved, a completed copy of the FMFW, along with all other application components must be submitted, with official signatures, by the application due date. During the application process, if it is determined not all allocated funds can be expended by the end of the period of performance, please inform a Program Representative as soon as possible. The completed application should be received by Cal OES no later than the date provided in the FY 2022 HSGP Timeline, referenced as Attachment B.

Late or Incomplete Application

Late or incomplete applications may be denied. If an application is incomplete, the Program Representative may request additional information. Requests for late submission of applications must be made in writing to the Program Representative prior to the application due date. Cal OES has sole discretion to accept or reject a late or incomplete grant application.

HSGP Contact Information

All Subrecipient application materials, questions, comments, and correspondence should be directed to:

California Governor's Office of Emergency Services
 ATTN: Grants Management (Building E)
 Homeland Security Grants Unit
 3650 Schriever Avenue
 Mather, CA 95655

Darlene Arambula	(916) 845-8427
Christopher Camacho	(916) 845-8789
Laura Halverstadt	(916) 845-8899
Antoinette Johnson	(916) 845-8260
Jim Lane	(916) 845-8428
Vidal Lopez	(916) 845-8744
Abigayle Tirapelle	(916) 845-8400

The [Program Representative Regional Assignments Map](#) is available at the Cal OES website under "Regional Assignments".

**Subaward
Approval**

Subrecipients will receive a formal notification of award no later than 45 days after Cal OES accepts the federal grant award. The award letter must be signed, dated, and returned to Cal OES within 20 calendar days. Once the completed application, along with the signed award letter, is received and approved, reimbursement of eligible subaward expenditures may be requested using the Cal OES FMFW.

Section 6– Post Award Requirements | 2022

Payment Request Process

To request an advance or cash reimbursement of HSGP funds, Subrecipients must first complete a payment request using the Cal OES FMFW, returning it to the appropriate Program Representative. Subrecipients who fail to follow the workbook instructions may experience delays in processing the payment request.

Payments can only be made if the Subrecipient has an approved application.

Advances and Interest Earned on Advances

An Advance payment is a payment that is requested before Subrecipients have disbursed the funds for program purposes. Subrecipients may be paid an advance, provided they maintain a willingness and ability to maintain procedures to minimize the time elapsing between the receipt of funds and their disbursement. The timing and amount of advance payments must be as close as administratively feasible to the actual disbursements by the Subrecipient for project costs.

Federal rules require advances to be deposited in interest-bearing accounts. Interest earned amounts up to \$500 per year may be retained by Subrecipients for administrative expenses; any additional interest earned on federal advance payments must be returned annually to Cal OES.

Semi-Annual Drawdown Requirements

All Subrecipients must report expenditures and request funds at least semi-annually throughout the period of performance. Semi-annual drawdowns should occur by March and October of each calendar year following final approval of the subaward application, except for the final cash request, which must be submitted within 20 calendar days after the end of the period of performance.

Modifications

Post-award budget and scope modifications must be requested using the [Cal OES HSGP FMFW v1.22](#), signed by the Subrecipient's AA, and submitted to the Program Representative.

The Subrecipient may implement grant modification activities, and incur associated expenses, only after receiving written final approval of the modification from Cal OES.

**Modifications
(cont.)**

Subrecipients must provide a written justification with all modification requests. The justification may be included in the body of the e-mail transmitting the request, or in a document attached to the transmittal e-mail. Please reference [GMM 2018-17](#) for additional information regarding modification requests.

Modifications to National Priority Projects have additional restrictions as indicated below:

Modifications which do not change the project scope and do not decrease the overall project budget can be processed via regular modification request.

Modifications which change the project scope or decrease the overall project budget will require DHS/FEMA approval and must be requested on the [National Priority Project Modification Form](#).

Training

All grant-funded training activities must receive Cal OES approval prior to starting the training event. Cal OES shall allow Subrecipients to develop a “placeholder” for future training conferences when an agenda has not been established at the time Subrecipient applications are due. Please work with a Program Representative and the Training Branch to identify a possible “placeholder” for these types of training activities.

When seeking approval of non-DHS/FEMA developed courses, course materials must be submitted with the approval requests. Conditional approvals are not offered.

Subrecipients must complete a [Training Request Form](#) and submit it electronically to the Cal OES Training Branch to be approved with a Training Feedback Number before beginning any training activities. This includes project components like travel to, materials for, or attendance in training courses. Training Feedback Numbers should be obtained no later than 30 days before the first day of the training or related activities. Requests that are submitted with less than 30 days prior to the start of the training or activity are not guaranteed to be approved in time and run the risk of training being unallowable. Training Feedback numbers must be included on the FMFW Training Ledger to be considered for reimbursement.

For more information on this or other training-related inquiries, contact the [Cal OES Training Branch](#) at (805) 594-2500.

Exercises, Improvement Plans, and After- Action Reporting

Subrecipients should engage stakeholders to identify long-term training and exercise priorities. These priorities should address capability targets and gaps identified through the THIRA and SPR process, real-world events, previous exercises, and national areas for improvement identified in the NPR.

Subrecipients must report on all exercises conducted with HSGP grant funds. An After-Action Report (AAR)/Improvement Plan (IP) or Summary Report (for Seminars and Workshops) must be completed and submitted to Cal OES within 90 days after exercise/seminars/workshops are conducted. It is acceptable to submit an *Exercise Summary Report for Seminars and Workshops* in lieu of a full AAR/IP.

Please e-mail AAR/IPs and Summary Reports to:

- hseep@fema.dhs.gov
- exercise@caloes.ca.gov
- christopher.camacho@caloes.ca.gov

For exercise-related issues and/or questions, please email the Cal OES Exercise Team at exercise@caloes.ca.gov.

Exercise costs will not be considered for reimbursement until an AAR/IP is received by Cal OES.

Procurement Standards and Written Procedures

Subrecipients must conduct procurement utilizing documented local government procurement standards and procedures, or the federal procurement standards found in [2 C.F.R. Part 200](#), whichever is more strict. Procurement standards must also contain a written conflict of interest policy which reflect applicable federal, state, local, and tribal laws.

Procurement Thresholds

Effective June 20, 2018, the micro-purchase threshold was increased from \$3,500 to \$10,000 and the simplified acquisition threshold was increased from \$150,000 to \$250,000. These increases apply to all Subrecipient procurements executed on or after June 20, 2018. Refer to [IB 434](#) for additional information.

**Procurement
Documentation**

Per [2 C.F.R. § 200.318\(j\)](#), non-federal entities other than states and territories are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, contract type, contractor selection or rejection, and the basis for the contract price. For any cost to be allowable, it must be adequately documented per [2 C.F.R. § 200.403\(g\)](#). Documentation that would cover this information include, but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
- Responses to solicitations, such as quotes, bids, or proposals;
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
- Contract documents and amendments, including required contract provisions; and other documents required by federal regulations applicable at the time a grant is awarded to a Subrecipient.

**Noncompetitive
Procurement**

All noncompetitive procurements exceeding the simplified acquisition threshold requires Cal OES **prior** written approval to be eligible for reimbursement. This method of procurement must be approved by the local Purchasing Agent prior to submitting a request for Cal OES approval. A copy of the Purchasing Agent's approval must be included with the Cal OES [Request for Noncompetitive Procurement Authorization](#) form. Cal OES may request additional documentation that supports the procurement effort.

Cal OES will not reimburse for any noncompetitive procurement contracts for any HSGP terrorism-related training, regardless of the cost of the training. Exceptions to this policy may be approved in limited circumstances, e.g., related to a procurement effort that has resulted in inadequate competition. Please refer to GMM2017-01A and [GMM2021-05](#) for additional guidance.

**Performance
Bond**

Due to the risks associated with delays in vendor delivery of large equipment procurements, DHS/FEMA allows Subrecipients to obtain a "performance bond" for items that are paid for up front to ensure delivery of the equipment within the grant performance period.

**Performance
Bond (cont.)**

Cal OES requires Subrecipients obtain a performance bond for any equipment item over \$250,000 or any vehicle, aircraft, or watercraft that has been paid with HSGP funds **prior** to receiving the final product(s).

Performance Bond Waivers may be granted on a case-by-case basis and must be submitted to Cal OES prior to procurement.

**Environmental
Planning and
Historic
Preservation**

DHS/FEMA is required to ensure all activities and programs that are funded by the agency comply with federal Environmental Planning and Historic Preservation (EHP) regulations. Subrecipients proposing projects or activities (including, but not limited to, training, exercises, the installation of equipment, and construction or renovation projects) that have the potential to impact the environment, or a historic structure must participate in the EHP screening process. EHP Screening Memos must include detailed project information, explain the goals and objectives of the proposed project, and include supporting documentation.

DHS/FEMA may also require the Subrecipient to provide a confidential California Historical Resources Information System (CHRIS) report in addition to the EHP Screening Form. Determination on the necessity of a CHRIS report is based upon information disclosed on the form. Program Representatives will provide additional instructions should this report be required.

[EHP Screening Requests](#) should be submitted to Cal OES as early as possible. All projects/activities triggering EHP must receive DHS/FEMA written approval prior to commencement of the funded activity.

Updated information may be referenced in the [FEMA GPD EHP Policy Guidance](#).

**Construction
and Renovation**

When applying for construction activity at the time of application, including communication towers, Subrecipients must submit evidence of approved zoning ordinances, architectural plans, any other locally required planning permits, and a notice of federal interest. Additionally, Subrecipients are required to submit an SF-424C Budget and Budget Detail that cites project costs. Communication tower construction requests also require evidence that the Federal Communications Commission's Section 106 review process was completed.

**Construction
and Renovation
(cont.)**

Subrecipients using funds for construction projects must comply with the Davis-Bacon Act. Subrecipients must ensure that their contractors or subcontractors for construction projects pay workers no less than the prevailing wages for laborers and mechanics employed on projects of a character like the contract work in the civil subdivision of the state in which the work is to be performed.

Project construction using SHSP and UASI funds may not exceed \$1,000,000 or 15% of the grant subaward (For the purposes of limitations on funding levels, communications towers are not considered construction).

Written approval for construction must be provided by DHS/FEMA prior to the use of any HSGP funds for construction or renovation.

**Inventory
Control and
Property
Management**

Subrecipients must use standardized resource management concepts for resource typing and credentialing, in addition to maintaining an inventory by which to facilitate the effective identification, dispatch, deployment, tracking, and recovery of resources.

Subrecipients must have an effective inventory management system, to include:

- Property records that document description, serial/ID number, fund source, title information, acquisition date, cost, federal cost share, location, use, condition, and ultimate disposition;
- A physical inventory conducted at least every two years;
- A control system to prevent loss, damage, and theft of grant purchased equipment and supplies; and
- Adequate maintenance procedures to keep the property in good condition.

**Equipment
Disposition**

When original or replacement equipment acquired under the HSGP is no longer needed for program activities, the Subrecipient must contact the Program Representative to request disposition instructions. See [2 C.F.R. § 200.313\(e\)](#).

Performance Reporting

Subrecipients must complete a Biannual Strategic Implementation Report (BSIR) each Winter and Summer using the DHS/FEMA [Grants Reporting Tool](#) (GRT) for the duration of the subaward period of performance or until all grant activities are completed and the subaward is formally closed by Cal OES. Failure to submit a BSIR could result in subaward reduction, suspension, or termination.

Access to the BSIR may be obtained through the GRT.

To create a new account, please click the link that reads, "Register for an account" and follow the instructions provided. The Subrecipient will be required to ensure up-to-date project information is entered. The Project Ledger in the FMFW may assist with the BSIR data entry process. For additional assistance with the GRT, please contact your Program Representative.

Extension Requests

Extensions to the initial period of performance identified in the subaward will only be considered through formal, written requests to your Program Representative. Upon receipt of the extension request, Cal OES will:

1. Verify compliance with performance reporting requirements by confirming the Subrecipient has submitted all necessary performance reports;
2. Confirm the Subrecipient has provided sufficient justification for the request; and
3. If applicable, confirm the Subrecipient has demonstrated sufficient progress in past situations where an extension was authorized by Cal OES.

Extension requests will be granted only due to compelling legal, policy, or operational challenges, must be project-specific and will only be considered for the following reasons:

1. Contractual commitments with vendors that prevent completion of the project within the period of performance;
2. The project must undergo a complex environmental review which cannot be completed within this timeframe;
3. Projects are long-term by design and therefore, acceleration would compromise core programmatic goals; and
4. Where other special circumstances exist.

Extension Requests (cont.)

To be considered, extension requests must be received no later than 60 days prior to the end of the Subrecipient's period of performance and must contain specific and compelling justifications as to why an extension is required. All extension requests must address the following:

1. Grant program, fiscal year, and award number;
2. Reason for delay;
3. Current status of the activity/activities;
4. Approved period of performance termination date and new project completion date;
5. Amount of funds drawn down to date;
6. Remaining available funds, both federal and non-federal;
7. Budget outlining how remaining federal and non-federal funds will be expended;
8. Plan for completion, including milestones and timeframes for each milestone and the position/person responsible for implementing the plan for completion; and
9. Certification the activity/activities will be completed within the extended period of performance without any modification to the original Project Scope.

General questions regarding extension requirements and the extension request form, should be directed to your Program Representative. For additional information, please see IB 379. Extension requests for personnel and salaries do not meet the requirements of IB 379 and will not be granted. Subrecipients are expected to complete all grant-funded personnel activities by the end of the subaward period of performance.

Progress Reports on Grant Extensions

All Subrecipients that receive Cal OES approval to extend their FY 2022 grant subaward period of performance may be required to submit progress reports indicating completed and future project milestones on all extended projects. Progress reports must be submitted electronically to the Subrecipient's Program Representative. Deadlines for the submission of progress reports will be established at the time of extension approval.

Monitoring

Cal OES Grants Monitoring actively monitors Subrecipients, through day-to-day communications, programmatic site visits, desk, and on-site compliance assessments. The purpose of the compliance assessment is to ensure Subrecipients are in compliance with applicable state and federal regulations, grant guidelines, and programmatic requirements.

Monitoring (cont.)

Monitoring activities may include, but are not limited to:

- Verifying entries recorded on the FMFW categories are properly supported with source documentation;
- Eligibility of and support for expenditures, typically covering two to three years of data;
- Comparing actual Subrecipient activities to those approved in the grant application and subsequent modifications, including the review of timesheets and invoices as applicable;
- Procurements and contracts;
- Ensuring equipment lists are properly maintained and physical inventories are conducted;
- Ensuring advances have been disbursed in accordance with applicable guidelines; and
- Confirming compliance with:
 - Standard Assurances, and
 - Information provided on performance reports and payment requests

NOTE: It is the responsibility of all Subrecipients that pass down grant funds to other entities, to maintain and utilize a formal process to monitor the grant activities of their subawards. This requirement includes, but is not limited to, on-site verification of grant activities, as required. It is common for Subrecipients to receive findings in a programmatic site visit or compliance assessment, which require a Corrective Action Plan (CAP) to be submitted by Subrecipients. Those Subrecipients who fail to submit a CAP, as required, shall have a “hold” placed on any future reimbursements until the “finding” is resolved.

Failure to Submit Required Reports

Periodic reporting is required by the grant. Subrecipients who miss a single reporting deadline may receive a letter addressed to their Board of Supervisors informing them of the failure to report. County OAs and tribes who fail to report twice consecutively may have subsequent awards reduced by 10% until timely reporting is reestablished; UASIs may have a “hold” placed on any future reimbursements.

Suspension/ Termination

Cal OES may suspend or terminate grant funding, in whole or in part, or other measures may be imposed for any of the following reasons:

**Suspension/
Termination
(cont.)**

- Failure to submit required reports.
- Failure to expend funds in a timely manner consistent with the grant milestones, guidance, and assurances.
- Failure to comply with the requirements or statutory progress toward the goals or objectives of federal or state law.
- Failure to make satisfactory progress toward the goals or objectives set forth in the Subrecipient application.
- Failure to follow Grant Subaward requirements or Special Conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- False certification in the application or document.
- Failure to adequately manage, monitor, or direct the grant funding activities of their Subrecipients.

Before taking action, Cal OES will provide the Subrecipient reasonable notice of intent to impose corrective measures and will make every effort to informally resolve the problem.

Closeout

Cal OES will close-out Subrecipient awards when it determines all applicable administrative actions and all required work of the federal award have been completed.

Subawards will be closed after:

- All funds have been requested and reimbursed, or disencumbered;
- Receiving all applicable Subrecipient reports indicating all approved work has been completed, and all funds have been distributed;
- Completing a review to confirm the accuracy of reported information;
- Reconciling actual costs to subawards, modifications, and payments; and
- Verifying the Subrecipient has submitted a final BSIR showing all grant funds have been expended.

**Records
Retention**

The records retention period is three years from the date of the Cal OES Grant Closeout letter, or until any pending litigation, claim, or audit started before the expiration of the three-year retention period has been resolved and final action is taken.

**Records
Retention (cont.)**

For indirect cost rate proposals, cost allocation plans, or other rate computation records, the start of the record retention period is dependent on whether the proposal, plan, or other computation is required to be submitted to the federal government (or to the pass-through entity) for negotiation purposes. See [2 C.F.R. § 200.334\(f\)](#).

In order for any cost to be allowable, it must be adequately documented per [2 C.F.R. § 200.403\(g\)](#).

The Cal OES Grant Closeout Letter will notify the Subrecipient of the start of the records retention period for all programmatic and financial grant-related records.

If the State Administrative Agency's award remains open after the Subrecipient's submission of the final BSIR, Cal OES will complete any additional BSIR reporting required under the award on behalf of the Subrecipient.

Closed grants may still be monitored and audited. Failure to maintain all grant records for the required retention period could result in a reduction of grant funds, and an invoice to return costs associated with the unsupported activities.

If documents are retained longer than the required retention period, FEMA, the DHS Office of Inspector General, Government Accountability Office, and pass-through entity have the right to access these records as well. See [2 C.F.R. §§ 200.334, 200.336](#).

Attachment A – FY 2022 HSGP Final Allocations | 2022

*SHSP allocations reflect National Priority Area project adjustments

State Homeland Security Program (SHSP)				
Operational Area	Total Award		Operational Area	Total Award
ALAMEDA	1,650,796		ORANGE	3,091,412
ALPINE	76,144		PLACER	465,163
AMADOR	113,439		PLUMAS	93,069
BUTTE	267,310		RIVERSIDE	2,398,206
CALAVERAS	117,971		SACRAMENTO	1,578,910
COLUSA	90,054		SAN BENITO	137,459
CONTRA COSTA	1,178,218		SAN BERNARDINO	2,161,778
DEL NORTE	100,963		SAN DIEGO	3,210,706
EL DORADO	256,681		SAN FRANCISCO	878,889
FRESNO	1,039,637		SAN JOAQUIN	823,129
GLENN	203,261		SAN LUIS OBISPO	342,776
HUMBOLDT	203,934		SAN MATEO	785,320
IMPERIAL	246,059		SANTA BARBARA	499,634
INYO	93,103		SANTA CLARA	1,882,403
KERN	942,855		SANTA CRUZ	329,270
KINGS	220,013		SHASTA	247,206
LAKE	126,761		SIERRA	78,080
LASSEN	94,530		SISKIYOU	116,808
LOS ANGELES	9,481,458		SOLANO	501,616
MADERA	225,137		SONOMA	671,457
MARIN	320,277		STANISLAUS	599,127
MARIPOSA	91,259		SUTTER	169,573
MENDOCINO	160,849		TEHAMA	137,052
MERCED	346,225		TRINITY	90,284
MODOC	83,289		TULARE	528,108
MONO	87,762		TUOLUMNE	127,742
MONTEREY	488,715		VENTURA	870,206
NAPA	0		YOLO	285,965
NEVADA	171,573		YUBA	148,878
*Total				41,728,499

Fusion Centers	
Region	Total Award
SAN FRANCISCO BAY AREA	1,792,050
SACRAMENTO/CENTRAL VALLEY AREA	2,565,000
GREATER LOS ANGELES AREA	2,887,500
SAN DIEGO AREA	2,047,500
ORANGE AREA	835,000
*Total	10,127,050

Urban Areas Security Initiative (UASI)			
*A minimum of 30% of UASI funding must be for Law Enforcement Terrorism Prevention			
Urban Area	Federal Allocation to State	Allocation to UASI	State Initiatives
ANAHEIM/SANTA ANA AREA	5,250,000	4,278,750	971,250
BAY AREA	37,049,000	30,194,935	6,854,065
LOS ANGELES/LONG BEACH AREA	67,182,000	54,753,330	12,428,670
RIVERSIDE AREA	3,900,000	3,178,500	721,500
SACRAMENTO AREA	3,800,000	3,097,000	703,000
SAN DIEGO AREA	16,696,000	13,607,240	3,088,760
Total	133,877,000	109,109,755	24,767,245

Attachment B: FY 2022 HSGP Timeline | 2022

DHS/FEMA Announcement of 2022 HSGP	May 13, 2022
Cal OES Application Due to DHS	June 13, 2022
DHS Award to California	September 2022
Subrecipient period of performance begins	September 1, 2022
2022 HSGP California Supplement release	September 2022
Subrecipient Workshops	September 2022
Subrecipient Awards (45 days from DHS award)	October 2022
Subrecipient Final Applications Due to Cal OES	December 31, 2022
Subrecipient period of performance ends	May 31, 2025
Final Cash Requests due to Cal OES	Within twenty (20) calendar days after end of grant
Cal OES's period of performance ends	August 31, 2025

Attachment C: FY 2022 HSGP Application Checklist | 2022

Subrecipient: _____ FIPS#: _____

Program Representative: _____

Financial Management Forms Workbook:

- Grant Award Face Sheet
- Authorized Body of 5
- Project Ledger
- Planning Ledger
- Organization Ledger
- Equipment Ledger
- Training Ledger
- Exercise Ledger
- Consultant/Contractor Ledger
- Management & Administration Ledger
- Indirect Cost Ledger
- Authorized Agent Sheet

Attachments:

- Original Counter-Signed Award Letter
- Governing Body Resolution (Certified)
- Standard Assurances (Signed Originals)
- FFATA Certification
- Lobbying Certification
- Subrecipient Grant Management Assessment Form
- Indirect Cost Rate Negotiation Agreement
- Personnel Cap Waiver (If Applicable)
- Intelligence Analyst(s) Certificates (If Applicable)

UASI Only:

- UASI Footprint
- UAWG Roster

State Agencies and Tribes Only:

- Signature Authority Form (in lieu of Governing Body Resolution)

For Cal OES Use Only

Reviewed by: _____ Date: _____

Management Approval: _____ Date: _____



LOS ANGELES COUNTY/DEPARTMENT OF AUDITOR-CONTROLLER

**SHARED SERVICES DIVISION
GRANT PAYMENT REQUEST**

SECTION A: SUBMITTING YOUR REQUEST

<p>Please submit Grant Payment Request Form along with legible supporting documents to: Grants@auditor.lacounty.gov</p> <p>In the event e-mail is not available, you can mail your Grant payment request to (please do not fax or send duplicates): Department of Auditor-Controller Shared Services Division / Attn: Grants Unit 3470 Wilshire Blvd., Suite 812 Los Angeles, CA 90010</p>	<p>1. Grant Name & Year:</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 5px;"></div> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
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SECTION B: SUB-RECIPIENT'S INFORMATION

1. Sub-recipient's Name: (reimbursement check will be made payable to a payee entered here)	3. Taxpayer ID #:	4. Contact's Name:
2. Mailing Address (please let us know where you want your check delivered, including attention line if necessary):		4. Contact's phone:
		4. Contact's e-mail:

SECTION C: DETAIL PAYMENT REQUEST INFORMATION

1. SOLUTION AREA <small>(e.g. equipment, training, planning, exercise, organization)</small>	2. PROJECT # <small>(e.g. 011.22)</small>	4. EHP required? <small>(Environmental & Historic Preservation)</small>		5. VENDOR'S INVOICE # <small>(Maximum of 5 invoices)</small>	6. PURCHASE METHOD <small>(including Training)</small>			7. CLAIM AMOUNT <small>(indicate the amount per each line)</small>
		No	Yes <small>(attach State Approval)</small>		If Competitive, <small>indicate the # of bids.</small>	Non-Competitive Bid	Sole Source	
8. TOTAL								\$ -

SECTION D: SUB-RECIPIENT'S CERTIFICATION **SECTION E: FOR SSD USE ONLY**

<p>I certify that (please use the checkbox):</p> <p><input type="checkbox"/> 1. I am the duly authorized officer of the claimant herein and this claim is in all respect true and correct. All expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances.</p> <p><input type="checkbox"/> 2. All instructions for this form were followed and all the supporting documentation (per instructions) is included with this claim.</p> <p>3. _____ DATE</p> <p style="text-align: center; font-size: small;">AUTHORIZED SIGNATURE</p> <p>4. _____ AUTHORIZED TITLE</p> <p style="text-align: center; font-size: small;">AUTHORIZED PRINTED NAME</p> <p>5. AUTHORIZED CONTACT INFORMATION (If different from Section B):</p> <p>PHONE # _____</p> <p>E-MAIL: _____</p>	<p style="text-align: center; font-size: small;">STAMP WITH RECEIVED DATE HERE:</p> <p style="text-align: center; font-size: small;">ASSIGNED INVOICE NO.:</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>
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NOTE: This Form is intended for Internal SSD review purpose only.
 Revised on December 2019

**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER / SHARED SERVICES DIVISION
INSTRUCTIONS TO COMPLETE THE GRANT PAYMENT REQUEST**

Purpose of these instructions:

To assist sub-recipients in completing the Grant Payment Request. We appreciate your participation in this program, for questions or suggestions please use our e-mail below to contact us. **Please do not send these instructions to us, they are to be used for your guidance only.**

SECTION A: GENERAL INSTRUCTIONS FOR SUBMISSION OF GRANT PAYMENT REQUEST

In numeral **1** of this section, please enter the name and year of the grant program that you are submitting for payment. In addition, please help us expedite the process of your Homeland Security claims by:

- Completing the Grant payment request correctly and according to these instructions.
- Submitting your Grant payment request using our e-mail --> **Grants@auditor.lacounty.gov** (please do **not** fax documents).
- Sending your Grant payment request only once (we do not require original documents and duplicates will slow down our process).
- Using the checkboxes to ensure all the required supporting documents and files accompany your Grant payment request. Supporting documents are flagged for your convenience with a checkbox within the corresponding areas.
- Ensuring that all documents attached to your Grant payment requests are legible.
- Submitting Grant payment request timely. We do **not** guarantee the process of Grant payment requests that are submitted late or too close to the final due date. Reimbursable expenditures need to be charged within the performance period of the grant and submitted to us as soon as they are incurred.

SECTION B: SUB-RECIPIENT'S INFORMATION

The following numerals provide the instructions to fill in the corresponding numeral in the form:

1. Please enter the name of the agency requesting for payment. The name of the agency should be typed according to its signed agreement and as you need it to appear in the payee line of the reimbursement check.
2. Please enter the complete address (street number and name, city, zip code) and attention line where you will need to receive the reimbursement check. Please note that this is not necessary for L.A. County departments.
3. Please enter the tax ID of the governmental entity requesting payment. Please leave blank for L.A. County departments.
4. Please enter the information of the person that can assist us with detail claim questions.

SECTION C: DETAIL PAYMENT REQUEST INFORMATION:

In order to expedite your Grant payment request, in this area's grid, include a **maximum of five (5) invoices or reimbursements charges (one charge or one invoice per line)**. The invoices or charges need to share the same solution area, project #.

The following numerals provide the instructions to fill in the corresponding numeral in the form:

1. Enter the solution area corresponding to the claim. This information is found in the latest budget of the grant. Examples of solution areas are: equipment, training, planning or exercise.
2. Enter the project # corresponding to the claim. This information is found in the latest budget of the grant. An example of Item # is 17.020.
4. Check with an X under either yes or no according to the claim's Environmental & Historical Preservation (EHP) requirements from the State. EHP approval needs to be obtained from the State **prior** to the start of the project on certain equipment items (see AEL description) or training/exercise projects. Please attach the following:
 - a) **State EHP Approval:** if required by the state for your claim.

SECTION C: (Continued)

5. If the expenditures that you are claiming were purchased thru a vendor or contractor, please enter the invoice # in the grid area. Please note that you are responsible for following acceptable purchasing policies and for documenting your procurement process. Additionally please include the following documentation with your claim:
- a) **Copy of the invoice:** Please attach an invoice that provides sufficient information to be used as a cross reference with the items described in your grant line item and AEL #. When the invoice includes items that are not being claimed or that belong to different claims or grants, please circle and designate on the invoice the items that you are requesting for reimbursement. Each item circled must have a project #, a funding source, and a total. Purchase orders and price quotes will not be accepted in the place of the invoice.
 - b) **Copy of the purchase order**
 - c) **Print out of the corresponding AEL # (Authorized Equipment List number).** The AEL listing can be found at: https://www.rkb.us/fema_grants.cfm
 - d) **Proof of payment of the invoice:** The proof of payment for L.A. County Departments is the printout from e-CAPS showing that the check cleared the bank. The proof of payment for **other** than L.A. County Department is the corresponding copy of the bank's cleared check .
 - e) **Calculations for use tax paid:** When use tax is paid, clearly show the calculations of the use tax in the invoice included in your claim.
 - f) **Proof of payment of the use tax:** Please provide official documents which authenticate the remittance of the use tax to the state, the amount and the reference to the invoice being claimed.
 - g) **Federal Debarment Listing:** Please provide a screen print out of the queried Federal Debarment Listing at <http://www.sam.gov/portal/public/SAM>. (you will need a username and a password; if you don't please create an account) . The listing needs to be queried **prior** to the selection of the vendor.
6. If you are claiming services, supplies, training related costs, or any other type of items purchased thru a vendor or contractor or government agency, please indicate with an X the method that you used to acquire the items (do **not** leave blank or mark more than one). Please note that competitive bid, non-competitive bid or sole source are the only valid purchasing methods.
- a) **Competitive Bid:** for projects that received more than one bid. Please indicate number of bids received (must be more than one).
 - b) **Non-Competitive Bid:** for single bid purchases of \$250,000 or more (effective June 21, 2018) to a single vendor or a single project, please attach the approval from the State. The approval needs to be requested from the State **prior** to the start of the project.
 - c) **Sole Source:** for non-bid purchases of \$250,000 or more effective (June 21, 2018) to a single vendor or a single project, please attach the approval from the State. The approval needs to be requested from the State **prior** to the start of the project.
7. Enter the amount of your claim after you verify that your budget is sufficient to cover your request. When the amount of the budget is not sufficient, please let your Program Coordinator know of the possible need for budget modification.
8. Enter the "Total Amount" by adding the subtotal claims included in each line.

SECTION D: SUB-RECIPIENT'S CERTIFICATION

The following numerals provide the instructions to fill in the corresponding numeral in the form:

1. Please read and check the box provided if you are an authorized signor.
2. Please read and check the box provided if you are an authorized signor.
3. Please sign the Grant payment request if you are an authorized signor of your agency.
- 4 & 5. When the authorized person is the same as the contact person in Section B you do not need to enter the authorized contact information. If the authorized person and the contact person in Section B are different, please enter all the fields in this area as requested.

ADDITIONAL ITEMS THAT YOU NEED TO ATTACH TO YOUR GRANT PAYMENT REQUEST:

For Equipment Claims:

- a) **Equipment Inventory Listing (Print out & Excel File):** Please include both the printout of the listing and the corresponding excel file with your claim. The excel file is used to submit your claim with the state and the printout as backup document for audits. If there is no serial # for your equipment please assign a valid ID tag, or write "Consumable" (if it applies) or write N/A. please do NOT leave the corresponding space blank. ^{*1}Please refer to the **Instructions to Equip Inty Tab for completion procedures of Equipment Inventory.**

Additionally, please enter the appropriate CBRNE Mission (Chemical, Biological, Radiological, Nuclear, or Explosive) in the column titled "Equipment Description & Quantity". This only applies to vehicles with AEL # 12VE-00-MISS (Vehicle Specialized Mission: CBRNE).

You need to inform us of any changes on the items above ^{*1}. This applies to each piece of equipment added in the Inventory Listing, including when the items are disposed and/or no longer useful. We will update the master inventory listing (per grant requirement) according to the information you give us. Please make sure that you include all the attachments that are necessary to provide us with the requested information.

For Training Claims:

- a) **State Sole Source Approval:** If you are claiming training related costs thru a Non-Competitive Bid or Sole Source training provider, regardless the purchased amount, please attach the State's approval (effective December 03, 2018). The approval needs to be requested from the State prior to the start of the project.
- b) **State-Sponsored Training Reporting Form (with the tracking request #):** Please add this form along with the Training Request Form Training Officer (POC), which you completed at the website, to the claim's backup documentation. All the backup documentation submitted for the training claim needs to agree with the training period and the detail description on the Training Reporting Form and the line item of the Grant. Training request #'s must be obtained from the State prior to the start of the project.
- c) **Receipts and paid invoices:** please include the complete copy of the receipts and paid invoices with your claim for itemized costs such as air plane tickets, hotel stays, instructor's fees, workshop cost, facilities fees, consulting services, etc. Additionally, you will need to include the documents requested in numeral 5 under Section C.

If you are including **personnel cost** with your training claim, please add the following:

- d) **Personnel List (Print out & Excel File):** Please include both the printout of the listing and the corresponding excel file with your claim. The excel file is used to submit your claim with the state and the printout as backup document for audits.
- e) **Documents that certify completion of the training:** please attach supporting documents that show the class name, dates of training, # of hours of the training class, printed name and signature of individual taking the class and approval signature from supervisor or trainer (attach the information for backfilled positions also). Examples of documents that certify completion of training are:
- Attendance sheets (signed by employee and instructor)
 - Sign in sheets (same as above)
 - Signed training certificates
- f) **Summary Listing of Charges:** Please use the **Training Summary Sheet** form provided in this claim packet that **clearly** shows the breakdown of the training charges per employee and that match the total claimed. This form includes the following: employee name, assignment, job title, date, salary, hours claimed, regular rate, overtime rate, employee benefits rate, claim amount per employee, clear calculations of amount claimed per employee and total (equal to the amount claimed).

Please ensure that the Training Summary Sheet is verified/approved by an authorized signatory, with printed name and title, and dated.

- g) **Backup for the Benefits Rate:** If you are adding benefits to your claim, please make sure that you include the official calculation for the rate used.
- h) **Timecards:** Include a printout of the corresponding timecards. Manual timecards need to indicate the # of hours charged per day to the grant, supervisor's signature, employee name and signature. Automatic system generated timecards need to be approved and include the name of the employee and hours charged per day to the grant.
- i) **Explanation of timekeeping codes:** When the supporting documentation (timesheet, payroll register, etc.) includes timekeeping codes please provide a printout with the explanation of the usage as detailed as possible.

- j) **Payroll register:** The payroll register needs to clearly support and explain the amount claimed per employee. It also needs to show the salary, hourly rate, employee benefits and overtime rate.
- k) **Roster of backfilled positions:** When you are claiming overtime for a backfilled position, please attach the backfilled roster to your claim. The roster needs to include the name of the backfilling employees, a short description of duties performed, the corresponding employee whose duties were covered and the dates accordingly. Please make sure that the roster is signed and that you include documentation corresponding to the employee covered by the backfilling position.

For Planning Claims:

- a) **Deliverable (or final product):** Please include with your claim the final product of the planning activity (deliverable) that was identified in the grant award.
- b) **Signed Certificate of Completion:** The certificate of completion can be an e-mail confirming that the planning activity was completed.
- c) **Invoices:** If your planning claim includes charges invoiced by vendors, please see requirements and documents you need to attach to your claim form under Section C (numeral 5 and numeral 6).
- d) **Supporting Documentation for Personnel Cost:** When your planning claim includes personnel cost, please see d) to i) under Training Claim (supporting documents needed) and add to the documentation.

For Exercise Claims:

- a) **Proof of State Approval of After Action Report (AAR):** In order for your AAR to be approved you have to submit it to the State using the ODP Portal (see link below), within 90 days after completion of the exercise. You need to notify the State when the AAR is uploaded so they can proceed with the approval process.

https://hseep.dhs.gov/DHS_SSO/

- b) **Invoices:** If your exercise claim includes charges invoiced by vendors please see requirements and documents you need to attach to your claim form under Section C (numeral 5 and numeral 6).
- c) **Supporting Documentation for Personnel Cost:** When your exercise claim includes personnel cost, please see d) to i) under Training Claim (supporting documents needed) and add to the documentation.

For Organization Claims: Please see above b) and c) under Exercise Claims

Equipment Inventory Listing Procedures for Completion

OBJECTIVE: To provide an equipment inventory listing that links the State Homeland Security Workbook, to the Equipment Ledger and to the Equipment Listing to simplify the tracking and accountability; and to eliminate duplication and confusion.

<u>Field</u>	<u>Date Element</u>	<u>Procedure</u>
(1)	Grant Name	SHSP or EMPG
(2)	Sub-Recipient	Name of your agency
(3)	Date of Report	Date report completed {1}
(4)	Grant Year	Grant Year of funds used to purchase equipment
(5)	Project #	Project Number (from Grant Workbook Project Sheets)
(7)	AEL No.	Authorized Equip Listing No (from Grant Workbook)
(8)	Description	Description of the equipment
(9)	Serial # or Other ID #	Serial # or Other identification # used
(10)	Safecom consult	Fill out either by Yes, No, or N/A
(11)	Source of Property	Funding source, i.e, SHSP, EMPG, etc.
(12)	Title Holder	Name of agency (City/Department)
(13)	Vendor Name	Name of the vendor
(14)	Invoice Number	Invoice number
(15)	Acquisition Date	Date equipment acquired
(16)	Acquisition Cost	Cost of the individual equipment item
(17)	% of Fed Part	Fed participation in the cost of equipment
(18)	Location	Location of equipment
(19)	Use & Condition	Use & condition {2}
(20)	Disposition data	Date of disposition
(21)	Sale Price	Sale price, If applicable, or N/A for not applicable

The Equipment Inventory Listing must be completed in its entirety to meet the objective of the form.

Note {1}: This date should be the date the physical inventory of equipment was taken and the results reconciled with the equipment records (at least once every two years).

{2} Indicate: N = New, D = Deployed, O = Out of Service, L = Lost & S = Stolen

Distribution

Copy maintained in sub-recipient file

Copy forwarded to Shared Services Division

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (Cal OES)

PLANNING ROSTER											
Project	Planning Activity	Solution Area Sub-Category	Discipline	Funding Source	Total Cost	Total Claimed	Cash Request Number	Final Product			
					-	-					
GRAND TOTAL							\$				

Approved by:

Authorized Signature

Print Name and Title

Date

8. Notes on Personnel Cost:

In general, costs associated with:

- Work performed under contract for a specific deliverable DOES NOT count against the personnel cap, however,
- Work performed under contract for an undefined period, such as for personnel costs supporting operational activities, including general planning, training or exercise activities DO count against the personnel cap; and
- Work performed by all non-contractor personnel, including for full- or part-time staff and operational overtime DO count against the personnel cap.

The following examples would not count towards the personnel cap:

- Vendor installation of a radio tower;
- Vendor training on new equipment purchased;
- Contractor hired to create an Emergency Operations Plan;
- Contractor hired to provide deliveries of ICS 400; and
- Contractor hired to assist with planning, training, evaluating, and reporting the effectiveness of a specific exercise.

The following examples would count towards the personnel cap:

- Contractor hired to be the State's WMD training instructor with no specific deliverables under contract;
- Contractor hired to facilitate unidentified number of exercises throughout the performance period;
- Contractor hired to be the part-time auditor of Homeland Security Grants throughout the year; and
- Contractor hired to be an intelligence analyst.

Subrecipient Monitoring Instrument

Subrecipient Monitoring Instrument

PROJECT TITLE

Los Angeles County State Homeland Security Program
Monitoring Reports

A. FINANCIAL REPORTING REQUIREMENTS

Objective

To determine that the Subrecipient implemented corrective action to address findings noted in its Single Audit that is related to the Homeland Security Grant.

	<u>Yes</u>	<u>No</u>	<u>Comment</u>
<p style="text-align: center;"><u>Verification</u></p> <p>1. Was a Single Audit completed for Grant Year 2014-15 and 2015-16?</p> <p>2. If yes, did the Subrecipient forward a copy to the Homeland Security Grant Administrator (HSGA) by March 30th of the year following the audit?</p> <p>3. Did the Single Audit(s) identify findings related to the Homeland Security Grant? If yes, please continue. If no, please mark N/A and continue to Section B.</p> <p>4. Did the Subrecipient develop a corrective action plan that addresses the finding(s)?</p> <p>5. Did the Subrecipient send a copy of a corrective action plan to the HSGA?</p> <p>6. Did the Subrecipient implement the corrective action plan?</p>			

B. TRAINING

Objective

To determine that the Training expenditures were appropriately documented and that the activities aligned with the project’s goals and objectives. If the Training activities involved employees, determine if the Subrecipient appropriately documented the Training expenditures using employee timecards, sign-in sheets, and certificates of training. If the Training activities involved using consultants or contractors, determine if the Subrecipient followed the appropriate procurement procedures to hire the consultants or contractors. Use Worksheets 1 and 3 (See Attachment E – Subrecipient Monitoring Worksheets).

	<u>Yes</u>	<u>No</u>	<u>Comments</u>
1. Did the Subrecipient receive funding for Training expenditures? If yes, then continue. If no, continue to next section.			
2. Did the Subrecipient receive prior approval from the State either via email or other documentation and did it include the training course name and number?			
3. If the Training expenditures relate to the use of employees, did the Subrecipient appropriately document the Training expenditures using employee timecards, sign-in sheets and certificates of training?			
4. If Training expenditures relate to the use of consultants/contractors, did the Subrecipient follow proper procurement procedures to hire the consultants or contractors?			
5. Did the Subrecipient accurately report the Training expenditures in their accounting records?			
6. For Projects with overtime expenditures for Training:			
a. Did the Subrecipient maintain employee timecards to appropriately document the overtime expenditures?			
b. Did the Subrecipient accurately report the overtime expenditures in their accounting records?			

B. TRAINING (Continued)

<u>Verification</u>	<u>Yes</u>	<u>No</u>	<u>Comments</u>
7. For Projects with backfill expenditures for Training:			
a. Does the Subrecipient have documentation that the backfill expenditures were approved by the State?			
b. Did the Subrecipient appropriately document the backfill expenditures using employee timecards and sign-in sheets?			
c. Did the Subrecipient accurately report the expenditures in their accounting records?			
8. Were employee timecards utilized in Training activities signed and dated by the employee and direct supervisor?			
9. Were the Training expenditures consistent with the State approved grant award and/or post award modification(s)?			
10. Ensure the Subrecipient corrected areas of noncompliance that remain outstanding and were reported as findings in prior Grant Year monitoring reports submitted by HSGA:			
a. If the Project prior Grant Year monitoring report finding was resolved, explain resolution, and indicate such in the current report as resolved.			
b. If the Project prior Grant Year report finding is not resolved, indicate why it has not been resolved and what the Subrecipient is doing to resolve the prior year finding and indicate such in the current report.			

C. PLANNING

Objective

To determine that the Planning expenditures were appropriately documented and that the activities aligned with the project’s goals and objectives. If the Planning activities involved employees, determine if the Subrecipient appropriately documented the Planning expenditures using employee timecards and sign-in sheets. If the Planning activities involved using consultants or contractors, determine if the Subrecipient followed the appropriate procurement policies. Use Worksheets 1 and 3 (See Attachment E – Subrecipient Monitoring Worksheets).

<u>Verification</u>	<u>Yes</u>	<u>No</u>	<u>Comments</u>
1. Did the Subrecipient receive funding for Planning expenditures? If yes, continue. If no, continue to next section.			
2. Did the Subrecipient appropriately document the Planning expenditures providing copies of the support documentation that indicated the efforts made to produce the final product and a copy of the product produced?			
3. If Planning expenditures relate to the use of employees, did the Subrecipient use employee timecards and sign-in sheets?			
4. If Planning expenditures relate to the use of consultants/contractors, did the Subrecipient follow proper procurement procedures to hire the consultants or contractors?			
5. Did the Subrecipient accurately report the Planning expenditures in their accounting records?			
6. For Projects with overtime expenditures for Planning:			
a. Did the Subrecipient maintain employee timecards to appropriately document the overtime expenditures?			

C. PLANNING (Continued)

	<u>Verification</u>	<u>Yes</u>	<u>No</u>	<u>Comments</u>
b. Did the Subrecipient accurately report the overtime expenditures in their accounting records?				
7. For Projects with backfill expenditures for Planning:				
a. Does the Subrecipient have documentation that the backfill expenditures were approved by the State?				
b. Did the Subrecipient appropriately document the backfill expenditures using employee timecards and sign-in sheets?				
c. Did the Subrecipient accurately report the backfill expenditures in their accounting records?				
8. Were the employee timecards utilized in Planning activities signed and dated by the employee and direct supervisor?				
9. Were the Planning expenditures consistent with the State approved grant award and/or post award modification(s)?				
10. Ensure the Subrecipient corrected area of noncompliance that remain outstanding and were reported as findings in prior Grant Year monitoring reports submitted to HSGA:				
a. If the project prior Grant Year monitoring report finding was resolved, explain resolution, and indicate such in the current report as resolved.				
b. If the project prior Grant Year monitoring report finding is not resolved, indicate why it has not been resolved and what the Subrecipient is doing to resolve the prior year finding and indicate such in the current report.				

D. EQUIPMENT

Objective

To determine that the project Equipment expenditures are supported by invoices and that a listing of the Equipment/property is maintained by the Subrecipient. To determine that the purchases are aligned with the project’s goals and objectives. Use Worksheets 2 and 3 (See Attachment E – Subrecipient Monitoring Worksheets).

<u>Verification</u>	<u>Yes</u>	<u>No</u>	<u>Comments</u>
1. Did the Subrecipient receive funding for Equipment expenditures? If yes, continue. If no, continue to next section.			
2. Did the Subrecipient maintain invoices to support the Equipment expenditures?			
3. Did the Subrecipient follow proper procurement procedures to purchase the Equipment and were the items listed in the federal “Authorized Equipment List” and/or “Standardized Equipment List”?			
4. Did the Subrecipient accurately report the Equipment expenditures in their accounting records?			
5. Did the Subrecipient maintain an Equipment inventory that listed the following: a) Description of Equipment, b) Serial number or other identification number, c) AEL number, d) Fund/source/grant year, e) Title holder, f) 100 percent of federal participation. If no, then identify percentage, g) Acquisition date, h) Acquisition cost, i) Quantity, j) Equipment location, k) Use and condition of Equipment, l) Disposal date and sale price of the Equipment			
6. Did the Subrecipient conduct an inventory of Equipment purchased with Cal/OES grant funds at least once every two years?			

D. EQUIPMENT (Continued)

<u>Verification</u>	<u>Yes</u>	<u>No</u>	<u>Comments</u>
7. Was the Equipment physically inspected to ensure:			
a. The Equipment existed and agreed to inventory listing?			
b. The Equipment worked and adequately trained staff are available to operate the Equipment?			
8. Did the Subrecipient maintain Equipment in a secure location?			
9. For property other than Equipment, i.e. supplies, did the Subrecipient have controls and accountability to safeguard and ensure that the items are used and solely for authorized purposes?			
10. For Equipment disposal, if any:			
a. Was the disposition consistent with federal regulations?			
b. What is the status of the proceeds received from the disposal?			
11. Did the Subrecipient have a policy for damaged, destroyed, lost or stolen Equipment including but not limited to informing the Cal/OES, steps to replace the Equipment and an investigative process?			
12. Were the Equipment expenditures consistent with State approval grant award and/or post award modification(s)?			
13. Ensure the Subrecipient corrected areas of noncompliance that remain outstanding and were reported as findings in prior Grant Year monitoring reports maintained by HSGA:			
a. If the project prior Grant Year monitoring report finding was resolved, explain resolution, and indicate such in the current report as resolved.			
b. If the project prior Grant Year monitoring report finding is not resolved, indicate why it has not been resolved and what the Subrecipient is doing to resolve the prior year finding and indicate such in the current report.			

E. EXERCISE

Objective

To determine that the Exercise expenditures were appropriately documented and the activities align with project’s goals and objectives. If the Exercise activities involved employees, determine if the Subrecipient appropriately documented the Exercise expenditures using timecards and sign-in sheets. If the Exercise activities involved using consultants or contractors, determine if the Subrecipient followed the appropriate procurement procedure. Use Worksheets 1 and 3 (See Attachment E – Subrecipient Monitoring Worksheets).

<u>Verification</u>	Yes	No	<u>Comments</u>
1. Did the Subrecipient receive funding for Exercise expenditures? If yes, continue. If no, continue to next section.			
2. Did the Subrecipient receive prior approval from the State either via email or other documentation and did it include the Exercise course name and number?			
3. If the Exercise expenditures relate to the use of employees, did the Subrecipient appropriately document the Exercise expenditures using employee timecards, sign-in sheets, and certificates for Exercise?			
4. If the Exercise expenditures relate to the use of consultants/contractors, did the Subrecipient follow proper procurement procedures to hire the consultants or contractors?			
5. Did the Subrecipient accurately report the Exercise expenditures in their accounting records?			
6. For Projects with overtime expenditures for Exercise:			
a. Did the Subrecipient maintain employee timecards to appropriately document the overtime expenditures?			
b. Did the Subrecipient accurately report the overtime expenditures in their accounting records?			
c. Did the Subrecipient accurately report the backfill expenditures in their accounting records?			
7. For Projects with backfill expenditures for Exercise:			
a. Does the Subrecipient have documentation that the backfill expenditures were approved by the State?			
b. Did the Subrecipient appropriately document the backfill expenditures using employee timecards and sign-in sheets?			

E. EXERCISE (Continued)

<u>Verification</u>	<u>Yes</u>	<u>No</u>	<u>Comments</u>
8. Were the employee timecards utilized in the Exercise activities signed and dated by the employee and direct supervisor?			
9. Were the Exercise expenditures consistent with the State approved grant award and/or post award modifications?			
10. Ensure the Subrecipient corrected areas of noncompliance that remain outstanding and were reported as findings in prior Grant Year monitoring reports:			
a. If the Project prior Grant Year monitoring report finding was resolved, explain resolution and indicate such in the current report as resolved.			
b. If the Project prior Grant Year monitoring report finding is not resolved, indicate why it has not been resolved and what the Subrecipient is doing to resolve the prior year finding and indicate such in the current report.			

F. ORGANIZATION

Objective

To determine that the Organization expenditures were appropriately documented and that the activities align with the project’s goals and objectives. If the Organization activities involved employees, determine if the Subrecipient appropriately documented the Organization expenditures using employee timecards and sign-in sheets. If the Organization activities involved using consultants or contractors, determine if the Subrecipient followed the appropriate procurement policies. Use Worksheets 1 and 3 (See Attachment E – Subrecipient Monitoring Worksheets).

<u>Verification</u>	<u>Yes</u>	<u>No</u>	<u>Comments</u>
1. Did the Subrecipient receive funding for Organization expenditures? If so, continue. If no, continue to next section.			
2. If the Organization expenditures relate to the use of employees, did the Subrecipient document the expenditures using employee timecards, sign-in sheets, or with other support documentation that substantiated the expense?			
3. If the Organization expenditures relate to the use of consultants or contractors, did the Subrecipient follow proper procurement procedures to hire the consultants or contractors?			
4. Did the Subrecipient accurately report the Organization expenditures in their accounting records?			
5. For Projects with overtime expenditures for Organization:			
a. Did the Subrecipient maintain employee timecards to appropriately document the overtime expenditures?			
b. Did the Subrecipient accurately report the overtime expenditures in their accounting records.?			

F. ORGANIZATION (Continued)

	<u>Yes</u>	<u>No</u>	<u>Comments</u>
<p>6. For Projects with backfill expenditures for Organization:</p> <p style="margin-left: 40px;">b. Does the Subrecipient have documentation that the backfill expenditures were approved by the State?</p> <p style="margin-left: 40px;">c. Did the Subrecipient appropriately document the backfill expenditures using employee timecards and other payroll documentation?</p>			
<p>7. Were employee timecards utilized in Organization activities signed and dated by the employee and direct supervisor?</p>			
<p>8. Were the Organization expenditures consistent with the State approved grant award and/or post award modification(s)?</p>			
<p>9. Ensure that the Subrecipient corrected areas of noncompliance that remain outstanding and were reported as findings in prior Grant Year monitoring reports maintained by HSGA:</p> <p style="margin-left: 40px;">a. If the Project prior Grant Year monitoring report finding was resolved, explain resolution and indicate such in the current report as resolved.</p> <p style="margin-left: 40px;">b. If the Project prior Grant Year monitoring report finding is not resolved, indicate why it has not been resolved and what the Subrecipient is doing to resolve the prior year finding and indicate such in the current report.</p>			

Fiscal Year 2022 Homeland Security Grant Program Fact Sheet

Release Date: Apr 4, 2022

In fiscal year (FY) 2022, the Department of Homeland Security (DHS) is providing \$1.12 billion to enhance the ability of state, local, tribal, and territorial governments to prevent, prepare for, protect against, and respond to potential terrorist acts and other hazards.

Overview

The FY 2022 Homeland Security Grant Program (HSGP) is one of three grant programs that support the DHS/Federal Emergency Management Agency's (FEMA's) focus on enhancing the ability of state, local, tribal, and territorial governments, as well as nonprofit organizations, to prevent, prepare for, protect against, and respond to potential terrorist attacks. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by DHS to help strengthen the nation's communities against potential terrorist attacks and other hazards. HSGP is composed of three grant programs:

- State Homeland Security Program (SHSP);
- Urban Area Security Initiative (UASI); and
- Operation Stonegarden (OPSG).

Funding

In FY 2022, the total amount of funds under the HSGP is \$1.12 billion. Below is the funding distribution across the three grant programs:

HSGP Program FY 2022 Allocation



SHSP	\$415 million
UASI	\$615 million
OPSG	\$90 million
Total	\$1.2 billion

Eligibility

The State Administrative Agency (SAA) is the only entity eligible to submit HSGP applications to FEMA, including those applications submitted on behalf of UASI and OPSG applicants. All 56 states and territories, which includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, are eligible to apply for SHSP funds. A list of eligible urban areas will be published in the FY 2022 HSGP Notice of Funding Opportunity (NOFO), which will be released no later than May 13, 2022. Tribal governments may not apply directly for HSGP funding; however, funding may be available to tribes under SHSP and OPSG through the SAA.

Eligible high-risk urban areas for the FY 2022 UASI program are determined through an analysis of relative risk of terrorism faced by the 100 most populous metropolitan statistical areas (MSAs) in the United States. Sub-awards will be made by the SAA to the designated high-risk urban areas identified in the FY 2022 HSGP NOFO. Through the Joint Explanatory Statement and House Report accompanying the *Department of Homeland Security Appropriations Act, 2022*, Congress again expressed its intent that the DHS Secretary fund up to 85% of nationwide risk in the UASI program.

Under the FY 2022 OPSG, subrecipients eligible to apply for and receive a sub-award directly from the SAA are divided into three tiers.



- Tier 1 entities are local units of government at the county level or equivalent and federally recognized tribal governments that are on a physical border in states bordering Canada, states bordering Mexico, and states and territories with international water borders.
- Tier 2 eligible subrecipients are those not located on the physical border or international water border but are contiguous to a Tier 1 county.
- Tier 3 eligible subrecipients are those not located on the physical border or international water border but are contiguous to a Tier 2 eligible subrecipient. The tier structure is only applicable with regard to eligibility. OPSG funding allocations are based on the assessed border security risks as determined by the U.S. Border Patrol.

Funding Guidelines

The FY 2022 allocation process for SHSP, UASI, and OPSG will be as follows:

SHSP Allocations

For FY 2022, FEMA will award SHSP funds based on risk as determined by FEMA's relative risk methodology and statutory minimums pursuant to the *Homeland Security Act of 2002*, as amended. Final allocations will be published in the FY 2022 HSGP funding notice.

UASI Allocations

For FY 2022, FEMA will award UASI funds based on risk as determined by FEMA's relative risk methodology pursuant to the *Homeland Security Act of 2002*, as amended. Final allocations will be published in the FY 2022 HSGP funding notice.

OPSG Allocations

For FY 2022, FEMA will award OPSG funds based on risk and the anticipated effectiveness of the proposed use of grant funds. The FY 2022 OPSG risk assessment is designed to identify the risk to border security and to assist with the distribution of funds for the grant program. Entities eligible for funding are the state, local, and tribal law enforcement agencies that are located along the border of the United States. Final award amounts will be based on FEMA's evaluation of



the effectiveness of proposed investments and projects.

Pass-Through Requirements

SAs are required to pass-through at least 80% of SHSP and UASI funding to local or tribal units of government. For more information on the pass-through requirement, please refer to Section F.2 of the HSGP NOFO and Appendix A of the [Preparedness Grants Manual](#).

National Priority Areas (NPAs) for SHSP and UASI and Minimum Spend Requirements

Overall, the required minimum spend on the FY 2022 NPAs for the SHSP and UASI programs remains consistent with the FY 2021 requirement – 30% as a percentage of the total SHSP and UASI allocation. Each SHSP and UASI applicant must dedicate the minimum spend (identified below where applicable) as a percentage of the total SHSP and UASI allocation per NPA. For the NPAs with no minimum spend requirement, DHS strongly encourages recipients to make investments in those areas as they are of critical national concern. **Twelve (12) percent is mandated in minimum spending across the first four NPAs, but there is flexibility on the remaining 18% required to meet the overall 30% minimum spend requirement.**

1. Enhancing the protection of soft targets/crowded places – 3% minimum spend;
2. Enhancing information and intelligence sharing and cooperation with federal agencies, including DHS – 3% minimum spend;
3. Combating domestic violent extremism – 3% minimum spend;
4. **NEW:** Enhancing community preparedness and resilience – 3% minimum spend;
5. Enhancing cybersecurity – no minimum spend requirement; and
6. **NEW:** Enhancing election security – no minimum spend requirement.

For those NPAs that have an associated minimum spend, **all projects related to meeting the minimum spend for those NPAs must be included in the same Investment Justification (IJ)**. Activities that support more than one NPA may be included under only one NPA IJ but still count towards the 30% minimum spend without having to be broken out into separate projects or activities in more than one IJ. Complete details on the FY 2022 HSGP allocation process are included in



the FY 2022 HSGP funding notice.

Law Enforcement Terrorism Prevention Activities (LETPA)

SAs must allocate at least 30% of their SHSP and UASI awards to LETPAs, up from 25% in the previous year. Please refer to Section C.3.c of the HSGP NOFO and Appendix A of the Preparedness Grants Manual for additional guidance and information on allowable LETPAs. Investments that support LETPAs can also support an NPA (e.g., an investment can be counted as supporting both the Soft Targets/Crowded Places and LETPA minimum allocation requirements, if applicable).

Application Process

Applying for an award under the HSGP is a multi-step process. Applicants are encouraged to register early as the registration process can take four weeks or more to complete. Registration should be done in sufficient time to ensure it does not impact your ability to meet required submission deadlines. Section D in the FY 2022 HSGP NOFO will contain more detailed information and instructions.

Eligible applicants must submit their initial application through the grants.gov portal at www.grants.gov. Applicants needing grants.gov support should contact the grants.gov customer support hotline at (800) 518-4726 24 hours per day, 7 days per week except federal holidays.

Eligible applicants will be notified by FEMA and asked to proceed with submitting their complete application package in the [Non-Disaster \(ND\) Grants System](#). Applicants needing technical support with the ND Grants System should contact ndgrants@fema.dhs.gov or (800) 865-4076, Monday-Friday from 9 a.m. to 6 p.m. ET.

Completed applications must be submitted no later than 5 p.m. ET by the deadline included in the funding notice.

HSGP Resources

There are a variety of resources available to address programmatic, technical, and financial questions, which can assist with HSGP applications:



The FY 2022 HSGP funding notice will be released no later than May 13, 2022 and available online at www.fema.gov/grants as well as www.grants.gov. The FEMA [Preparedness Grants Manual](#) will be updated for the FY 2022 application cycle and will be released no later than May 13, 2022.

For additional program-specific information, please contact the Centralized Scheduling and Information Desk (CSID) help line at (800) 368-6498 or AskCSID@fema.dhs.gov. CSID hours of operation are from 9 a.m. to 5 p.m. ET, Monday through Friday.

For support regarding financial grants management and budgetary technical assistance, applicants may contact the FEMA Award Administration Help Desk via e-mail at ASK-GMD@fema.dhs.gov.



Project Ledger

Sierra Madre
FY 2022 State Home Security Program (SHSP) Projects
 Grant Subaward: 2022-0043
 Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022
POP Start Date	9/1/2022
POP End Date	5/31/2024

Investment Justification (IJ)	Project No.	Project Title	Funding Source	Discipline	Solution Area	Total Budgeted
IJ.06	026	LE P25 Compliant Portable Radios	HSGP-SHSP	LE	Equipment	\$ 45,577

Total \$ 45,577

Equipment

Sierra Madre
 FY 2022 State Home Security Program (SHSP) Projects
 Grant Subaward: 2022-0043
 Cal OES ID: 037-00000

Ledger Type	Initial Application
Date	10/25/2022
POP Start Date	9/1/2022
POP End Date	5/31/2024

5/31/2024

Investment Justification (IJ)	Project No.	Equipment Description (Include Quantity)	AEL #	AEL Title	Funding Source	Discipline	Solution Area Sub-Category	Deployable / Shareable	Noncompetitive Procurement over \$250K	Hold Trigger	Budgeted Cost
											\$ 45,577
IJ.06	26.16	Purchase P25 Compliant all-spectrum (UHF/VHF/800/700 MHz) portable radios and accessories	06CP-01-PORT; 06CP-03-PRAC	Radio, Portable; Accessories, Portable Radio	HSGP-SHSP	LE	Interoperable Communications Equipment	Deployable	No	No Hold Indicated	\$ 45,577



City of Sierra Madre AGENDA REPORT

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member

Susan Spears, City Treasurer

TO: Honorable Mayor and City Council

FROM: Clare Lin, Director of Planning and Community Preservation
Aleks Giragosian, City Attorney

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: CONSIDERATION TO RECEIVE AND FILE THE 2025 ANNUAL REPORT OF THE DEVELOPEMNT AGREEMENT FOR THE MEADOWS AT BAILEY CANYON PROJECT LOCATED AT 700 NORTH SUNNYSIDE

STAFF RECOMMENDATION

It is recommended that the City Council receive and file the Annual Report from the Developer pursuant to the Development Agreement.

SUMMARY

On May 23, 2023, the City Council adopted Resolution 23-41, causing Ordinance No. 1461 and the associated Development Agreement for the Meadows at Bailey Canyon project with NUWI-Sierra Madre, LLC and the Congregation of Passion, Mater Dolorosa Community ("Development Agreement") to take effect. Development Agreement Section 4(m) requires the Developer to submit an Annual Report to the City within 30 days of the anniversary of its effective date.

ANALYSIS

The City Council adopted Resolution No. 23-41 on May 23, 2023, certifying the results of the special election rejecting the referendum and causing Ordinance No. 1461 to take effect. This action encompassed the adoption of the Specific Plan, approval of a zoning map amendment, and approval of the Development Agreement.

According to Section 4(m) of the Development Agreement, within 30 days of the one-year anniversary of the Effective date, and annually thereafter until the issuance of a Certificate of Occupancy for the last single-family residential unit of the project, the developer, NUWI-Sierra, is required to submit an annual report(included as Attachment A) including a progress report, a list of remaining tasks, and details on the expected competition:

- A. Recordation of the conservation easements and lot tie affidavit pursuant to Section 3;
- B. Application for subsequent land use entitlements pursuant to Section 4(a);
- C. Design, dedication, and development of the Public Park pursuant to Section 4(b);

- D. Formation of a CFD pursuant to Section 4(c);
- E. Attainment of Net Zero Water pursuant to Section 4(d);
- F. Construction of Utilities pursuant to Section 4(e);
- G. Construction of low impact development improvements pursuant to Section 4(f);
- H. Payment of Development Impact Fees pursuant to Section 4(g);
- I. Initiatives to encourage electric appliances pursuant to Section 4(h); and
- J. Progress on the completion of the offsite improvements pursuant to Section 4(i).

On February 27, 2024, the Meadows at the Bailey Canyon project received approval of Tentative Tract Map No. 83966. Subsequently, on April 25, 2024, the Community Services Commission convened a special meeting to review the development plans for the Public Park. The Community Services Commission completed three public workshops and the commission voted unanimously to support of the final design. The public park is anticipated to be constructed, dedicated to the City, and open to the public in summer of 2026.

On December 19, 2024, Final Map application was submitted to the City and is pending on on-going site improvement plans to be approved.

On March 11, 2025, the Los Angeles County Flood Control District recorded an easement granted to the City for public road improvements on Carter Avenue. Construction on the offsite improvements are anticipated to begin in the summer of 2025.

On April 22, 2025, with the Planning Commission's recommendation to the City Council, the City Council approved the tentative parcel map to create an open space parcel at the northernmost portion of the Mater Dolorosa Retreat Center by subdividing the existing parcel into two. The City also anticipates the applicant to submit design review applications for the single-family homes by May 23, 2025. Public hearings to consider the design review permit are anticipated to begin in late summer or early fall of 2025.

FINANCIAL REVIEW/SOURCE OF FUNDING

There is no impact on the General Fund in the preparation of this report; however, staff time was incurred.

ENVIRONMENTAL (CEQA)

The annual report is not a project. This annual report is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines sections 15061(b)(3), California Code of Regulations Title 14, section 15301 (14 CCR 15301), and 15306 (14 CCR 15306). This annual report is for informational purposes only, and will not have a significant effect on the environment.

STRATEGIC PLAN CORRELATION

The Annual Report consistent with Strategic Objective 3.1 (Strategically Align Infrastructure Improvement with Population Growth) and 3.2 (Develop and Implement Design Guidelines for Infrastructure Growth) of Goal 3 (Infrastructure & Growth Management). The action taken consistent with development schedule.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at www.cityofsierramadre.com.

ATTACHMENTS

Attachment A: Annual progress report

Attachment B: Link to Development Agreement

NUWI SIERRA MADRE, LLC
2001 Wilshire Blvd, Suite 401
Santa Monica, CA 90403

April 23, 2025

Ms. Clare Lin
Director, Community Planning & Preservation
City of Sierra Madre
232 W. Sierra Madre Blvd
Sierra Madre, CA 91024

RE: Meadows at Bailey Canyon Development Agreement Annual Report

Dear Ms. Lin:

Thank you for this opportunity to submit this second annual report as required by Section 4(m) of the Meadows at Bailey Canyon Development Agreement (the “DA”). The enclosed report covers the period of May 23, 2024 – May 31, 2025

As you are aware, the DA was adopted by the City Council on September 27, 2022 by Ordinance No. 1461. Although the DA was adopted on September 27, 2022, a referendum petition challenging the enactment of Ordinance No. 1461 was filed and a special election was held in May of 2023. The City Clerk certified the election results upholding the adoption of Ordinance No. 1461 on May 23, 2023. Accordingly, pursuant to Section 7(a), the effective date of the DA is May 23, 2023.

Pursuant to Section 4(m) of the DA, “within 30 days of the one-year anniversary of the Effective Date” the Developer shall submit an annual report to the City of Sierra Madre. The Annual report shall include a progress report, a list of remaining tasks, and the expected date of completion for 10 items, each described in detail herein.

Substantial progress has been made to advance the project toward construction over the past year, including the approval of the project tentative tract map, securing property rights from the County of Los Angeles to construct safety improvements to Carter Avenue, and ongoing review of construction plans by the City of Sierra Madre. Our team anticipates grading will commence within the next six months. However, many of the tasks included in the list of reportable items will be completed in future years as vertical construction gets underway.

We look forward to continued work with the City of Sierra Madre to deliver a world class project. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Frankel". The signature is stylized and cursive.

Jonathan Frankel
on behalf of
NUWI Sierra Madre, LLC

The Meadows at Bailey Canyon
Second Annual Report of the Development Agreement Between the City of Sierra Madre, NUWI Sierra Madre LLC, and The Congregation of Passion
May 23, 2024 – May 31, 2025

Introduction and Overview

On September 27, 2022 the City of Sierra Madre adopted Ordinance No. 1461, approving a development agreement (“DA”) between NUWI Sierra Madre, LLC (the “Applicant”), The Congregation of Passion (the “Congregation”), and the City of Sierra Madre (the “City”) related to the development of approximately 17 acres of vacant land at the Mater Dolorosa property (the “Project Site”). Ordinance No. 1461 also included the adoption of a Specific Plan and zoning map amendment that would permit the construction of 42 single family homes and a 3-acre public park on the Project Site.

Per Section 4(m) of the DA, within 30 days of the one-year anniversary of the Effective Date of the DA, the developer shall submit an annual report outlining progress on a variety of obligations contained in the DA.

Progress Report

During the reporting period, the Applicant made significant progress in advancing the project toward construction. Subsequent to the February 27, 2024 approval of the project’s tentative tract map (“TTM”), the approval was subject to litigation. On March 7, 2025, the Superior Court dismissed all claims related to the City’s action approving the TTM. With the approval of the TTM upheld, our design team has secured approval by the City Engineer of a wide variety of construction plans including grading plans, utility plans, and improvement plans. While all planning efforts have been advanced, the ongoing litigation did create significant delays in the commencement of construction as detailed in this progress report.

The design of the future 3-acre public park also continued during this reporting period. The community services commission held three public workshops to discuss various park design options and obtain feedback from the public. Upon completion of these workshops, the community services commission unanimously recommended approval of the park design.

The project team achieved a major milestone in the effort to construct safety improvements to Carter Avenue, including an ADA accessible sidewalk, street widening, and drainage improvements for existing residents. LA County both approved the design of

the safety improvements and granted an easement to the City of Sierra Madre over flood control property necessary for construction to begin. This work was funded entirely by the Applicant in coordination with City staff.

Below is a list of those specific items that must be included in each annual report, pursuant to Section 4(m)(ii) of the DA.

I. Recordation of the Conservation Easements and lot tie affidavit pursuant to Section 3

Pursuant to Section 3 of the DA, within 24 months of the effective date, the Congregation shall submit a complete tentative tract map application that will further subdivide the area to the north of the existing retreat center (the “Retreat Center Open Space”). This new lot encompassing the Retreat Center Open Space will be subject to a permanent conservation easement and lot tie affidavit.

On March 20th 2025, the City’s Planning Commission considered an application by the Congregation to further subdivide the hillside property behind the existing retreat center in order to create permanent open space as required by the DA. The Commission recommended approval of the application, subject to conditions of approval. The City Council will consider the application in the coming months. Upon approval by the City Council, the Congregation will begin the process of finalizing the subdivision and recording the conservation easements. It is anticipated this process will be complete within the next 12 months.

II. Application for subsequent land use entitlements pursuant to Section 4(a)

The subsequent land use entitlements required to be submitted by the Applicant include two components: (1) the tentative tract map, and (2) the design review permit. The tentative tract map application was submitted on June 29, 2023 and has been reviewed and approved by the City of Sierra Madre. Given the ongoing litigation regarding the approval of the TTM, the design review application has been postponed. With the litigation resolved, revised plans are in production and are anticipated to be submitted to the City of Sierra Madre in May of 2025. Public hearings to consider the design review permit are anticipated to begin in late summer or early fall of 2025.

III. Design, dedication, and development of the Public Park pursuant to Section 4(b)

The Community Services Commission (the “Commission”) completed three public workshops on the park design in June 2024. The applicant presented three alternative designs for consideration by the Commission, each containing different amenities and layouts. At the conclusion of the third workshop, the commission voted unanimously to

support of the final design. The public park is anticipated to be constructed, dedicated to the City, and open to the public in summer of 2026. Delays were caused by the litigation surrounding the TTM.

IV. Formation of community facilities district pursuant to Section 4(c)

The DA obligates the Applicant to form a community facilities district (“CFD”), or similar mechanism, for the funding of ongoing park maintenance. Any such funding mechanism must be formed prior to the dedication of the public park to the City of Sierra Madre. The dedication of the public park will occur after construction has been completed. This is anticipated to occur in summer of 2026. Accordingly, the formation of a CFD will likely occur in the fall of 2025, but in any event, no later than the dedication of the park in summer of 2026.

V. Attainment of Net Zero Water pursuant to Section 4(d)

The DA requires that the Applicant pay \$983,500 to implement net zero water use strategies. This payment is intended to create water-neutral development. The payment will be paid in installments prior to the issuance of a building permit associated with each residential unit. Accordingly, prior to the issuance of each building permit, the Applicant will pay \$23,416.67 toward the attainment of net zero water. Building permits are anticipated to be issued in phases, beginning in June of 2026.

VI. Construction of Utilities pursuant to Section 4(e)

All newly constructed onsite utilities will be undergrounded as a part of project implementation. Construction is anticipated to commence in Summer of 2025 with new onsite utilities completed by Winter of 2026.

VII. Construction of low impact development improvements pursuant to Section 4(f)

All applicable construction plans include compliance with Sierra Madre Municipal Code (“SMMC”) Chapter 15.58 and best management practices related to stormwater management and treatment. These improvements will be constructed on a phased basis alongside the development of certain infrastructure and each residential unit. Implementation of these best practices is anticipated to begin alongside construction of the residential units, beginning in Summer of 2026.

VIII. Payment of Development Impact Fees pursuant to Section 4(g)

The Applicant will pay all applicable development impact fees, including the art in public places fee and the park facility fee, prior to the issuance of each respective

building permit. Building permits are anticipated to be issued beginning in June of 2026.

IX. Initiatives to encourage electric appliances pursuant to Section 4(h)

The Applicant remains committed to encouraging the use of electric appliances and will complete the following prior to the commencement of home sales, anticipated to begin in Fall of 2026: (1) Furnish a model home with all electric appliances and make educational pamphlets available that explain the benefits of electric appliances, (2) erect onsite signage and maintain a website that explains the benefits of electric appliances and how to maximize their value, (3) ensure that each home is energy star certified, and (4) promote full electrification of the project by providing educational materials and electric cooking demonstrations.

X. Progress of the completion of offsite improvements pursuant to Section 4(i)

On January 2, 2025 the County of Los Angeles approved the proposed improvements to Carter Avenue. On March 11, 2025, the County granted an easement to the City of Sierra Madre for public right-of-way purposes necessary to construct the improvements. This concludes the easement acquisition process and satisfies the obligations pursuant to Section 4(i) of the DA. Construction on the offsite improvements are anticipated to begin in the summer of 2025.

Attachment B

Development Agreement

<https://www.sierramadrea.gov/common/pages/GetFile.ashx?key=KYkxAed3>



City of Sierra Madre **AGENDA REPORT**

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member

Sue Spears, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Steven Mc Gee, Public Works/Utilities Manager
Aleks Giragosian, City Attorney

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27th, 2025

SUBJECT: **CONSIDERATION TO AUTHORIZE AN EMERGENCY CONTRACT AMENDMENT FOR LOW-PRESSURE WATER MAIN RELOCATION AT WOODLAND DRIVE BRIDGE**

STAFF RECOMMENDATION

It is recommended that the City Council authorize an emergency amendment to the existing contract with Big Ben, Inc. in the amount of \$276,800 for the relocation of the low-pressure water main at the Woodland Drive Bridge under the emergency provisions of SMMC 3.08.090(A). Staff further recommends increasing the total contract threshold for the Woodland Drive Water Main Replacement Project from \$946,600 to \$1,223,400 to incorporate the emergency work, while maintaining the previously approved 10% contingency without adjustment.

ALTERNATIVES

1. The City Council may authorize an emergency amendment to the existing contract with Big Ben, Inc. in the amount of \$276,800 for the relocation of the low-pressure water main at the Woodland Drive Bridge
2. The City Council may decide not to authorize an emergency amendment to the existing contract with Big Ben and provide Staff with further direction.

EXECUTIVE SUMMARY

Due to severe damage sustained during a recent winter storm, a section of low-pressure water main located beneath the Woodland Drive Bridge is in need of replacement. The line, which supplies water from the City's tunnel facility to Zone 2, was struck by debris and high flows, rendering it vulnerable and non-operational.

Staff engaged West & Associates to engineer a safer alignment that relocates the line to the side of the bridge. Big Ben, Inc., already under contract and mobilized onsite for the Woodland Drive mainline replacement, submitted a proposal to complete this additional work for \$276,800.

Staff recommends treating this as an emergency under SMMC 3.08.090(A) and amending the existing contract with a minimum four-fifths vote of the City Council.

ANALYSIS

Public Contract Code section 22035 states, “(a) In cases of emergency when repair or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the governing body, by contractor, or by a combination of the two. (b) In case of an emergency, if notice for bids to let contracts will not be given, the public agency shall comply with Chapter 2.5 (commencing with Section 22050).” Public Contract Code section 22050 mirrors the language in SMMC 3.08.090.

During the recent storm, debris and high storm flows within the wash near 813 Woodland Drive severely affected the low-pressure water main beneath the bridge. This line's function is to transport water from the tunnel facility into the City's Zone 2 distribution system. The damage is within the scope of the City Council's declaration of an emergency on February 25, 2005, related to the Mid-February Winter Storm.

The City is currently contracted with Big Ben, Inc. for \$860,490 to replace the primary distribution line on Woodland Drive. That work includes relocating that main line from beneath the bridge to the bridge's side to protect it from similar damage. The City Council approved a 10% contingency, bringing the authorized project total to \$946,600.

Staff requested a proposal from Big Ben, Inc. to add the relocation of the damaged low-pressure line to their scope of work. Big Ben, Inc. submitted a quote of \$276,800 for the additional 84 feet of pipeline. As the contractor is already mobilized and the scope of work is aligned, this amendment is cost-effective and time-sensitive. There is a need to forego the formal public bidding process. Due to the urgent nature of the additional work and its direct connection to an active project already underway at the same location, the City has elected to forego the formal bidding process. The existing contractor is already mobilized, familiar with the site conditions, and capable of performing the necessary work immediately. Engaging a new contractor through a formal bid would result in delays, increased costs, and potential disruption to essential water service. Therefore, in the interest of efficiency, continuity, and public safety, the work is being added to the existing contract under emergency provisions.

Following consultation with the City Attorney, staff recommends proceeding with this amendment under SMMC 3.08.090(A), which allows emergency contracting by a four-fifths vote of the City Council to protect public infrastructure and health.

ENVIRONMENTAL(CEQA)

This project, consisting of the replacement of existing water mains with similarly sized pipelines, is categorically exempt from review under CEQA pursuant to 14 CCR 15269, which provides a statutory

exception for emergency projects to restore public facilities damaged by a disaster and 14 CCR section 15302, subdivision (c), which exempts “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including... (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.”

STRATEGIC PLAN CORRELATION

This project supports the City’s Strategic Plan goal of Maintaining and Enhancing Infrastructure, particularly within the water utility system.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City’s website at www.cityofsierramadre.com.

FISCAL IMPACT

The original contract for the 2024-2025 Water Main Replacement Project was awarded to Big Ben, Inc. at a not-to-exceed amount of \$946,600, which includes a \$86,110 contingency. Funding for this project was budgeted based on prior competitive mainline replacement bids and is within the approved allocation for the Fiscal Year 2024/25 Water Main Infrastructure Replacement Program. Of the total, \$155,755 is being funded through development impact fees designated for water main replacement projects.

The proposed emergency amendment of \$276,800 for the relocation of the low-pressure line will increase the project contract threshold to \$1,137,290. The contingency amount remains unchanged at \$86,110, bringing the total authorized project budget to \$1,223,400.

Funding for the emergency work will come from the remaining balance of the Fiscal Year 2024/25 water main replacement funds. In addition, staff will be including this damage in the Initial Damage Inventory submitted to FEMA for potential reimbursement.

ATTACHMENTS:

- A - Proposal from Big Ben
- B - Staff Report from current water main project (Big Ben contractor)

BID SCHEDULE					
Item	Description	Qty	Unit	Unit Price	Total Price
General Bid Items					
1	Traffic Control for ~100 LF portion of Woodland Drive for 16-inch Water Main Replacement (Not to Exceed 5%)	1	LS	\$500	\$500
2	Excavation Safety Measures per OSHA for Buried Portion of 16-inch Water Main in Bid Item 5 Below (As Necessary for Depths Greater than 5 Feet)	30	LF	\$80	\$2,400
3	Water Pollution Control (SWPPP/BMPs)	1	LS	\$500	\$500
Water Main Bid Items					
4	Furnish & Install 12-inch CML&C Steel Water Main on Side of Exist. Bridge over Sierra Madre Wash, Including Flexible Expansion Joints, Pipe Supports, Concrete Footings for Pipe Supports, Bracket Supports, & Anchorage	54	LF	\$2,850	\$153,900
5	Furnish & Install 16-inch PVC C900 DR 21 (200 psi) Water Main (Buried/In Trench)	30	LF	\$1,650	\$49,500
6	Removal and Haul-Away of Boulders as Necessary (Approx. Width of Trench +/-, or Smaller)	3	EA	\$1,500	\$4,500
7	Construct 2-inch Air-Release Tap & Valve (On Bridge Crossing)	1	EA	\$6,000	\$6,000
8	Connect to Existing 16-inch Water Main at South End of Bridge (Cut-In Connection w/ Elbows & Couplings at Exist. Pipe)	1	EA	\$19,500	\$19,500
9	Connect to Existing 16-inch Water Main at North Ends of Bridge (Cut-In Connection including Relocation of Exist. Valve as Shown on Plan)	1	EA	\$20,000	\$20,000
10	Abandon Portion of Existing 16-inch Water Main (Buried & Below Bridge). Cap Ends at Connection Points with Concrete - Slurry Fill as Directed	1	EA	\$20,000	\$20,000
Total					\$276,800

Bid Schedule Total: \$ 276,800

Bid Schedule Total (Words): Two hundred seventy-six thousand, eight hundred Dollars & No cents



City of Sierra Madre Agenda Report

Kelly Kriebs, Mayor
Robert Parkhurst, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kristine Lowe, Council Member

Michael Amerio, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Steven Mc Gee, Water Superintendent

REVIEWED BY: Jose Reynoso, City Manager

DATE: December 10th, 2024

SUBJECT: RECOMMENDATION TO AWARD A CONSTRUCTION CONTRACT FOR THE 2024-25 WATER MAIN REPLACEMENT PROJECT TO Big Ben INC, IN AN AMOUNT NOT TO EXCEED \$946,600.00.

STAFF RECOMMENDATION

Staff recommends the City Council award a construction contract to Big Ben Inc., in an amount not to exceed \$946,600.00 for the 2024-25 Water Main Replacement.

ALTERNATIVES

1. The City Council may award a contract for construction to Big Ben Inc. to replace water mains on Woodland Drive. for an amount not to exceed \$946,600.00.
2. The City Council may decide not to award a contract to Gentry Brothers Inc. and provide Staff with further direction.

SUMMARY

Staff continues to prioritize the replacement of water main infrastructure based on leak frequency, age of pipe, type of material, water pressure, and the likelihood of future failure. Staff has identified a section of Woodland Drive as being of high priority for replacement. Woodland Drive is located in a high-pressure section of Zone 3. The frequency of leaks along with the high system pressure have pushed this area into the top priority for main line replacement. Staff solicited West and Associates to assist in the design of plans for the upcoming 2024-2025 water main replacement project. Staff solicited bids for the construction replacement of the following water mains.

Woodland Drive

Woodland Drive from Sunnyside Ln to the end of Woodland Drive at the Sierra Madre Dam.

ANALYSIS

Staff solicited bids for the construction of the 2024-25 Water Main Replacement in October 2024. Staff also hosted a mandatory job walk at the construction site to better inform potential bidders. Bids were publicly opened at Sierra Madre City Hall at 2:00 pm on November 21st, 2024. One bid was received for the project, from a credible and capable contractor. The following is the bidder and their bid results.

<i>BIDDER</i>	<i>Bid Amount</i>
<i>Big Ben Inc.</i>	\$ 860,490.00

Big Ben Inc. provided the lowest qualifying bid for the 2024-2025 water main replacement project. Big Ben Inc. comes with positive references from our staff, as the company has completed several main line projects for the City in the past. Big Ben Inc. has successfully completed several mainline projects for the City, including sections of Grandview Ave, Camillo Road, Liliano Drive, and Santa Anita Ave. Additionally, Big Ben has replaced mainlines in the more challenging terrain of our canyon areas, including Sunnyside Lane, Woodland Drive, and Alta Vista Drive. These canyon locations are particularly difficult to excavate and construct new mainlines due to the tight and rocky terrain, but Big Ben has developed valuable operational knowledge from their past work in these areas, demonstrating their capability to handle complex projects.

FINANCIAL REVIEW/SOURCE OF FUNDING

Staff is recommending awarding the 2024-2025 Water Main Replacement Project to Big Ben Inc. at a price not to exceed \$946,600.00, which includes an amount of \$86,110.00 contingency. The available funding was budgeted based on previous competitive main line replacement bids. The amount plus contingency is within the budgeted amount for the Fiscal 2024/25 year water main infrastructure replacement program. \$155,755.00 will be funded by development impact fees for water main replacement projects.

ENVIRONMENTAL (CEQA)

This project, consisting of the replacement of existing water mains with similarly sized pipelines, is categorically exempt from review under CEQA pursuant to Guidelines section 15302, subdivision (c), which exempts “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including... (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.”

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City’s website at www.cityofsierramadre.com.

Attachments

1. Big Ben Inc. bid
2. Construction Agreement



City of Sierra Madre AGENDA REPORT

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member

Sue Spears, City Treasurer

TO: Mayor and City Council Members

FROM: Amy Hsu, Administrative Analyst
Brent Bartlett, Fire Chief

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: CONSIDERATION OF THE FIRST READING OF ORDINANCE NUMBER 1483 ADOPTING THE FIRE HAZARD SEVERITY ZONE (FHSZ) MAP A DESIGNATED BY THE CALIFORNIA STATE FIRE MARSHAL

STAFF RECOMMENDATION

It is recommended that the City Council consider Ordinance 1483, first reading, the updated Fire Hazard Severity Zone (FHSZ) map for the City's Local Responsibility Area, as designated by the California Department of Forestry and Fire Protection (CAL FIRE), through the Office of the State Fire Marshal.

ALTERNATIVES

1. Approving Ordinance No. 1483 to adopt the updated Fire Hazard Severity Zone (FHSZ) map for the City's Local Responsibility Area as designated by CAL FIRE through the Office of the State Fire Marshal.
2. Do not approve Ordinance No. 1483 to adopt the updated Fire Hazard Severity Zone (FHSZ) map for the City's Local Responsibility Area as designated by CAL FIRE through the Office of the State Fire Marshal.
3. Alternately, discuss and take other possible action related to this item.

EXECUTIVE SUMMARY

In alignment with the City of Sierra Madre's 2025 Strategic Plan under Goal 2: Public Safety, this ordinance reinforces the City's commitment to proactive risk reduction and resident protection by adopting CAL FIRE's updated FHSZ map. This action enables the City to apply defensible space requirements and ignition-resistant building standards in designated areas to better protect life, property, and the environment.

ANALYSIS

The California Department of Forestry and Fire Protection (CAL FIRE), through its Office of the State Fire Marshal, is required by Government Code Section 51178 and Public Resources Code Section 4202 to classify lands within Local Responsibility Areas into Fire Hazard Severity Zones (FHSZ) of Moderate, High, or Very High. These classifications are based on fire behavior modeling, fuel loading, terrain, and ember exposure. California Fire Code Section 4911 allows local jurisdictions to adopt these maps and designate additional zones when supported by substantial local evidence.

Under Government Code Section 51179(b), the City may include areas within the City not expressly designated by Cal Fire as Moderate, High, or Very High. To do so, the City Council would have to make specific findings supported by substantial evidence that the inclusion of additional areas is necessary for effective fire protection. City staff does not recommend expanding any of the designations at this time.

Adopting the updated FHSZ map enables the application of defensible space standards (Government Code Section 51182) and Wildland-Urban Interface construction requirements (California Building Code Chapter 7A), ensuring that the City remains aligned with state fire safety mandates. Upon adoption, City staff will transmit a copy of the Ordinance to Cal Fire.

ENVIRONMENTAL(CEQA)

This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (common sense exemption) and Section 15308 (actions by regulatory agencies to protect the environment).

STRATEGIC PLAN CORRELATION

This action directly supports Goal 2 – Public Safety in the City’s 2025 Strategic Plan: Ensure a safe and secure community for all residents and visitors. It advances Objective 2.1: Sustaining Sierra Madre’s Fire Services and supports Initiative PS 2.3: Ensure the Fire Department is Properly Equipped, by improving the City’s ability to identify high-risk areas and enforce wildfire mitigation policies.

FINANCIAL REVIEW/SOURCE OF FUNDING

There is no direct fiscal impact associated with this ordinance. Indirect benefits may include reduced suppression costs, eligibility for mitigation grants, and enhanced community resilience.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City’s website at www.sierramadrecal.gov.

ATTACHMENTS:

Attachment A: Ordinance No. 1483 – Adoption of Updated FHSZ Map

Attachment B: CAL FIRE 2024 Updated Fire Hazard Severity Zone Map for Sierra Madre

Attachment C: CAL FIRE 2011 Fire Hazard Severity Zone Map for Sierra Madre (for reference)

ORDINANCE NO. 1483

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, ADOPTING THE UPDATED FIRE HAZARD SEVERITY ZONE MAP AS DESIGNATED BY THE CALIFORNIA STATE FIRE MARSHAL

RECITALS

WHEREAS, the California Department of Forestry and Fire Protection (CAL FIRE), through the Office of the State Fire Marshal, is required under Government Code Section 51178 and Public Resources Code Section 4202 to identify and classify lands within the Local Responsibility Area (LRA) into Fire Hazard Severity Zones (FHSZ) as Moderate, High, or Very High, based on consistent statewide criteria;

WHEREAS, the Office of the State Fire Marshal has prepared an updated FHSZ map for the LRA based on fire behavior modeling, fuel loads, ember exposure, terrain, and weather data, and has provided this updated mapping to the City of Sierra Madre for adoption and enforcement;

WHEREAS, California Fire Code Section 4911 authorizes local jurisdictions to formally adopt FHSZs recommended by CAL FIRE and to designate additional zones where local conditions indicate the need for fire protection measures;

WHEREAS, adoption of the FHSZ map ensures consistent application of state-mandated wildfire mitigation requirements, including California Building Code Chapter 7A (ignition-resistant construction) and California Fire Code Chapter 49, (defensible space enforcement) within designated zones; and

WHEREAS, the City Council finds that certain areas not identified as Very High, High, or Moderate FHSZs by the State Fire Marshal warrant local designation due to topography, fuel conditions, and proximity to wildlands, and that the requirements of Government Code Section 51182 are necessary in these areas for effective fire protection;

THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Adoption of Fire Hazard Severity Zone Map.

The City of Sierra Madre hereby adopts the updated Fire Hazard Severity Zone map for lands within the Local Responsibility Area, as recommended by the California Department of Forestry and Fire Protection (CAL FIRE), through the Office of the State Fire Marshal.

SECTION 2. Map Incorporation.

The official Fire Hazard Severity Zone map, including all State-recommended and City-designated areas, is incorporated by reference into this ordinance and shall be maintained by

the City Clerk and the Fire Department. The public may view the adopted map online at: <https://osfm.fire.ca.gov/FHSZ>

SECTION 3. Enforcement and Application.

Development, permitting, and construction within Moderate, High, and Very High FHSZs shall comply with:

- A. California Building Code Chapter 7A: Ignition-resistant construction requirements; and
- B. California Fire Code Chapter 49 and Government Code Section 51182: Defensible space clearance and vegetation management.

SECTION 4. CEQA.

This Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) (common sense exemption) and 15308 (actions by regulatory agencies for the protection of the environment).

SECTION 5. Certification.

Pursuant to Government Code Section 36932, the City Clerk shall certify the passage, approval, and adoption of this Ordinance by the City Council.

SECTION 6. Publication.

Pursuant to Government Code Section 36933, the City Clerk shall cause this Ordinance to be published or posted.

SECTION 7. Records.

Pursuant to Government Code Section 40801, proof of certification and publication shall be entered in the book of Ordinances of the City Council.

SECTION 8. Effective Date.

Pursuant to Government Code Section 36937, this Ordinance shall take effect thirty (30) days after its adoption.

PASSED, APPROVED AND ADOPTED this 10th day of June, 2025.

Robert Parkhurst, Mayor

I HEREBY CERTIFY that the foregoing Ordinance was introduced by first reading on the 27th day of May 2025, and duly adopted at a regular meeting held on the 10th day of June 2025, by the City Council of the City of Sierra Madre, California, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

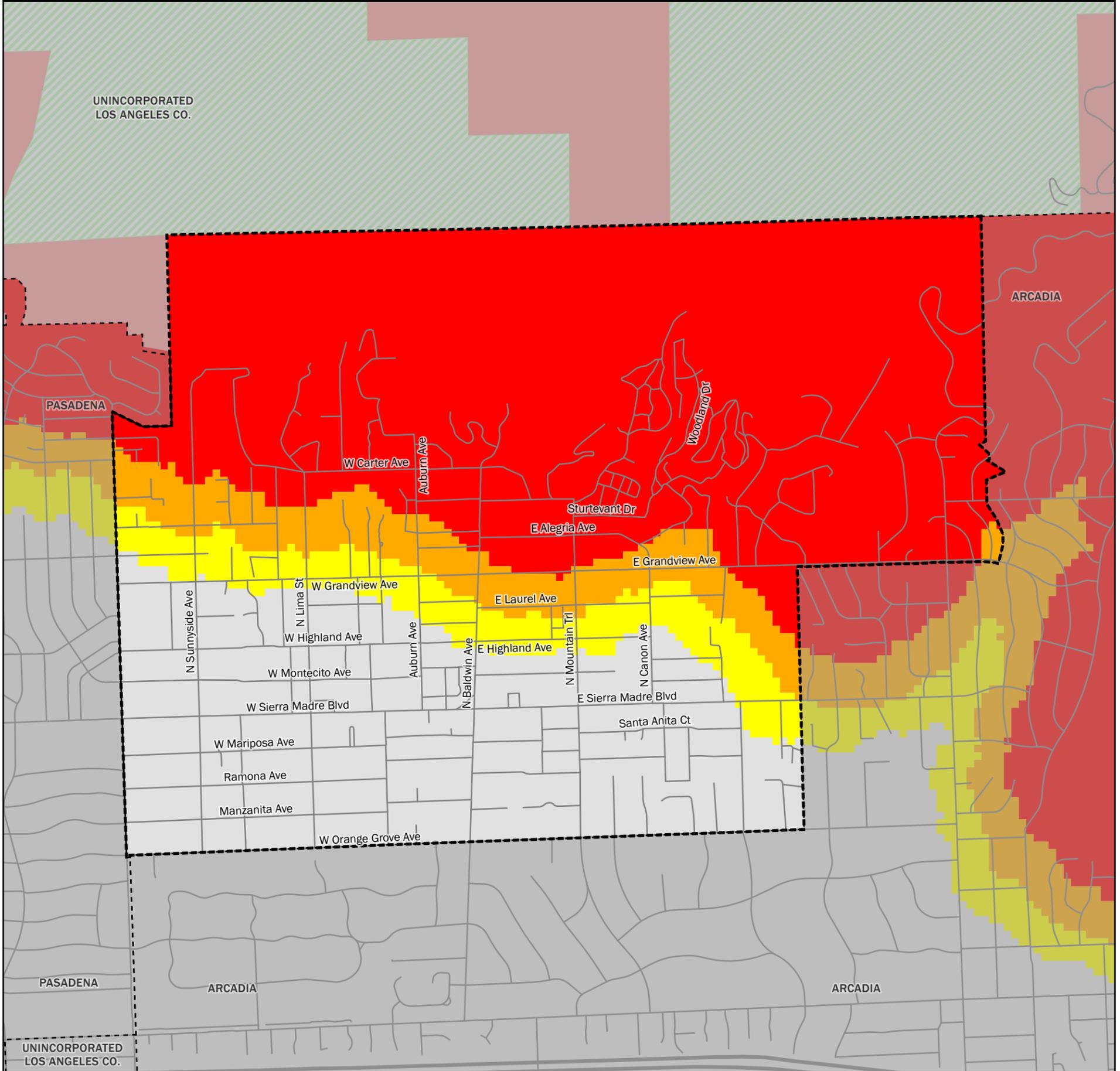
Laura Aguilar, City Clerk



Local Responsibility Area Fire Hazard Severity Zones

As Identified by the
State Fire Marshal

March 24, 2025



Fire Hazard Severity Zones (FHSZ) in Local Responsibility Area (LRA), as Identified by the State Fire Marshal

■ Very High ■ High ■ Moderate

Fire Hazard Severity Zones in State Responsibility Area (SRA), Effective April 1, 2024

■ Very High



Projection: NAD 83 California Teale Albers
Scale: 1:17,000 at 11" x 17"

Incorporated City Federal Responsibility Area (FRA)
 Unzoned LRA

Government Code section 51178 requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent

statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather,

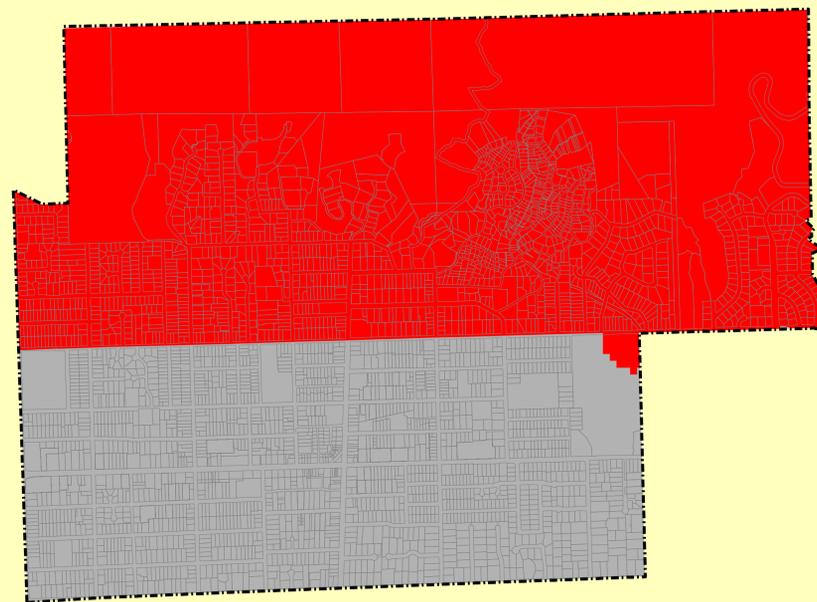
and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Gavin Newsom, Governor, State of California
Wade Crowfoot, Secretary for Natural Resources, CA Natural Resources Agency
Joe Tyler, Director/Fire Chief, CA Department of Forestry and Fire Protection
Daniel Berlant, State Fire Marshal, CA Department of Forestry and Fire Protection

Data Sources:
CAL FIRE Fire Hazard Severity Zones (FHSZSRA23_3, FHSZLRA_25_1)
CAL FIRE State Responsibility Areas (SRA25_1)
City and County boundaries as of 10/22/24 (CA Board of Equalization)

Very High Fire Hazard Severity Zones in LRA As Recommended by CAL FIRE



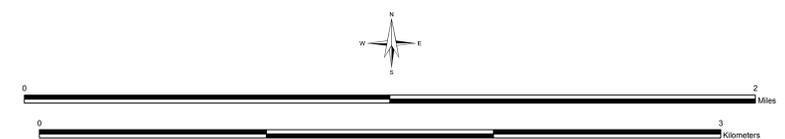
Fire Hazard Severity Zones	
Local Responsibility Area	State or Federal Responsibility Areas
■ VHFHSZ	■ VHFHSZ
■ Non-VHFHSZ	■ Non-VHFHSZ
- - - - City Boundary ———— Parcels - - - - County Boundary	

Government Code 51175-89 directs the California Department of Forestry and Fire Protection (CAL FIRE) to identify areas of very high fire hazard severity zones within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of potential fuels over a 30-50 year time horizon and their associated expected fire behavior, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure (including firebrands) to buildings. Details on the project and specific modeling methodology can be found at <http://map.cdf.ca.gov/projects/hazard/mofhsz.htm>. Local Responsibility Area VHFHSZ maps were initially developed in the mid-1990s and are now being updated based on improved science, mapping techniques, and data.

In late 2005 to be effective in 2008, the California Building Commission adopted California Building Code Chapter 7A requiring new buildings in VHFHSZs to use ignition resistant construction methods and materials. These new codes include provisions to improve the ignition resistance of buildings, especially from firebrands. The updated very high fire hazard severity zones will be used by building officials for new building permits in LRA. The updated zones will also be used to identify property whose owners must comply with natural hazards disclosure requirements at time of property sale and 100 foot defensible space clearance. It is likely that the fire hazard severity zones will be used for updates to the safety element of general plans.

This specific map is based on a geographic information system dataset that depicts final CAL FIRE recommendations for Very High Fire Hazard Severity Zones within the local jurisdiction. The process of finalizing these boundaries involved an extensive local review process, the details of which are available at <http://map.cdf.ca.gov/projects/hazard/mofhsz/> (click on "Continue as guest without logging in"). Local government has 120 days to designate, by ordinance, very high fire hazard severity zones within its jurisdiction after receiving the recommendation. Local government can add additional VHFHSZs. There is no requirement for local government to report their final action to CAL FIRE when the recommended zones are adopted. Consequently, users are directed to the appropriate local entity (county, city, fire department, or Fire Protection District) to determine the status of the local fire hazard severity zone ordinance.

This map was developed using data products such as parcel and city boundaries provided by local government agencies. In certain cases, this includes copyrighted geographic information. The maps are for display purposes only - questions and requests related to parcel or city boundary data should be directed to the appropriate local government entity.



California Teale Albers, NAD 1983
Scale 1: 12,000
at 36" x 36"
September 2011

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Obtain FRAP maps, data, metadata and publications on the Internet at <http://frap.cdf.ca.gov>
For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

Jerry Brown, Governor,
State of California
John Laird, Secretary for Resources,
The Natural Resources Agency
Ken Pimlott, Director,
Department of Forestry and Fire Protection

MAP ID: Sierra_Madre

DATA SOURCES
CAL FIRE Fire Hazard Severity Zones (FHSZ106_1)
CAL FIRE Very High Fire Hazard Severity Zones in LRA - Los Angeles (c19fhsz106_5)



City of Sierra Madre **AGENDA REPORT**

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member
Sue Spears, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Veronica Saucedo, Acting Police Captain

REVIEWED BY: Gustavo Barrientos, Police Chief
Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: **AB 481 MILITARY EQUIPMENT – 2024-2025 ANNUAL REPORT**

STAFF RECOMMENDATION

It is recommended that the City Council approve the Annual Military Equipment Annual Report per SMPD Military Equipment Use Policy Section 706, that have been updated per the guidelines of California Government Code § 7072 in compliance with Assembly Bill (AB) 481 and Ordinance No. 1456.

ALTERNATIVES

City Council may:

- A. Reject staff's recommendation.
- B. Reject recommendation and request additional information.

EXECUTIVE SUMMARY

On September 30, 2021, the Governor of the State of California approved AB 481 (codified as Chapter 12.8 of the California Government Code), requiring law enforcement agencies such as the Sierra Madre Police Department (SMPD) to have a military use policy approved by the City Council before requesting, seeking funding, acquiring, or using military equipment. AB 481 allows the governing body to approve the policy within its jurisdiction only if it determines that the military equipment meets specified standards.

On May 24, 2022, the City Council approved Ordinance 1456, approving SMPD Policy § 706: Military Equipment Funding, Acquisition, and Use. As required by AB 481 and the Ordinance,

annually, SMPD must prepare a report on the use of each type of military equipment approved in the policy over the last year. Subsequently, the City Council must then review the Ordinance, Policy, and Annual Report to determine whether the Department's use of military equipment in the past year complied with the Policy and whether to continue the Ordinance and Policy, take action (by ordinance) to modify the Policy or repeal the Ordinance.

As the Policy outlines, SMPD retains and employs limited military equipment to safeguard its community. SMPD officers, certified instructional staff, and specialized units receive training throughout the year on using military equipment approved under the policy.

SMPD will submit its Military Equipment Annual Report to City Council after December 31st of every year. The attached annual report satisfies the reporting requirements outlined in California Government Code § 7072 and complies with AB 481.

California Government Code § 7072 requires law enforcement agencies to prepare a Military Equipment Report annually. The annual Military Equipment Report will contain the following:

- A summary of how the military equipment was used and the purpose of its use.
- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing expenses, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- The quantity possessed for each type of military equipment; and
- If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

The Sierra Madre Police Department (SMPD) policy, current inventory list, and 2024 Annual Report are available on the Department's website. No changes were made to the SMPD policy during the 2024 calendar year.

While the existing inventory list remains in effect, minor updates may be made pending approval. The 2024-2025 Annual Report was posted publicly in accordance with Government Code section 7071 and City of Sierra Madre Ordinance 1456.

ANALYSIS

The Police Department retains and employs a variety of military equipment to safely achieve its mission through our dedication to professionalism and service, always acting in the interest of justice and the well-being of our community. We strive to enhance the quality of life for all community members by providing professional, compassionate, and responsive law enforcement services. The mere possession of this equipment does not warrant its use for every incident, nor has the Department been accused recently or in the past of indiscriminate use of these types of equipment. The Department recognizes that critical incidents are unpredictable,

often fluid and dynamic in nature. The Department prides itself on its training, use of best practices, and forward-thinking in technology and the tools it acquires, and utilizes in its mission for the safety of its personnel and the safety of community members and visitors alike. The use of all equipment, not just “military equipment,” is predicated on the mission of the Department, policy, training, law, the safety of officers, and the safety of the community. Officers and incident commanders alike are influenced by the totality of the circumstances, public safety, civil rights, and all available information at the time of a critical incident or disaster and the desire to bring that incident to a safe resolution.

ENVIRONMENTAL(CEQA)

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

STRATEGIC PLAN CORRELATION

Approving the recommendations ensures the Department is adequately equipped with necessary equipment and resources to safeguard lives and achieve its mission as described in Goal 2, Initiative PS 2.3 of the Strategic Plan.

PUBLIC NOTICE PROCESS

This item is available through the regular agenda notification process. Copies of the report are available via the City website, www.cityofsierramadre.com.

FISCAL IMPACT

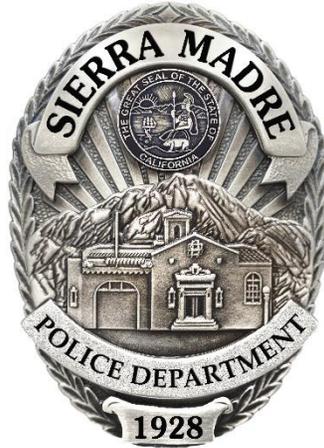
The cost is presently funded and included in the Police Department’s Fiscal Year budget for 2024-2025.

PUBLIC NOTICE

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City’s website at www.cityofsierramadre.com.

ATTACHMENTS:

1. Military Equipment Annual Report
2. SMPD Military Equipment Use policy Section 706
3. Ca Government Code § 7072
4. Ordinance 1456



SIERRA MADRE POLICE DEPARTMENT

2024-2025 Annual Military Equipment Report

Assembly Bill 481

(CA Government Code § 7072; Sierra Madre Ordinance No. 1456)



INTRODUCTION

On September 30, 2021, the Governor of the State of California approved Assembly Bill (AB) 481 (codified as Chapter 12.8 of the California Government Code), requiring law enforcement agencies such as the Sierra Madre Police Department (SMPD) to have a military use policy approved by the City Council before requesting, seeking funding, acquiring or using military equipment. AB 481 allows the governing body to approve the policy within its jurisdiction only if it determines that the military equipment meets specified standards.

On May 24, 2022, the City Council approved Ordinance 1456, approving SMPD Policy § 706: Military Equipment Funding, Acquisition, and Use. As required by AB 481 and the Ordinance, SMPD must prepare a report annually on the use of each type of military equipment approved in the policy over the last year. Subsequently, the City Council must then review the Ordinance, Policy, and Annual Report to determine whether the Department's use of military equipment in the past year complied with the policy and whether to continue the Ordinance and Policy, take action (by ordinance) to modify the policy or repeal the ordinance. The policy and inventory list are located on the Sierra Madre Police Department's website.

As the policy outlines, SMPD retains and employs limited military equipment to safeguard its community. SMPD officers, certified instructional staff, and specialized units receive training throughout the year on using military equipment approved under the policy.

California Government Code § 7072 requires law enforcement agencies to prepare a Military Equipment Report annually. The annual Military Equipment Report will contain the following:

- A summary of how the military equipment was used and the purpose of its use;
- A summary of any complaints or concerns received concerning the military equipment;
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response;
- The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing expenses, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report;
- The quantity possessed for each type of military equipment; and
- If the law enforcement agency intends to acquire additional military equipment in the next year, the amount sought for every kind of military equipment.

This annual Military Equipment Report satisfies the reporting requirements outlined in California Government Code § 7072 and compliance with AB 481. The Department submits its Military Equipment Annual Report to the City Council every year after December 31.

Any complaints, concerns, or questions related to Military Equipment utilization can be through any of the below methods:

- Email: militaryequipment@cityofsierramadre.com
- Mail: Sierra Madre Police Department,
Attn: Military Equipment Coordinator,
242 W. Sierra Madre Blvd,
Sierra Madre, CA, 91024

DEFINITIONS

Pursuant to AB 481, the following definitions are applicable only to the Department's current military equipment inventory and potential future military equipment acquisitions for operational needs. For a more detailed list, refer to Government Code section 7070 for "military equipment" as defined within the Assembly Bill.

Definitions of Military Equipment established by California Government Code §7070; SMPD utilizes a limited number of the resources listed below:

1. Unmanned, remotely piloted, powered aerial or ground vehicles
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers
3. High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached
4. Tracked armored vehicles that provide ballistic protection to their occupants
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
6. Weaponized aircraft, vessels, vehicles, or any kind
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram
8. Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition
9. Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code §30510 and Penal Code §30515, with the exception of standard-issue firearms
10. Any firearm or firearm accessory that is designed to launch explosive projectiles
11. Noise-flash diversionary devices and explosive breaching tools
12. Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray
13. Taser Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs)
14. Kinetic energy weapons and munitions (e.g., 40MM launcher, bean bag shotgun, foam-tipped projectiles)
15. Any other equipment determined by a governing body or a state agency to require additional oversight.

DEPARTMENT INVENTORY

The following is a summary of the Military Equipment owned and maintained by the Sierra Madre Police Department as defined by California Government Code §7070 and §7071:

Item	Quantity Owned	Gov't Code Subsection
<p>Remington 870 Less Lethal Shotgun</p>  A Remington 870 Less Lethal Shotgun with a yellow and black handle and a black barrel, lying on a wooden surface. A small yellow and black component is also visible next to it.	6	7070(c)(14)
<p>40mm Less Lethal Launcher</p>  A 40mm Less Lethal Launcher, a black handgun-style launcher with a shoulder strap, lying on a wooden surface. A black pouch containing blue and white rounds is also visible.	3	7070(c)(14)
<p>PepperBall Tactical Launcher</p>  A PepperBall Tactical Launcher, a black handgun-style launcher with a shoulder strap, lying on a wooden surface. A white paper with red and blue dots and a black marker are also visible.	2	7070(c)(12)
<p>Daniel Defense MK-18</p>  A Daniel Defense MK-18, a black assault rifle, lying on a wooden surface.	3	7070(c)(10)

<p>Smith & Wesson M&P</p> 	<p>6</p>	<p>7070(c)(10)</p>
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Item	Quantity Owned	Gov't Code Subsection
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<p>Autel Evo II Dual UAS</p> 	<p>1</p>	<p>7070(c)(1)</p>
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<p>Autel EVO II Pro 6K UAS</p> 	<p>1</p>	<p>7070(c)(1)</p>
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<p>Autel EVO II Nano+ UAS</p> 	<p>1</p>	<p>7070(c)(1)</p>
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DEPARTMENT INVENTORY

EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(14)	
Description	Remington 870 Shotgun and Kinetic Energy Munitions
Quantity	6
Capabilities	The shotgun Less Lethal platform can fire the Defense Technologies Drag Stabilized Beanbag munitions, which are fiber bean bag projectiles.
Expected Lifespan	15-20 years Shotgun / 5 years Beanbag Munition
Manufacturer's Description	This shotgun is a U.S.-made pump-action shotgun. The stock and fore grip is comprised of fiberglass-reinforced polymer with a rubber over-molding. The Remington Shotgun is milled from a single block of steel.
Purpose(s) Authorized Use	The shotgun Less Lethal platform and Kinetic Energy Munitions are intended for use as a less-lethal use-of-force option.
Initial Cost	\$0
Annual Cost	\$700 (includes fiber bean bag projectiles)
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 300 – Use of Force, 303 – Control Devices and Techniques, 706-Military Equipment
Required Training	Four hours of initial training and four hours every year (includes qualification)
Other	
Government Code Section § 7072 – Annual Report: Remington 870 Shotgun and Kinetic Energy Munitions	
Summary of how the military equipment was used and the purpose of its use	This equipment is used in situations where a subject is armed with a weapon or a situation that requires a less-lethal option to be deployed. The less-lethal munitions are used to disarm individuals from a safe distance. This equipment was deployed but has yet to be used in different incidents.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0 Training: \$500 Others: \$0 Funding Source: Police Department Budget
Quantity:	6
Intention to acquire more:	No
Note	
EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(14)	
Description	40mm Less Lethal Launchers and Kinetic Energy Munitions
Quantity	3

Capabilities	The 40mm Less Lethal Single shot Launcher can fire 40mm Kinetic Energy Munitions, known as sponge projectiles.
Expected Lifespan	15-20 years
Manufacturer's Description	Defense Technology Tactical LMT 40mm is a single shot launcher with an expandable Rogers Super Stock and adjustable Integrated Front Grip (IFG) with light rail, Ambidextrous Lateral Sling Mount (LSM), and QD mounting systems. The Defense Technology Tactical LMT 40mm will fire a standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept various enhanced optics/sighting systems.
Purpose(s) Authorized Use	The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less-lethal use-of-force option.
Initial Cost	\$ 1,800 each
Annual Cost	\$ 550 (includes sponge projectiles for training)
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 300 – Use of Force, 309 - 40MM Less Lethal Launcher Guidelines, 706- Military Equipment
Required Training	Four hours of initial training and four hours every year (includes qualification)
Other	The Department purchased two 40MM launchers and 25 sponge rounds.

**Government Code Section § 7072 – Annual Report:
40mm Less Lethal Launchers and Kinetic Energy Munitions**

Summary of how the military equipment was used and the purpose of its use	This equipment is used in situations where a subject is armed with a weapon or a situation that requires a less-lethal option to be deployed. The less lethal munitions are used to disarm individuals from a safe distance. This equipment was deployed but has yet to be used in different incidents.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$3,500 (Two additional 40MM launcher and sponge rounds) Training: \$500 Others: \$0 Funding Source: Police Department Budget
Quantity:	4 (with the acquisition noted above)
Intention to acquire more:	Yes
Note	

**EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT
GOVERNMENT CODE § 7070(c)(12)**

Description	PepperBall Full Tactical Carbine (FTC) Launcher and Pava (OC) Projectiles
Quantity	2
Capabilities	The PepperBall FTC launcher can fire paintball-sized kinetic energy munition filled with an oleoresin capsicum powder mixture.

Expected Lifespan	15-20 years
Manufacturer's Description	<ul style="list-style-type: none"> PepperBall FTC Launcher: The PepperBall FTC launcher, with its simple-to-operate controls, functions in semiautomatic mode only and is supplied with an adapter so it can be deployed in a bottle-forward or bottle-rearward configuration. The hopper can hold up to 180-round pepper ball projectiles. The PepperBall FTC can utilize an electronic or gravity feed hopper and exhibits a profile that is distinct to officers and the public. The FTC utilizes a 0.68 caliber projectile with a maximum distance of 150 feet. The FTC has a height of 13in/33cm and a length of 8.5in/21.6cm (without tank) with an overall weight of 2.95 lbs. PepperBall Live Pava (OC) Powder Projectiles: The classic .68 caliber PepperBall projectiles contains 2% PAVA and is excellent for direct impact and area saturation, especially in confined interior spaces. Ultrasonically welded, 100% waterproof, and non-flammable.
Purpose(s) Authorized Use	The PepperBall FTC and Pava (OC) Powder Projectiles are intended to be a less-lethal use-of-force option.
Initial Cost	\$ 0
Annual Cost	\$ 300
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 300 – Use of Force, 303 – Control Devices and Techniques, 706 - Military Equipment
Required Training	Two (2) hours of initial training and (2) hours every two (2) years
Other	None
Government Code Section § 7072 – Annual Report:	
PepperBall Full Tactical Carbine (FTC) Launcher and Pava (OC) Projectiles	
Summary of how the military equipment was used and the purpose of its use	<p>This equipment is used in situations where a subject is armed with a weapon, a situation that requires a less-lethal option to be deployed, or used to disperse animals. The less lethal munitions are used to disarm individuals from a safe distance.</p> <p>This equipment was deployed but mainly used to disperse bears. It was not used on a person.</p>
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0 Training: \$300 Others: \$0 Funding Source: Police Department Budget
Quantity:	2

Intention to acquire more:	None
EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(1)	
Description	Unmanned Aerial System (UAS), remotely piloted, powered aircraft
Quantity	Total of 3 UAS: <ol style="list-style-type: none"> 1. Autel EVO II Dual 2. Autel EVO II Pro 6K 3. Autel EVO II Nano+
Capabilities	UAS can be remotely navigated to provide scene information and intelligence through video and still images transmitted to first responders.
Expected Lifespan	5-10 years
Manufacturer's Description	<ol style="list-style-type: none"> 1. The Autel EVO II drone provides hi-end specifications and abilities well beyond videography and photography. The 7100mAh battery lets it fly for up to 40 minutes at a time, the motors can fly in Ludicrous Speed mode at up to 44.8 mph, and you can transmit HD footage back to the controller's 3.3" OLED screen from up to 5.6 miles away. While flying and tracking, 12-sensor omnidirectional obstacle avoidance is coupled with a dual-core processor and AI machine learning to let the EVO II navigate itself around the environment safely, while still getting the shot. 2. The Autel EVO II Pro 6K drone provides hi-end specifications and abilities well beyond videography and photography. The 7100mAh battery lets it fly for up to 40 minutes at a time, the motors can fly in Ludicrous Speed mode at up to 44.8 mph, and you can transmit HD footage back to the controller's 3.3" OLED screen from up to 5.6 miles away. While flying and tracking, 12-sensor omnidirectional obstacle avoidance is coupled with a dual-core processor and AI machine learning to let the EVO II Pro 6K navigate itself around the environment safely, while still getting the shot. 3. The Autel EVO II Nano+ drone has a 1/1.28-inch CMOS sensor for 50MP photos. The Nano+ offers superior noise reduction capabilities and the power to effortlessly produce quality images in low-light conditions thanks to its RYYB color filter array design with a large fixed aperture of f/1.9. Track fast-moving subjects with incredible precision through a PDAF + CDAF autofocus system. Squeeze rich detail from shadows and highlights no matter how extreme the lighting conditions using HDR mode, which rapidly snaps several photos at different exposures so they can be stitched together in post-production.
Purpose(s) Authorized Use	UAS may be used in any way that supports the SMPD mission to protect lives and property when not otherwise prohibited by policy or statute. This may include but is not limited to, search and rescue operations, documentation of crimes or accident scenes, documentation of wildlife emergencies or natural disasters, monitoring hazards, suspect apprehension, scene security, crisis communications, emergency calls for service, tactical operations, legally authorized surveillance, or other uses.

Initial Cost	<ol style="list-style-type: none"> 1. Autel EVO II / \$12,000.00 2. Autel EVO II Pro 6K / \$2,500.00 3. Autel EVO II Nano+ / \$2,100.00
Annual Cost	\$0
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 609 - Unmanned Aerial Systems (UAS) Operation and 706 - Military Equipment
Required Training	All UAS/Drone operators shall complete training and certification to receive an FAA Remote Pilot License and any training required by the Sierra Madre Police Department in the care, use, or management of the UAS/Drone.
Other	

**Government Code Section § 7072 – Annual Report:
Unmanned, remotely piloted, powered aerial and ground vehicles**

Summary of how the military equipment was used and the purpose of its use	To enhance the safety of potentially dangerous situations by providing first responders with the ability to monitor the video feed from the equipment camera in hazardous conditions before, or in lieu of, sending in personnel. Remotely piloted ground vehicles may be used to investigate and mitigate potential explosive devices.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0 Training: \$0 Others: \$0 Funding Source: Police Department Budget The total impact under this heading for fiscal year 2024-2025 was zero.
Quantity:	3
Intention to acquire more:	SMPD will look to replace the Autel EVO II Nano+ within the next two (2) years with an updated version of the equipment that would provide a better ability to be used indoors and in extreme weather conditions.

**EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT
GOVERNMENT CODE § 7070(c)(10)**

**Government Code Section § 7072 – Annual Report:
Daniel Defense MK18 With Mil Spec Trigger Model #02-088-07327**

Summary of how the military equipment was used and the purpose of its use	The MK18 carbine rifle is the primary duty weapon system for the Foothill Special Enforcement Team (FSET) and will be deployed as part of their missions and training. The weapon system offers a combination of mobility, customization, accuracy, reliability, and ease of use, making it well-suited for the diverse and demanding nature of FSET missions and training.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0

	Training: \$2,000 Others: \$0 Funding Source: Police Department Budget
Quantity:	3
Intention to acquire more:	None
Description	Specialized Firearms and Ammunition of Less Than .50 Caliber
Quantity	3
Capabilities	The MK18 rifle is a versatile and widely used firearm, particularly favored for close-quarters operations (CQO) due to its compact size, lightweight, and customization options. Its design allows for effective maneuverability in tight spaces where longer and bulkier rifles would be impractical.
Expected Lifespan	15-20 years
Manufacturer's Description	Daniel Defense MK18 With Mil Spec Trigger Model #02-088-07327 The MK18 AR15 style firearm is unmatched in size, weight, and performance, and features the picatinny quad rail Daniel Defense provides to USSOCOM. The RIS II picatinny quad rail features a Bolt-Up System that has been rigorously tested prior to fielding by USSOCOM. The 10.3 inch Cold Hammer Forged barrel is the same length in use for the MK18 upper most commonly used for CQB operations. The independently ambi GRIP-N-RIP Charging Handle accommodates left- and right-handed shooters. This rifle also comes with the ergonomic Daniel Defense Buttstock and Pistol Grip.
Purpose(s) Authorized Use	This equipment is the primary rifle for personnel assigned to the Foothill Special Enforcement Team (FSET). Only officers who have completed an approved training are permitted to deploy this equipment.
Initial Cost	\$ 8,574; this included the following: <ul style="list-style-type: none"> • Daniel Defense MK18 With Mil Spec Trigger Model #02-088-07327 rifle • Aimpoint RDS Duty Rifle Red Dot 2 MOA with 39MM TNP mount • Surefire Scout Light Pro with MLOK mount • Surefire Scout Light remote pressure switch • VTAC 2-point sling • Magpul QD sling attachment The cost of ammunition for training and operations in Fiscal Year 2024-2025 is \$2,000.
Annual Cost	\$ 2,000
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	All applicable local, state, and federal laws, rules, and regulations governing the use of firearms and any such agency policies
Required Training	All persons qualified to use and assigned to carry the Daniel Defense MK18 or other rifles designated under California Penal Code §33220(b) undergo a California POST Approved course as well as regular departmental firearms training, and qualifications as specified by law, POST regulations, and department policy.

Other	Personnel are trained in the safe, appropriate use of the Daniel Defense MK18 rifle and are issued it. The training includes the minimum standards established by California Penal Code §33220(b) and the firearm training standards set by FSET. Those training days will be planned and overseen by POST Certified Range Instructors assigned to FSET and annual qualifications with the Danile Defense MK18.
EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(10)	
Government Code Section § 7072 – Annual Report: Smith and Wesson M&P 15 Rifle	
Summary of how the military equipment was used and the purpose of its use	May be deployed by officers trained in its operation under any circumstances in which deadly force is justified and deemed necessary and reasonable under local, state, and federal law.
Complaints or Concerns	None.
Audits, Violations, Actions	None.
Total Annual Cost:	Training: \$3,000
Description	Specialized Firearms and Ammunition of Less Than .50 Caliber
Quantity	6
Capabilities	Provides precision fire to a threat at greater accuracy and greater distances than that of a handgun.
Expected Lifespan	15-20 years
Manufacturer's Description	Smith and Wesson M&P 15 rifle M&P15 Rifles are the ideal modern sporting rifle. Built to perform multiple uses under various conditions, M&P15 Rifles are as versatile as they are reliable. Engineered for a wide variety of recreational, sport shooting and professional applications, M&P15 Rifles are easy to accessorize, but hard to put down. M&P15 Rifles are lightweight and rugged embodying the best combination of function and form.
Purpose(s) Authorized Use	Only officers who have completed an approved training are permitted to deploy this equipment.
Initial Cost	These items were purchased over a decade ago. The initial cost to acquire these items was approximately \$5,040.00. However, the total impact under this heading for fiscal year 2024-2025 was zero.
Annual Cost	\$ 3,000
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	All applicable local, state, and federal laws, rules, and regulations governing the use of firearms and any such agency policies
Required Training	All persons qualified to use and assigned to carry the Smith and Wesson M&P 15 Rifle or other rifles designated under California Penal Code §33220(b)

	undergo a California POST Approved course as well as regular departmental firearms training, and qualifications as specified by law, POST regulations, and department policy.
Other	All of the items sought under this heading are meant solely to replenish/ replace the supply so used, to replace due to lifespan, address identified shortages in prior inventory, and to maintain a total inventory at minimum serviceable levels
Quantity:	6
Intention to acquire more:	The lifespan on these items are near exhaustion and the Agency will seek to replenish items that expired, address identified shortages in prior inventory, and to maintain a total inventory at minimum serviceable levels.

EQUIPMENT ACQUISITION REQUEST

For the 2025-2026 fiscal year, the Sierra Madre Police Department projects the purchase of ammunition for 40MM, Pepper Ball, and ten Colt M4 Enhanced Patrol Rifles to replenish inventory due to training and critical incident use. The estimated purchase price for this equipment is approximately \$18,000.

Operating Costs:

The operating costs associated with this equipment include:

- Acquisition Costs: Initial purchase price of the ammunition and equipment.
- Personnel Time: Man-hours required for training and operational deployment.
- Training Facilities: Costs for utilizing training facilities.
- Transportation/Storage: Expenses related to transporting and storing the equipment.
- Equipment Upgrades: Periodic upgrades and maintenance of the equipment.
- Ongoing Expenses: Any other recurring costs associated with the equipment's use and upkeep.

These costs are budgeted within the Department's approved operating budget for FY 24-25, ensuring that the necessary resources are allocated for the effective and efficient use of the equipment throughout the year.

CONCLUSION

This report reaffirms the Sierra Madre Police Department's dedication to transparency, accountability, and service excellence. By equipping our personnel with advanced tools and comprehensive training, we enhance our ability to protect and serve the community effectively. The outlined equipment and resources ensure that our officers are prepared to handle various situations professionally and precisely.

Our commitment to compliance with California State law and continuous improvement in our practices reflects our dedication to maintaining the highest law enforcement standards. The transparency and information provided in this report are essential to fostering trust and collaboration with our community and elected officials.

In conclusion, the Sierra Madre Police Department remains steadfast in its mission to ensure community safety and to deliver the highest quality service through dedication, teamwork, and partnerships. The resources detailed in this report are integral to achieving our goals and upholding our commitment to the Sierra Madre community.

Military Equipment

706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- Area denial electroshock devices, microwave weapons, water cannons, long-range acoustic devices (LRADs), acoustic hailing devices, and sound cannons.
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

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706.2 POLICY

It is the policy of the Sierra Madre Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

706.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Sierra Madre Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

[See attachment: AB 481 Military Equipment - Annual Report.pdf](#)

706.4.1 MILITARY EQUIPMENT INVENTORY REPLENISHMENT

The inventory of certain items of consumable "military equipment" (i.e., ammunition, diversionary devices, chemical agents, etc.) can fluctuate throughout the year. This can be due to operational usage, training, operational wear, and/or manufacturer-recommended replacement guidelines. While the Department strives to provide accuracy in its inventory reporting as prescribed by law, the quantities listed in the inventory reflect approximations of certain consumable items of "military equipment" at the time. By the adoption of the ordinance approving this procedure, the City Council

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hereby approves additional purchases of any item listed in this inventory as needed to meet the Department's operational needs, to be reported on each year's annual report.

706.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

706.6 COORDINATION WITH OTHER JURISDICTIONS

The Sierra Madre Police Department provides law enforcement services to the City of Sierra Madre and provides mutual aid countywide.

The Sierra Madre Police Department works in conjunction with the Foothill Special Enforcement Team (FSET/SWAT), the Foothill Air Support Team (FAST), Internet Crimes Against Children (ICAC) Task Force and may enter into an agreement with a joint task force to provide services to the City of Sierra Madre. This is done under the guidance of an approved and consolidated Memorandum of Understanding between the entities.

Military equipment used by any member of this Department shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions providing mutual aid to this Department, or otherwise engaged in law enforcement operations in this jurisdiction, shall comply with their respective military equipment use policies in rendering mutual aid.

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706.7 USE IN EXIGENT CIRCUMSTANCES

In exigent circumstances and with the approval of the Chief of Police or their designee, the Police Department may acquire, borrow and/or use Military Equipment from a neighboring law enforcement entity that is not included in the Military Equipment Use Policy. If the Police Department acquires, borrows, and/or uses Military Equipment in exigent circumstances, in accordance with this section, it must take all of the following actions

- Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstance, unless such information is confidential or privileged under local, state, or federal law.
- If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition, and/or use, and receive approval applicable from the City Council.
- Include the Military Equipment in the Police Department's next annual Military Equipment Report.

706.8 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

706.9 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

706.10 COMPLAINT PROCEDURE

Pursuant to California Government Code §7071(d)(6), members of the public may register complaints, concerns, or submit questions about the use of each specific type of Military Equipment in this policy by any of the following means:

- (a) Via email to: [Military Equipment Coordinator](#)
- (b) Via mail sent to: Sierra Madre Police Department, Attn: Military Equipment Coordinator, 242 W. Sierra Madre Blvd, Sierra Madre, CA, 91024

Sierra Madre Police Department

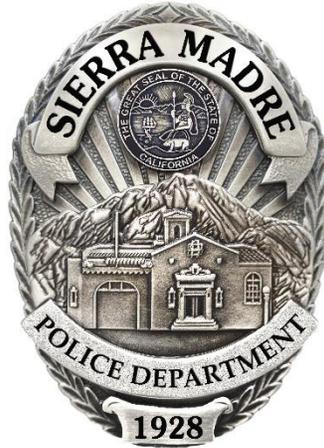
Sierra Madre Police Department Policy Manual

Military Equipment

The Sierra Madre Police Department is committed to responding to complaints, concerns, and/or questions regarding its Military Equipment in a timely manner.

Attachments

AB 481 Military Equipment - Annual Report.pdf



SIERRA MADRE POLICE DEPARTMENT

2024-2025 Annual Military Equipment Report

Assembly Bill 481

(CA Government Code § 7072; Sierra Madre Ordinance No. 1456)



INTRODUCTION

On September 30, 2021, the Governor of the State of California approved Assembly Bill (AB) 481 (codified as Chapter 12.8 of the California Government Code), requiring law enforcement agencies such as the Sierra Madre Police Department (SMPD) to have a military use policy approved by the City Council before requesting, seeking funding, acquiring or using military equipment. AB 481 allows the governing body to approve the policy within its jurisdiction only if it determines that the military equipment meets specified standards.

On May 24, 2022, the City Council approved Ordinance 1456, approving SMPD Policy § 706: Military Equipment Funding, Acquisition, and Use. As required by AB 481 and the Ordinance, SMPD must prepare a report annually on the use of each type of military equipment approved in the policy over the last year. Subsequently, the City Council must then review the Ordinance, Policy, and Annual Report to determine whether the Department's use of military equipment in the past year complied with the policy and whether to continue the Ordinance and Policy, take action (by ordinance) to modify the policy or repeal the ordinance. The policy and inventory list are located on the Sierra Madre Police Department's website.

As the policy outlines, SMPD retains and employs limited military equipment to safeguard its community. SMPD officers, certified instructional staff, and specialized units receive training throughout the year on using military equipment approved under the policy.

California Government Code § 7072 requires law enforcement agencies to prepare a Military Equipment Report annually. The annual Military Equipment Report will contain the following:

- A summary of how the military equipment was used and the purpose of its use;
- A summary of any complaints or concerns received concerning the military equipment;
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response;
- The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing expenses, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report;
- The quantity possessed for each type of military equipment; and
- If the law enforcement agency intends to acquire additional military equipment in the next year, the amount sought for every kind of military equipment.

This annual Military Equipment Report satisfies the reporting requirements outlined in California Government Code § 7072 and compliance with AB 481. The Department submits its Military Equipment Annual Report to the City Council every year after December 31.

Any complaints, concerns, or questions related to Military Equipment utilization can be through any of the below methods:

- Email: militaryequipment@cityofsierramadre.com
- Mail: Sierra Madre Police Department,
Attn: Military Equipment Coordinator,
242 W. Sierra Madre Blvd,
Sierra Madre, CA, 91024

DEFINITIONS

Pursuant to AB 481, the following definitions are applicable only to the Department's current military equipment inventory and potential future military equipment acquisitions for operational needs. For a more detailed list, refer to Government Code section 7070 for "military equipment" as defined within the Assembly Bill.

Definitions of Military Equipment established by California Government Code §7070; SMPD utilizes a limited number of the resources listed below:

1. Unmanned, remotely piloted, powered aerial or ground vehicles
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers
3. High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached
4. Tracked armored vehicles that provide ballistic protection to their occupants
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
6. Weaponized aircraft, vessels, vehicles, or any kind
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram
8. Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition
9. Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code §30510 and Penal Code §30515, with the exception of standard-issue firearms
10. Any firearm or firearm accessory that is designed to launch explosive projectiles
11. Noise-flash diversionary devices and explosive breaching tools
12. Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray
13. Taser Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs)
14. Kinetic energy weapons and munitions (e.g., 40MM launcher, bean bag shotgun, foam-tipped projectiles)
15. Any other equipment determined by a governing body or a state agency to require additional oversight.

DEPARTMENT INVENTORY

The following is a summary of the Military Equipment owned and maintained by the Sierra Madre Police Department as defined by California Government Code §7070 and §7071:

Item	Quantity Owned	Gov't Code Subsection
<p>Remington 870 Less Lethal Shotgun</p>  A Remington 870 Less Lethal Shotgun with a yellow and black handle and a black barrel, lying on a wooden surface. A small yellow and black component is also visible next to it.	6	7070(c)(14)
<p>40mm Less Lethal Launcher</p>  A 40mm Less Lethal Launcher, a black handgun-style launcher, lying on a wooden surface. A black pouch containing blue and white rounds is also visible next to it.	3	7070(c)(14)
<p>PepperBall Tactical Launcher</p>  A PepperBall Tactical Launcher, a black handgun-style launcher, lying on a wooden surface. A black pouch containing blue and white rounds is also visible next to it.	2	7070(c)(12)
<p>Daniel Defense MK-18</p>  A Daniel Defense MK-18, a black assault rifle, lying on a wooden surface.	3	7070(c)(10)

<p>Smith & Wesson M&P</p> 	<p>6</p>	<p>7070(c)(10)</p>
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Item	Quantity Owned	Gov't Code Subsection
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<p>Autel Evo II Dual UAS</p> 	<p>1</p>	<p>7070(c)(1)</p>
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<p>Autel EVO II Pro 6K UAS</p> 	<p>1</p>	<p>7070(c)(1)</p>
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<p>Autel EVO II Nano+ UAS</p> 	<p>1</p>	<p>7070(c)(1)</p>
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DEPARTMENT INVENTORY

EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(14)	
Description	Remington 870 Shotgun and Kinetic Energy Munitions
Quantity	6
Capabilities	The shotgun Less Lethal platform can fire the Defense Technologies Drag Stabilized Beanbag munitions, which are fiber bean bag projectiles.
Expected Lifespan	15-20 years Shotgun / 5 years Beanbag Munition
Manufacturer's Description	This shotgun is a U.S.-made pump-action shotgun. The stock and fore grip is comprised of fiberglass-reinforced polymer with a rubber over-molding. The Remington Shotgun is milled from a single block of steel.
Purpose(s) Authorized Use	The shotgun Less Lethal platform and Kinetic Energy Munitions are intended for use as a less-lethal use-of-force option.
Initial Cost	\$0
Annual Cost	\$700 (includes fiber bean bag projectiles)
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 300 – Use of Force, 303 – Control Devices and Techniques, 706-Military Equipment
Required Training	Four hours of initial training and four hours every year (includes qualification)
Other	
Government Code Section § 7072 – Annual Report: Remington 870 Shotgun and Kinetic Energy Munitions	
Summary of how the military equipment was used and the purpose of its use	This equipment is used in situations where a subject is armed with a weapon or a situation that requires a less-lethal option to be deployed. The less-lethal munitions are used to disarm individuals from a safe distance. This equipment was deployed but has yet to be used in different incidents.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0 Training: \$500 Others: \$0 Funding Source: Police Department Budget
Quantity:	6
Intention to acquire more:	No
Note	
EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(14)	
Description	40mm Less Lethal Launchers and Kinetic Energy Munitions
Quantity	3

Capabilities	The 40mm Less Lethal Single shot Launcher can fire 40mm Kinetic Energy Munitions, known as sponge projectiles.
Expected Lifespan	15-20 years
Manufacturer's Description	Defense Technology Tactical LMT 40mm is a single shot launcher with an expandable Rogers Super Stock and adjustable Integrated Front Grip (IFG) with light rail, Ambidextrous Lateral Sling Mount (LSM), and QD mounting systems. The Defense Technology Tactical LMT 40mm will fire a standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept various enhanced optics/sighting systems.
Purpose(s) Authorized Use	The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less-lethal use-of-force option.
Initial Cost	\$ 1,800 each
Annual Cost	\$ 550 (includes sponge projectiles for training)
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 300 – Use of Force, 309 - 40MM Less Lethal Launcher Guidelines, 706- Military Equipment
Required Training	Four hours of initial training and four hours every year (includes qualification)
Other	The Department purchased two 40MM launchers and 25 sponge rounds.

**Government Code Section § 7072 – Annual Report:
40mm Less Lethal Launchers and Kinetic Energy Munitions**

Summary of how the military equipment was used and the purpose of its use	This equipment is used in situations where a subject is armed with a weapon or a situation that requires a less-lethal option to be deployed. The less lethal munitions are used to disarm individuals from a safe distance. This equipment was deployed but has yet to be used in different incidents.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$3,500 (Two additional 40MM launcher and sponge rounds) Training: \$500 Others: \$0 Funding Source: Police Department Budget
Quantity:	4 (with the acquisition noted above)
Intention to acquire more:	Yes
Note	

**EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT
GOVERNMENT CODE § 7070(c)(12)**

Description	PepperBall Full Tactical Carbine (FTC) Launcher and Pava (OC) Projectiles
Quantity	2
Capabilities	The PepperBall FTC launcher can fire paintball-sized kinetic energy munition filled with an oleoresin capsicum powder mixture.

Expected Lifespan	15-20 years
Manufacturer's Description	<ul style="list-style-type: none"> PepperBall FTC Launcher: The PepperBall FTC launcher, with its simple-to-operate controls, functions in semiautomatic mode only and is supplied with an adapter so it can be deployed in a bottle-forward or bottle-rearward configuration. The hopper can hold up to 180-round pepper ball projectiles. The PepperBall FTC can utilize an electronic or gravity feed hopper and exhibits a profile that is distinct to officers and the public. The FTC utilizes a 0.68 caliber projectile with a maximum distance of 150 feet. The FTC has a height of 13in/33cm and a length of 8.5in/21.6cm (without tank) with an overall weight of 2.95 lbs. PepperBall Live Pava (OC) Powder Projectiles: The classic .68 caliber PepperBall projectiles contains 2% PAVA and is excellent for direct impact and area saturation, especially in confined interior spaces. Ultrasonically welded, 100% waterproof, and non-flammable.
Purpose(s) Authorized Use	The PepperBall FTC and Pava (OC) Powder Projectiles are intended to be a less-lethal use-of-force option.
Initial Cost	\$ 0
Annual Cost	\$ 300
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 300 – Use of Force, 303 – Control Devices and Techniques, 706 - Military Equipment
Required Training	Two (2) hours of initial training and (2) hours every two (2) years
Other	None
Government Code Section § 7072 – Annual Report:	
PepperBall Full Tactical Carbine (FTC) Launcher and Pava (OC) Projectiles	
Summary of how the military equipment was used and the purpose of its use	<p>This equipment is used in situations where a subject is armed with a weapon, a situation that requires a less-lethal option to be deployed, or used to disperse animals. The less lethal munitions are used to disarm individuals from a safe distance.</p> <p>This equipment was deployed but mainly used to disperse bears. It was not used on a person.</p>
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0 Training: \$300 Others: \$0 Funding Source: Police Department Budget
Quantity:	2

Intention to acquire more:	None
EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(1)	
Description	Unmanned Aerial System (UAS), remotely piloted, powered aircraft
Quantity	Total of 3 UAS: <ol style="list-style-type: none"> 1. Autel EVO II Dual 2. Autel EVO II Pro 6K 3. Autel EVO II Nano+
Capabilities	UAS can be remotely navigated to provide scene information and intelligence through video and still images transmitted to first responders.
Expected Lifespan	5-10 years
Manufacturer's Description	<ol style="list-style-type: none"> 1. The Autel EVO II drone provides hi-end specifications and abilities well beyond videography and photography. The 7100mAh battery lets it fly for up to 40 minutes at a time, the motors can fly in Ludicrous Speed mode at up to 44.8 mph, and you can transmit HD footage back to the controller's 3.3" OLED screen from up to 5.6 miles away. While flying and tracking, 12-sensor omnidirectional obstacle avoidance is coupled with a dual-core processor and AI machine learning to let the EVO II navigate itself around the environment safely, while still getting the shot. 2. The Autel EVO II Pro 6K drone provides hi-end specifications and abilities well beyond videography and photography. The 7100mAh battery lets it fly for up to 40 minutes at a time, the motors can fly in Ludicrous Speed mode at up to 44.8 mph, and you can transmit HD footage back to the controller's 3.3" OLED screen from up to 5.6 miles away. While flying and tracking, 12-sensor omnidirectional obstacle avoidance is coupled with a dual-core processor and AI machine learning to let the EVO II Pro 6K navigate itself around the environment safely, while still getting the shot. 3. The Autel EVO II Nano+ drone has a 1/1.28-inch CMOS sensor for 50MP photos. The Nano+ offers superior noise reduction capabilities and the power to effortlessly produce quality images in low-light conditions thanks to its RYYB color filter array design with a large fixed aperture of f/1.9. Track fast-moving subjects with incredible precision through a PDAF + CDAF autofocus system. Squeeze rich detail from shadows and highlights no matter how extreme the lighting conditions using HDR mode, which rapidly snaps several photos at different exposures so they can be stitched together in post-production.
Purpose(s) Authorized Use	UAS may be used in any way that supports the SMPD mission to protect lives and property when not otherwise prohibited by policy or statute. This may include but is not limited to, search and rescue operations, documentation of crimes or accident scenes, documentation of wildlife emergencies or natural disasters, monitoring hazards, suspect apprehension, scene security, crisis communications, emergency calls for service, tactical operations, legally authorized surveillance, or other uses.

Initial Cost	<ol style="list-style-type: none"> 1. Autel EVO II / \$12,000.00 2. Autel EVO II Pro 6K / \$2,500.00 3. Autel EVO II Nano+ / \$2,100.00
Annual Cost	\$0
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	Policy § 609 - Unmanned Aerial Systems (UAS) Operation and 706 - Military Equipment
Required Training	All UAS/Drone operators shall complete training and certification to receive an FAA Remote Pilot License and any training required by the Sierra Madre Police Department in the care, use, or management of the UAS/Drone.
Other	

**Government Code Section § 7072 – Annual Report:
Unmanned, remotely piloted, powered aerial and ground vehicles**

Summary of how the military equipment was used and the purpose of its use	To enhance the safety of potentially dangerous situations by providing first responders with the ability to monitor the video feed from the equipment camera in hazardous conditions before, or in lieu of, sending in personnel. Remotely piloted ground vehicles may be used to investigate and mitigate potential explosive devices.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0 Training: \$0 Others: \$0 Funding Source: Police Department Budget The total impact under this heading for fiscal year 2024-2025 was zero.
Quantity:	3
Intention to acquire more:	SMPD will look to replace the Autel EVO II Nano+ within the next two (2) years with an updated version of the equipment that would provide a better ability to be used indoors and in extreme weather conditions.

**EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT
GOVERNMENT CODE § 7070(c)(10)**

**Government Code Section § 7072 – Annual Report:
Daniel Defense MK18 With Mil Spec Trigger Model #02-088-07327**

Summary of how the military equipment was used and the purpose of its use	The MK18 carbine rifle is the primary duty weapon system for the Foothill Special Enforcement Team (FSET) and will be deployed as part of their missions and training. The weapon system offers a combination of mobility, customization, accuracy, reliability, and ease of use, making it well-suited for the diverse and demanding nature of FSET missions and training.
Complaints or Concerns	SMPD did not receive any complaints or concerns
Audits, Violations, Actions	There were no violations of any audits, deployment, or policies.
Total Annual Cost:	Acquisition: \$0

	Training: \$2,000 Others: \$0 Funding Source: Police Department Budget
Quantity:	3
Intention to acquire more:	None
Description	Specialized Firearms and Ammunition of Less Than .50 Caliber
Quantity	3
Capabilities	The MK18 rifle is a versatile and widely used firearm, particularly favored for close-quarters operations (CQO) due to its compact size, lightweight, and customization options. Its design allows for effective maneuverability in tight spaces where longer and bulkier rifles would be impractical.
Expected Lifespan	15-20 years
Manufacturer's Description	Daniel Defense MK18 With Mil Spec Trigger Model #02-088-07327 The MK18 AR15 style firearm is unmatched in size, weight, and performance, and features the picatinny quad rail Daniel Defense provides to USSOCOM. The RIS II picatinny quad rail features a Bolt-Up System that has been rigorously tested prior to fielding by USSOCOM. The 10.3 inch Cold Hammer Forged barrel is the same length in use for the MK18 upper most commonly used for CQB operations. The independently ambi GRIP-N-RIP Charging Handle accommodates left- and right-handed shooters. This rifle also comes with the ergonomic Daniel Defense Buttstock and Pistol Grip.
Purpose(s) Authorized Use	This equipment is the primary rifle for personnel assigned to the Foothill Special Enforcement Team (FSET). Only officers who have completed an approved training are permitted to deploy this equipment.
Initial Cost	\$ 8,574; this included the following: <ul style="list-style-type: none"> • Daniel Defense MK18 With Mil Spec Trigger Model #02-088-07327 rifle • Aimpoint RDS Duty Rifle Red Dot 2 MOA with 39MM TNP mount • Surefire Scout Light Pro with MLOK mount • Surefire Scout Light remote pressure switch • VTAC 2-point sling • Magpul QD sling attachment The cost of ammunition for training and operations in Fiscal Year 2024-2025 is \$2,000.
Annual Cost	\$ 2,000
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	All applicable local, state, and federal laws, rules, and regulations governing the use of firearms and any such agency policies
Required Training	All persons qualified to use and assigned to carry the Daniel Defense MK18 or other rifles designated under California Penal Code §33220(b) undergo a California POST Approved course as well as regular departmental firearms training, and qualifications as specified by law, POST regulations, and department policy.

Other	Personnel are trained in the safe, appropriate use of the Daniel Defense MK18 rifle and are issued it. The training includes the minimum standards established by California Penal Code §33220(b) and the firearm training standards set by FSET. Those training days will be planned and overseen by POST Certified Range Instructors assigned to FSET and annual qualifications with the Danile Defense MK18.
EQUIPMENT OWNED BY THE SIERRA MADRE POLICE DEPARTMENT GOVERNMENT CODE § 7070(c)(10)	
Government Code Section § 7072 – Annual Report: Smith and Wesson M&P 15 Rifle	
Summary of how the military equipment was used and the purpose of its use	May be deployed by officers trained in its operation under any circumstances in which deadly force is justified and deemed necessary and reasonable under local, state, and federal law.
Complaints or Concerns	None.
Audits, Violations, Actions	None.
Total Annual Cost:	Training: \$3,000
Description	Specialized Firearms and Ammunition of Less Than .50 Caliber
Quantity	6
Capabilities	Provides precision fire to a threat at greater accuracy and greater distances than that of a handgun.
Expected Lifespan	15-20 years
Manufacturer's Description	Smith and Wesson M&P 15 rifle M&P15 Rifles are the ideal modern sporting rifle. Built to perform multiple uses under various conditions, M&P15 Rifles are as versatile as they are reliable. Engineered for a wide variety of recreational, sport shooting and professional applications, M&P15 Rifles are easy to accessorize, but hard to put down. M&P15 Rifles are lightweight and rugged embodying the best combination of function and form.
Purpose(s) Authorized Use	Only officers who have completed an approved training are permitted to deploy this equipment.
Initial Cost	These items were purchased over a decade ago. The initial cost to acquire these items was approximately \$5,040.00. However, the total impact under this heading for fiscal year 2024-2025 was zero.
Annual Cost	\$ 3,000
Legal	All applicable State, Federal, and Local laws governing police use of force
Procedural	All applicable local, state, and federal laws, rules, and regulations governing the use of firearms and any such agency policies
Required Training	All persons qualified to use and assigned to carry the Smith and Wesson M&P 15 Rifle or other rifles designated under California Penal Code §33220(b)

	undergo a California POST Approved course as well as regular departmental firearms training, and qualifications as specified by law, POST regulations, and department policy.
Other	All of the items sought under this heading are meant solely to replenish/ replace the supply so used, to replace due to lifespan, address identified shortages in prior inventory, and to maintain a total inventory at minimum serviceable levels
Quantity:	6
Intention to acquire more:	The lifespan on these items are near exhaustion and the Agency will seek to replenish items that expired, address identified shortages in prior inventory, and to maintain a total inventory at minimum serviceable levels.

EQUIPMENT ACQUISITION REQUEST

For the 2025-2026 fiscal year, the Sierra Madre Police Department projects the purchase of ammunition for 40MM, Pepper Ball, and ten Colt M4 Enhanced Patrol Rifles to replenish inventory due to training and critical incident use. The estimated purchase price for this equipment is approximately \$18,000.

Operating Costs:

The operating costs associated with this equipment include:

- Acquisition Costs: Initial purchase price of the ammunition and equipment.
- Personnel Time: Man-hours required for training and operational deployment.
- Training Facilities: Costs for utilizing training facilities.
- Transportation/Storage: Expenses related to transporting and storing the equipment.
- Equipment Upgrades: Periodic upgrades and maintenance of the equipment.
- Ongoing Expenses: Any other recurring costs associated with the equipment's use and upkeep.

These costs are budgeted within the Department's approved operating budget for FY 24-25, ensuring that the necessary resources are allocated for the effective and efficient use of the equipment throughout the year.

CONCLUSION

This report reaffirms the Sierra Madre Police Department's dedication to transparency, accountability, and service excellence. By equipping our personnel with advanced tools and comprehensive training, we enhance our ability to protect and serve the community effectively. The outlined equipment and resources ensure that our officers are prepared to handle various situations professionally and precisely.

Our commitment to compliance with California State law and continuous improvement in our practices reflects our dedication to maintaining the highest law enforcement standards. The transparency and information provided in this report are essential to fostering trust and collaboration with our community and elected officials.

In conclusion, the Sierra Madre Police Department remains steadfast in its mission to ensure community safety and to deliver the highest quality service through dedication, teamwork, and partnerships. The resources detailed in this report are integral to achieving our goals and upholding our commitment to the Sierra Madre community.

State of California

GOVERNMENT CODE

Section 7072

7072. (a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- (5) The quantity possessed for each type of military equipment.
- (6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

(Added by Stats. 2021, Ch. 406, Sec. 2. (AB 481) Effective January 1, 2022.)

ORDINANCE NO. 1456

AN ORDINANCE OF THE CITY OF SIERRA MADRE,
ADOPTING A POLICY FOR THE USE OF MILITARY
EQUIPMENT BY THE SIERRA MADRE POLICE
DEPARTMENT

RECITALS

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), relating to the use of military equipment by law enforcement agencies;

WHEREAS, AB 481, codified as Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval from their governing body before requesting, funding, acquiring, using, or collaborating in the use of military equipment, as defined in Government Code section 7070;

WHEREAS, the City Council must adopt a Military Equipment Use Policy by ordinance at a regular meeting held pursuant to open meeting laws under Government Code section 7071, subdivision (a)(1);

WHEREAS, the City Council must make specific findings before approving a Military Equipment Use Policy under Government Code section 7071, subdivision (d)(1);

WHEREAS, the Sierra Madre Police Department's proposed Military Equipment Use Policy ("Policy") is attached hereto as Exhibit A and is incorporated herein by reference;

WHEREAS, the Policy was published on the Sierra Madre Police Department's internet website on April 9, 2022, more than 30 days before the Policy was considered at a public hearing before the City Council on May 10th, 2022, pursuant to Government Code section 7071, subdivision (b); and

WHEREAS, the Policy meets the requirements of California Government Code section 7070, subdivision (d).

THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. Adoption. The City Council adopts the Policy attached hereto as Exhibit A.

SECTION 3. Findings. The City Council finds as follows:

A. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

B. The proposed Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

C. If purchasing the equipment, the equipment is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

D. Prior military equipment use complied with the Policy that was in effect at the time, or if prior uses did not comply with the accompanying Policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

SECTION 4. Implementation. The City Council authorizes the Sierra Madre Chief of Police to designate a Military Equipment Coordinator to implement the Policy.

SECTION 5. CEQA. This proposed ordinance has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). The ordinance is not a project under CEQA Guidelines Section 15378 because it involves administrative activities that will not result in direct or indirect physical changes in the environment.

SECTION 6. Review. Pursuant to Government Code section 7072, the Sierra Madre Police Department is directed to submit an annual military equipment report for each type of military equipment approved by the City Council within one year of the effective date of this Ordinance, and annually thereafter for as long as the military equipment is available for use.

SECTION 7. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of South Pasadena hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

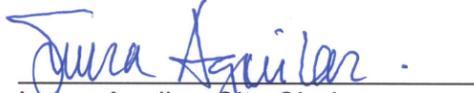
SECTION 8. Publication. The City Clerk shall cause Ordinance 1456 to be published or posted in accordance with California Government Code Section 36933. She shall certify to the adoption of this Ordinance and her certification, together with proof of the publication, will be entered in the book of Ordinances of the City Council.

SECTION 9. Effective Date. Ordinance 1456 shall take effect thirty days after its adoption pursuant to California Government Code Section 36937.

PASSED, APPROVED, AND ADOPTED this 24th day of May 2022.


Gene Goss, Mayor

ATTEST:


Laura Aguilar, City Clerk

APPROVED AS TO FORM:


Aleks R. Giragosian, City Attorney

I HEREBY CERTIFY that the foregoing ordinance was introduced by first reading on the 10th day of May 2022 and duly adopted by the City Council of the City of Sierra Madre, California, at a regular meeting held on the 24th day of May 2022 by the following vote:

- AYES:** MAYOR GENE GOSS, MAYOR PROTEM EDWARD GARCIA, COUNCIL MEMBER RACHELLE ARIZMENDI, COUNCIL MEMBER KELLY KRIEBS, COUNCIL MEMBER ROBERT PARKHURST
- NOES:** NONE
- ABSENT:** NONE
- ABSTAINED:** NONE



City of Sierra Madre AGENDA REPORT

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member

Sue Spears, City Treasurer

TO: Honorable Mayor Parkhurst and Members of the City Council

FROM: James Carlson, Senior Analyst

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: INFORMATIONAL REPORT FROM PUBLIC HEALTH REPRESENTATIVE FROM LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH REGARDING POST-EATON FIRE ENVIRONMENTAL QUALITY

STAFF RECOMMENDATION

It is recommended that the City Council receive and file an informational presentation from a representative from the Los Angeles County Department of Public Health regarding post-Eaton Fire environmental quality. There is no City Council action required.

ALTERNATIVES

1. The City Council may direct staff to coordinate with staff from the Los Angeles County Department of Public Health regarding post-Eaton Fire environmental quality topics and concerns.
2. The City Council may direct staff to provide additional information.

EXECUTIVE SUMMARY

The City is in receipt of a letter from Sierra Madre residents expressing concern regarding potential environmental hazards resulting from the Eaton Fire. This letter is signed by a total of 63 residents and concerned people and is attached to this staff report.

ANALYSIS

The City of Sierra Madre does not operate its own public health services. Various topics and concerns regarding public health are referred to the Los Angeles County Department of Public

Health. The City maintains a mutually beneficial partnership with the County's Health staff.

For this evening's discussion, Dr. Muntu Davis, Los Angeles County Health Officer, will address the City Council and the public's concerns about environmental quality after the Eaton Canyon Fire.

ENVIRONMENTAL(CEQA)

CEQA does not apply to the strategic planning process.

STRATEGIC PLAN CORRELATION

This informational session is consistent with the following Sierra Madre Strategic Plan efforts:

Strategic Plan Goal 2 "Ensure a Safe and Secure Community for all Residents and Visitors"

Strategic Plan Goal 5 "Be a Regional Leader in Sound Stewardship of Water, Power, and Natural Resources"

Initiative CE 4.3.2 "Educational on Key Critical Environmental Issues"

FISCAL IMPACT

There is no fiscal impact to the informational discussion.

PUBLIC NOTICE

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at www.sierramadre.ca.gov

ATTACHMENT:

Letter dated May 13, 2025 to the Mayor and City Council Members, City of Sierra Madre

May 13, 2025

Mayor and City Council Members, City of Sierra Madre
232 W. Sierra Madre Blvd.
Sierra Madre, CA 91024

Re: Request for Environmental Assessment Following the Eaton Fire

Dear Honorable Mayor and City Council Members,

We are writing to express our serious concern regarding the potential environmental hazards in our community following the January 7, 2025 urban wildfire that affected different neighborhoods in Sierra Madre. Lower Canyon resident Derek Sample recently obtained a professional environmental assessment of his property at 623 Woodland Drive, and the results indicate alarming levels of heavy metals that pose significant health risks to residents. Neighbors have found similar results on Grandview, and it may extend even further down into Sierra Madre.

The attached "CAM17 Heavy Metal Study," conducted by Blue Sky Environmental Consulting, found measurable concentrations of various toxic heavy metals in Derek's home, including lead, arsenic, cadmium, chromium, and vanadium. The report indicates these contaminants were likely transported into residential areas by heat and strong winds during the fire. Of particular concern are the lead measurements, which reached as high as 188 $\mu\text{g}/\text{ft}^2$ in certain areas of Derek's home—levels that far exceed acceptable standards for residential environments, especially for households with children.

According to the report, these heavy metals originate from burned building materials including paint, wiring, plumbing, treated wood, electronics, and other materials that release hazardous substances during combustion. The report's findings suggest this contamination likely extends beyond Derek's property to affect neighboring areas as well.

In light of these findings, we respectfully request that the City of Sierra Madre take immediate action to:

1. Conduct comprehensive environmental testing of soil, air, and surfaces in public areas and residential neighborhoods adjacent to the fire zone to determine the extent of heavy metal contamination;
2. Establish a public information campaign to alert residents about potential exposure to heavy metals and provide guidance on appropriate precautionary measures;
3. Develop remediation programs for affected areas, particularly focusing on public spaces where children may be exposed;
4. Coordinate with county and state health departments to monitor for health impacts potentially related to heavy metal exposure in our community.

5. Work with county officials to extend debris removal deadlines for Sierra Madre residents, as the current timeline fails to account for the widespread nature of contamination.

The health and safety of our community, particularly our most vulnerable populations, depend on swift action to address these environmental concerns. We would welcome the opportunity to discuss this matter further and am willing to share additional details from the environmental assessment if needed.

Thank you for your attention to this important public health issue.

Sincerely,

1. Derek Sample
2. Laura Akcasu
3. Matt Bryant
4. Anne Chesterman
5. John Clarke
6. Lynne Collmann
7. Richard Correa
8. Sharon Correa
9. Yvette Del Corazon
10. Daniel Golden
11. Arline Golden
12. Caroline Heldman
13. Frances Lacey
14. Valerie Laughton
15. Shirley Moore
16. Carina Nobel
17. Robert Nobel
18. Dede Murphy
19. Randy Murphy
20. Deb Sheridan
21. Mary Sheridan
22. Jill St. Aubyn
23. Randy St. Aubyn
24. Justin Starnes
25. Barbara McCallon
26. Julie Morez
27. Barbara Vellturo
28. Kris Yacharn
29. Jody Gunn
30. Linda Hernandez
31. Alex Arrieta
32. Arlene Arrieta
33. Andy Edmonds
34. Chase Carruth

35. Amy Wasson
36. Ken Huynh
37. Joshua Wong
38. Hik Khoe
39. Gwat Khoe
40. Gilda Fathi
41. Wendy Davis
42. John Brosio
43. Ronald Martinetti
44. Ky Martinetti
45. Becky Roe
46. Bella Roe
47. Connor Paul Jackson
48. Catherine LeClair
49. Jeff Moran
50. Maranda Moran
51. Mattox Moran
52. Madeleine Moran
53. Glenn Brown
54. Kris Yacharn
55. Janine Yacharn
56. Adam DeFrance
57. Kathy DeFrance
58. Patricia Esparza
59. Lauren Pressman
60. Jenny Kay
61. Francisco Montes
62. Raymond Cole
63. Heather Morrison



City of Sierra Madre AGENDA REPORT

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member

Sue Spears, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Veronica Saucedo, Acting Police Captain

REVIEWED BY: Gustavo Barrientos, Police Chief
Jose Reynoso, City Manager

DATE: May 27, 2025

**SUBJECT: CONSIDERATION OF ESTABLISHING AN AUTOMATED
DOWNTOWN PARKING ENFORCEMENT PILOT PROGRAM**

STAFF RECOMMENDATION

It is recommended that the City Council authorize staff to negotiate terms with Municipal Parking Services (MPS) and return to the City Council with a fully developed one-year pilot program for consideration, including a comprehensive community outreach and education plan to enhance parking enforcement along Sierra Madre Boulevard between Baldwin and Hermosa Avenues and on Baldwin Avenue between Sierra Madre Boulevard and West Montecito Avenue. Final approval is contingent upon Council approval of the finalized program.

ALTERNATIVES

1. Provide Staff with direction on further steps concerning the Automated Downtown Parking Enforcement Pilot Program.
2. Continue this discussion at a future meeting, and/or
3. Take no action.

EXECUTIVE SUMMARY

One of the most frequent complaints received from downtown business owners and residents involves violations of the City's 20-minute and 2-hour parking ordinances. These violations limit parking turnover in high-demand areas and impede access for visitors and patrons, adversely affecting the local business environment.

The Sierra Madre Police Department (SMPD) has struggled to provide consistent and timely parking enforcement coverage in these areas due to internal staffing limitations and challenges

in sustaining contract enforcement personnel.

To address this persistent concern, staff has identified a technology-based solution that may provide effective and consistent enforcement coverage while also contributing to broader public safety efforts.

ANALYSIS

Staff is proposing the exploration of a one-year pilot program utilizing the Safety Stick™ Technology provided by Municipal Parking Services (MPS). The Safety Stick is an intelligent, curbside parking management device designed to enforce parking limits and enhance vehicle-related public safety.

About the MPS Safety Stick™:

The Safety Stick is a solar-powered, camera-enabled enforcement tool installed at individual parking stalls. It automatically monitors parked vehicles in real time and detects infractions, such as overstaying time limits. The system captures license plate data and vehicle behavior, enabling enforcement teams to take appropriate action, including issuing digital citations when authorized.

Benefits to Sierra Madre:

1. Supports Business Turnover
 - Promotes turnover in high-demand parking areas by encouraging adherence to posted time limits, ensuring more availability for visiting customers.
2. Consistent, Automated Enforcement
 - Reduces dependence on staffing availability by automating violation detection and notification. Improves consistency and fairness of enforcement.
3. Public Safety Integration
 - Equipped with license plate recognition (LPR) to alert authorities to stolen, expired, or wanted vehicles, enhancing broader community safety.
4. Real-Time Analytics and Reporting
 - Provides staff with detailed data on parking patterns, violations, and space utilization to inform future planning and enforcement strategies.
5. Community Confidence and Equity
 - Offers objective and consistent enforcement across all users, helping reduce complaints of selective enforcement and increasing compliance.
6. Cost Efficiency
 - Through potential cost-sharing or citation revenue recovery models, the program could be implemented with minimal impact to the City's General Fund.

Public Outreach:

Downtown businesses and residents will be engaged throughout the pilot development process. Staff will host information sessions, distribute educational materials, and collect feedback prior to implementation. Clear signage and outreach efforts will help ensure voluntary

compliance and transparency.

ENVIRONMENTAL(CEQA)

The proposed pilot program is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15301 (Existing Facilities), as the project involves minor alterations to existing public infrastructure and does not have the potential to cause a significant effect on the environment. Installation of parking management equipment on existing curbsides is considered negligible in environmental impact.

STRATEGIC PLAN CORRELATION

This project aligns with the City of Sierra Madre Strategic Plan 2024–2029, specifically:

Goal 2: Enhance Public Safety and Community Livability – By improving enforcement of parking regulations, this program directly supports traffic safety and accessibility.

Goal 3: Promote Economic Vitality – By increasing parking availability and turnover, the pilot supports local businesses by making it easier for customers to find parking.

Goal 5: Pursue Innovation and Operational Efficiency – The program introduces smart technology to deliver more effective services without significant increases in staffing or budget.

PUBLIC NOTICE PROCESS

Downtown businesses and residents will be directly engaged during the program development through public meetings, direct outreach, and stakeholder input. The final pilot proposal will return to Council for public review and consideration.

FISCAL IMPACT

There is no financial impact at this time. MPS has waived the monthly minimum charges for the duration of the pilot program. Any future fiscal implications, including potential citation revenue or infrastructure costs, will be presented in detail as part of the fully developed pilot program proposal.

PUBLIC NOTICE

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City’s website at www.cityofsierramadre.com.

ATTACHMENTS:

1. Municipal Parking Services (MPS) PowerPoint



City of Sierra Madre Agenda Report

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Kelley Kriebs, Council Member
Gene Goss, Council Member

Sue Spears, City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Arnulfo Yanez, Director of Public Works

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: **CONSIDERATION OF RESOLUTION 25-34 APPROVING THE INTENT TO LEVY AND CONFIRM THE ENGINEER'S REPORT FOR THE DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT FOR THE FISCAL YEAR 2025-2026**

STAFF RECOMMENDATION

It is recommended that the City Council approve Resolution 25-34, the intent to levy and confirm the Engineer's report and set a date certain of June 10, 2025 as a date for a public hearing on the matter of the Downtown Landscaping and Lighting Maintenance Assessment District for the Fiscal Year commencing July 1, 2025 and ending June 30, 2026.

ANALYSIS

The City Council will consider approval of the Annual Engineer's Reports and declare intention to confirm and set the assessments for Fiscal Year 2025-26 and set a public hearing date for June 10, 2025 to take public comment, confirm the assessments, and order the levy for the district.

DISTRICT SUMMARY

DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT

The City of Sierra Madre has established the Downtown Landscaping and Lighting Maintenance District to replace the City's four previous special assessment district, which previously funded various services and improvements. The improvements included parking, lighting, landscaping, and associated maintenance within the City's Downtown business district.

In 1996, California Voters adopted Proposition 218, the "Right to Vote on Taxes Act" which added Article XIII D and imposes certain substantive and procedural requirements in order to levy special assessments. The substantive requirements are twofold: (1) assessments can only be imposed for a "special benefit" conferred on an assessed parcel, and (2) assessments must be in proportion to, and no greater than, the special benefit conferred on an assessed parcel. Parcels within the boundary of the Downtown Landscaping and Lighting Maintenance District have special benefit conferred from the improvements of the district. The annual assessments are proportional to the special benefit conferred.

The City collects assessments associated with the benefits on a bi-annually basis in conjunction with the Los Angeles County property tax collections in April and November of each year. The Landscaping and Lighting Act of 1972, requires that the City Council adopt a Resolution Initiating Proceedings, Resolution of Intention, and a Resolution Confirming the Assessment and Ordering the Levy. In addition, a public hearing is required at the time of the adoption of the Resolution Confirming the Assessment and Ordering the Levy

FISCAL IMPACT

There are no fiscal impacts associated with the initial of proceedings.

ALTERNATIVES

Reject the initiation of proceedings, and direct Staff to review and recommend other funding sources to maintain the mentioned districts.

STRATEGIC PLAN CORRELATION

The project falls within our Strategic Plan under Infrastructure and Growth Management, which involves improving and maintaining city streets.

ATTACHMENT

Resolution 25-34

RESOLUTION 25-34

A RESOLUTION OF INTENT TO LEVY AND CONFIRM THE REPORT FOR THE CITY COUNCIL OF THE CITY OF SIERRA MADRE FOR THE DOWNTOWN LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2025-2026

WHEREAS, the City Council (the “City Council”) of the City of Sierra Madre (the “City”) has formed the Downtown Landscaping and Lighting Maintenance Assessment District (the “District”) pursuant to the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22600) (the “Act”); and,

WHEREAS, the City has retained NBS for the purpose of assisting with the annual levy of the District, and to prepare and file a Report.

NOW, THEREFORE, BE IT RESOLVED, CONFIRMED, DETERMINED, AND ORDERED BY THE CITY COUNCIL, AS FOLLOWS:

1. **Intention:** The City Council hereby declares its intention to levy and collect assessments within the District to pay the costs of the Improvements for the fiscal year commencing July 1, 2025 and ending June 30, 2026. The City Council finds that the public’s best interest requires such action.

2. **Improvements:** The improvements within the District include, but are not limited to: the services and maintenance activities of Street Lighting System. Operating, maintaining and servicing include, but are not limited to: personnel, materials, and electrical energy. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a satisfactory condition.

3. **Assessment District Boundaries:** The boundaries of the District are as shown by the assessment diagram filed with the City Clerk, which a map is made a part hereof by reference.

4. **Approval of Report:** The City Council hereby confirms the Report concerning the levy of assessments as submitted by NBS for the fiscal year commencing July 1, 2025 and ending June 30, 2026. The Report filed with the City Clerk contains a full and detailed description of the improvements, the boundaries of The District, and the proposed assessments upon assessable lots and parcels of land within The District.

5. **Notice of Public Hearing:** The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments in accordance with Section 22629 of the Act. All objections to the assessment, if any, will be considered by the City Council. The Public Hearing will be held on Tuesday, June 10, 2025 at 5:30 pm or as soon thereafter as is feasible in the City Council Chambers, located at 232 W. Sierra Madre Blvd, Sierra Madre, CA. The City Council further orders the City Clerk to publish notice of this resolution in accordance with Section 22626 of the Act.

APPROVED AND ADOPTED THIS 27TH DAY OF MAY, 2025

ATTEST:

CITY OF SIERRA MADRE:

Laura Aguilar, City Clerk

Robert Parkhurst, Mayor

APPROVED AS TO FORM:

Aleks Giragosian, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF SIERRA MADRE

I, LAURA AGUILAR, CITY CLERK of the City of Sierra Madre do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the City Council of the City of Sierra Madre held on the 27th day of May, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Sierra Madre, California, this ____th day of _____, 20__.

Laura Aguilar, City Clerk



City of Sierra Madre AGENDA REPORT

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member

Sue Spears, City Treasurer

TO: Mayor and City Council

FROM: Miguel Hernandez, Assistant City Manager

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

SUBJECT: **CONSIDERATION OF RESOLUTION 25-36 AUTHORIZING AN AMENDMENT TO THE CLASSIFICATION PLAN AND SALARY MATRIX**

STAFF RECOMMENDATION

It is recommended that the City Council adopt Resolution 25-36, which authorizes the creation of the Administrative Services Director/City Clerk position. The creation of the Administrative Services Director/City Clerk position replaces the Deputy City Manager position title, which falls within the same Range 40 in the City's Classification Plan and Salary Matrix. This position consolidates and elevates several core administrative functions under a single department head, enhancing organizational effectiveness. It merges the statutory duties of the City Clerk with the oversight of Community Services, Utility Billing, and Front Counter Customer Service.

ALTERNATIVES

1. Adopt Resolution 25-36;
2. Do not adopt Resolution 25-36;
3. Continue the item and provide further direction to staff.

EXECUTIVE SUMMARY

After carefully reviewing the City's current staffing structure, staff recommends the formation of the Administrative Services Director/City Clerk position. The position will continue critical service functions under an experienced professional to ensure consistent policy application, improve service delivery, and optimize administrative oversight.

This role combines high-level administrative management with statutory duties and operational oversight. City Clerk Functions: Ensures compliance with State election law, manages public records and council support, serves as the City's Elections Official, FPPC filing officer, and custodian of the seal. Community Services Oversight: Supervises recreational programs, senior

services, special events, and youth/family programming. Customer Service Management: Oversees Utility Billing operations and front counter interactions, ensuring timely, respectful, and accurate service to residents and stakeholders.

ANALYSIS

The creation of the Director of Administrative Services/City Clerk position represents a strategic consolidation of critical public-facing functions under a single executive leader. This position continues to strengthen oversight of several interdependent service areas, particularly front-line customer service operations and the City's Community Services Department. Effective management of customer service at the front counter and through utility billing is essential to how residents experience their local government. By centralizing responsibility for these functions, the City will ensure a consistent standard of professionalism, responsiveness, and accountability in all public interactions. The position also brings focused leadership to the Community Services Department, which oversees programs and activities that significantly impact quality of life in Sierra Madre—such as recreation programs, youth and senior services, and special events. These programs require not only operational coordination but also long-range planning, performance evaluation, and budget management, all of which will benefit from direct executive oversight.

In addition, the position retains the statutory and legal responsibilities of the City Clerk, including records management, council support, and election administration. This reorganization also aligns with best practices allowing Sierra Madre to continue to operate efficiently while reinforcing its commitment to transparency, responsiveness, and community engagement.

ENVIRONMENTAL(CEQA)

This Resolution is not a "Project" for purposes of the California Environmental Quality Act because under 14 CCR 15378(b)(5), a "Project does not include ...Organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment."

STRATEGIC PLAN CORRELATION

The creation of the Administrative Services Director/City Clerk position directly aligns with the City's strategic goals by enhancing efficiency, resilience, and sustainability. This role continues to support proactive community engagement, it strengthens succession planning, leadership development, and workforce retention, reinforcing the City's commitment to operational efficiency, and future-ready public services.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at City Hall, at the Sierra Madre Public Library, and can be accessed on the City's website at www.cityofsierramadre.com

FISCAL IMPACT

The creation of the Administrative Services Director/City Clerk position has no fiscal impact as the newly created position replaces the Deputy City Manager title. The new position will remain in the same Range 40 in the Classification Plan and Salary Matrix.

PUBLIC NOTICE

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City's website at www.cityofsierramadre.com.

ATTACHMENTS:

1. Resolution 25-36
2. Executive Management Salary Matrix

**RESOLUTION NO. 25-36
MODIFYING THE CONFIDENTIAL-EXEMPT CLASSIFICATION PLAN AND
SALARY MATRIX**

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY
RESOLVE:

WHEREAS, the City of Sierra Madre's Classification Plan and Salary Matrix identify one full-time Deputy City Manager and one full-time City Clerk who are both members of the Confidential-Exempt management group; and

WHEREAS, the City Council is authorizing one new Confidential-Exempt full-time position of Administrative Services Director/ City Clerk replacing the Deputy City Manager position title and the City Clerk position title in the same Range with the adopted Classification Plan and Salary Matrix;

WHEREAS, in the amended Classification Plan and Salary Matrix, the salary, duties, responsibilities, training, and experience for all other positions remain the same;

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. The City Council adopts the amended City of Sierra Madre Classification Plan and Salary Matrix, included herein as Attachment A.

SECTION 2. That the changes to the Confidential-Exempt Classification Plan and Salary Matrix take effect July 1, 2025.

Passed, Approved and Adopted on the 27th day of May 2025.

Robert Parkhurst
Mayor, City of Sierra Madre, CA

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the City of Sierra Madre City Council on the 27th day of May 2025 by the Sierra Madre City Council following a roll call vote:

Ayes

Noes

Absent

Laura Aguilar
City Clerk, City of Sierra Madre, CA

Salary Matrix - Executive Management

Range	Position Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
39	Fire Chief	Annual Salary \$ 139,053 Hourly \$ 66.85	\$ 142,529 \$ 68.52	\$ 146,092 \$ 70.24	\$ 149,745 \$ 71.99	\$ 153,488 \$ 73.79	\$ 157,326 \$ 75.64	\$ 161,259 \$ 77.53	\$ 165,290 \$ 79.47	\$ 169,422 \$ 81.45	\$ 173,658 \$ 83.49
40	Planning & Community Preservation Director Utilities Director Public Works Director Administrative Services Director/City Clerk	Annual Salary \$ 129,996 Hourly \$ 62.50	\$ 133,246 \$ 64.06	\$ 136,577 \$ 65.66	\$ 139,991 \$ 67.30	\$ 143,491 \$ 68.99	\$ 147,079 \$ 70.71	\$ 150,756 \$ 72.48	\$ 154,524 \$ 74.29	\$ 158,388 \$ 76.15	\$ 162,347 \$ 78.05
43	Police Chief	Annual Salary \$ 139,053 Hourly \$ 66.85	\$ 142,529 \$ 68.52	\$ 146,092 \$ 70.24	\$ 149,745 \$ 71.99	\$ 153,488 \$ 73.79	\$ 157,326 \$ 75.64	\$ 161,259 \$ 77.53	\$ 165,290 \$ 79.47	\$ 169,422 \$ 81.45	\$ 173,658 \$ 83.49
44	Finance Director	Annual Salary \$ 143,857 Hourly \$ 69.16	\$ 147,453 \$ 70.89	\$ 151,140 \$ 72.66	\$ 154,918 \$ 74.48	\$ 158,791 \$ 76.34	\$ 162,761 \$ 78.25	\$ 166,830 \$ 80.21	\$ 171,001 \$ 82.21	\$ 175,276 \$ 84.27	\$ 179,657 \$ 86.37
46	Assistant City Manager	Annual Salary \$ 134,760 Hourly \$ 64.79	\$ 141,498 \$ 68.03	\$ 148,573 \$ 71.43	\$ 156,002 \$ 75.00	\$ 163,802 \$ 78.75	\$ 171,992 \$ 82.69	\$ 180,592 \$ 86.82	\$ 189,621 \$ 91.16	\$ 199,102 \$ 95.72	\$ 209,057 \$ 100.51

Amended Range 39 - effective July 2, 2023 - Resolution 23-54
Resolution 25-XX Amended Range 40 - Effective June 1, 2025 Pending City Council approval



City of Sierra Madre **AGENDA REPORT**

Robert Parkhurst, Mayor
Kristine Lowe, Mayor Pro Tem
Edward Garcia, Council Member
Gene Goss, Council Member
Kelly Kriebs, Council Member

Susan Spears, City Treasurer

TO: Honorable Mayor Parkhurst and Members of the City Council

FROM: Aleks R. Giragosian, City Attorney

REVIEWED BY: Jose Reynoso, City Manager

DATE: May 27, 2025

**SUBJECT: CONSIDERATION OF LOS ANGELES COUNTY
PUBLIC HEALTH ORDINANCES**

STAFF RECOMMENDATION

It is recommended that the City Council consider directing the City Attorney to draft an ordinance incorporating one or more of the Los Angeles County ordinances into the Sierra Madre Municipal Code.

ALTERNATIVES

- 1) Determine the City would not like to adopt any of the County ordinances; or
- 2) Continue consideration of the item and provide staff with further direction.

EXECUTIVE SUMMARY

The Los Angeles County Department of Public Health informed the City that the following ordinances will not be enforced by Public Health in the City under the terms of the updated Public Health Services Contract unless the City Council expressly incorporates them into SMMC:

- Chapter 11.01 (Prevention Retaliation for Reporting Public Health Violations) — applies to employers
- Chapter 11.08 (Children's Camps) — applies to organized children's camps
- Chapter 11.32 (Swimming Pools and Other Water Areas) — applies to public/community pools, pools of apartment houses consisting of four or more residential units, and public and private school pools, among others.
- Chapter 11.35 (Tobacco Retailing) — applies to tobacco retailers

- Chapter 11.36 (Massage Establishments) — applies to massage establishments
- Chapter 11.37 (Cannabis Facilities) — applies to cannabis dispensaries and manufacturers
- Chapter 11.41 (Addressing Medical Debt Through Data Collection) — applies to hospital data collection

ANALYSIS

The City of Sierra Madre incorporated Los Angeles County’s Public Health Code into the Sierra Madre Municipal Code (“SMMC”) by reference. SMMC Section 8.04.010(A) states, “The ‘Public Health Code of the County of Los Angeles,’ the same being Ordinance No. 7583, of the county, as amended through and including June 30, 1975, is adopted as the public health code of the city (hereinafter referred to as ‘health code’). Three copies of the health code are on file in the office of the city clerk.” SMMC Chapter 8.04 (Public Health Code) is enforced by both Sierra Madre Code Enforcement and the Los Angeles County Department of Public Health (“Public Health”).

Los Angeles County Ordinance No. 7583 codified Title 11 (Health and Safety) of the Los Angeles County Code. Title 11 is divided into four divisions and 70 chapters. A full list of the chapters is included herein as Attachment A.

On April 22, 2025, the City Council adopted an updated Public Health Services Contract with the County of Los Angeles (“Agreement”). Section 3(c)(ii) of the Agreement states, “For future ordinances that may be enacted by the Board of Supervisors into Title 11 of the Los Angeles County Code, in order for the County to observe and enforce that enacted ordinance within the City, the City must approve the incorporation of the identical version of that new Title 11 provision into its municipal code via ordinance or by resolution of the City Council.” Public Health officials confirmed that they require the City to affirmatively incorporate new ordinances into the Sierra Madre Municipal Code. This action could be accomplished incorporating each new ordinance separately into the City’s Code, by incorporating Title 11 as of a date certain and subsequently adding new ordinances into the Code, by or by adding a provision incorporating any or all of the above ordinances and all future ordinances by reference.

According to officials from the Los Angeles County Department of Public Health (“Public Health”), the following ordinances will not be enforced by Public Health unless the City Council expressly incorporates them into SMMC:

- Chapter 11.01 (Prevention Retaliation for Reporting Public Health Violations) — applies to employers
- Chapter 11.08 (Children’s Camps) — applies to organized children’s camps
- Chapter 11.32 (Swimming Pools and Other Water Areas) — applies to public/community pools, pools of apartment houses consisting of four or more residential units, and public and private school pools, among others.
- Chapter 11.35 (Tobacco Retailing) — applies to tobacco retailers

- Chapter 11.36 (Massage Establishments) — applies to massage establishments
- Chapter 11.37 (Cannabis Facilities) — applies to cannabis dispensaries and manufacturers
- Chapter 11.41 (Addressing Medical Debt Through Data Collection) — applies to hospital data collection

City staff reviewed the list of ordinances and determined the following ordinances are most relevant to the City of Sierra Madre:

- Chapter 11.01 (Prevention Retaliation for Reporting Public Health Violations) — included as Attachment B
- Chapter 11.32 (Swimming Pools and Other Water Areas) — included as Attachment C
- Chapter 11.35 (Tobacco Retailing) — included as Attachment D
- Chapter 11.36 (Massage Establishments) — included as Attachment E

Chapter 11.01 (Prevention Retaliation for Reporting Public Health Violations)

An employer's retaliation against an employee for disclosing noncompliance with a local, state, or federal law is already unlawful under Labor Code Section 1102.5. This ordinance makes retaliation related to reporting public health violations a local misdemeanor punishable by an administrative fine up to \$500, among other means, and provides Public Health the authority to investigate and prosecute claims of retaliation.

Chapter 11.32 (Swimming Pools and Other Water Areas)

While the construction of swimming pools are regulated by the SMMC Chapter 15 (Buildings and Construction), there is no local law regulating the use or maintenance of swimming pools. This ordinance introduces water quality standards, mandates lifesaving and first aid equipment, requires lifeguards in some cases, and establishes standards for dressing rooms and toilet facilities, etc.

Chapter 11.35 (Tobacco Retailing)

The City currently regulates tobacco retailers under SMMC Chapter 5.58. The County ordinance is similar to the City ordinance but more detailed. Adoption of the County ordinance would shift the burden of regulating tobacco retailers from the City to the County.

Chapter 11.36 (Massage Establishments)

The City currently regulates tobacco retailers under SMMC Chapter 5.56. The County ordinance is similar to the City ordinance but more detailed. Adoption of the County ordinance would shift the burden of regulating tobacco retailers from the City to the County.

The adoption of these ordinances will not result in any additional expense being borne by the City. Public Health's cost will be recovered from the regulated business. A full list of the Los Angeles County permitting fee schedule is published online and is listed within Part 2 (General Licensing Requirements) of Chapter 8.04 (Public Health

Licenses) of Division 1 (Public Health Licenses) of Title 8 (Consumer Protection, Business and Wage Regulations) of the Los Angeles County Code. Some examples of relevant permitting fees include:

- Tobacco Retailer: \$235
- Massage Establishment: \$409
- Organized Camp: \$772
- Swimming Pools: \$162 – \$1,007
- Retail Cannabis Facility: \$1,942 – \$2,385

ENVIRONMENTAL (CEQA)

The consideration of these ordinances is exempt from the California Environmental Quality Act (CEQA) under 14 CCR 15321 (Class 21 Categorical Exemption) as an example of an administrative decision to enforce existing codes.

STRATEGIC PLAN CORRELATION

The consideration of these public health code provisions furthers Strategy PS 3.3 (Effectively Enforce Existing City Codes) of Goal 3 (Manage Outdoor Environment) of “Maintain A Safe, Secure Community” Strategic Objective for Public Safety by determining which code provisions should be enforced within the City’s boundaries.

FISCAL IMPACT

There is no foreseeable fiscal impact to the City associated with adopting any of the ordinances listed above.

PUBLIC NOTICE

This item has been noticed through the regular agenda notification process. Copies of this report can be accessed on the City’s website at www.cityofsierramadre.com.

ATTACHMENTS:

- Attachment A: Chapters of County Public Health Code
- Attachment B: Los Angeles County Code Chapter 11.01 (Prevention Retaliation for Reporting Public Health Violations)
- Attachment C: Los Angeles County Code Chapter 11.32 (Swimming Pools and Other Water Areas)
- Attachment D: Los Angeles County Code Chapter 11.35 (Tobacco Retailing)
- Attachment E: Los Angeles County Code Chapter 11.36 (Massage Establishments)

**Index of Division 1 (Health Code) of Title 11 (Health and Safety) of the
Los Angeles County Code**

Chapter	Title
11.01	Preventing Retaliation for Reporting Public Health Violations
11.02	General Provisions and Definitions
11.04	Communicable Disease Control
11.06	Permits and Special Service Fees
11.07	Public Events With Daily Attendance of Over 10,000 Participants
11.08	Children's Camps
11.09	Shared Kitchen Complex
11.10	Food Demonstrators
11.11	Wholesale Food Safety Certification
11.12	Wholesale Food Establishments
11.13	Independent Wholesale Vehicles
11.14	Food Vending Machines
11.15	Nonsmoking Areas in Eating Establishments
11.16	Garbage and Other Waste Material
11.17	Microenterprise Home Kitchen Operations
11.19	Alcoholic Beverage Warning Signs
11.20	Housing
11.22	Industrial Establishments
11.24	Institutions
11.26	Laundries
11.28	Lead Hazards
11.30	Rodent and Pest Control
11.32	Swimming Pools and Other Water Areas
11.34	Swimming Pool Services
11.35	Tobacco Retailing
11.36	Massage Establishments
11.37	Cannabis Facilities
11.38	Water and Sewers
11.39	Adult Films; Short Title and Public Policy

Chapter 11.01 PREVENTING RETALIATION FOR REPORTING PUBLIC HEALTH VIOLATIONS

11.01.010 Title.

The Ordinance codified in this Chapter shall be known as the "Preventing Retaliation for Reporting Public Health Violations Ordinance."

(Ord. 2020-0065U § 1, 2020.)

11.01.020 Definitions.

Whenever used in this Chapter, the following words and phrases shall be defined as set forth in this Section.

- A. "Worker" means any employee who performs work for an Employer within the unincorporated areas of the County of Los Angeles or within any city that incorporates the entirety of this ordinance into its municipal code.
- B. "Employer" means any person, as defined in section 18 of the California Labor Code, including a corporate officer or executive, who directly or indirectly, or through an agent or any other person, including through the services of a temporary service or staffing agency or similar entity, employs any Workers or exercises control over the wages, hours, duties, or working conditions of any Workers. This Chapter and the definition of "Employer" do not apply to federal, State, or local government entities.
- C. "Health Officer Order" means any order or protocol issued by the Los Angeles County Health Officer.
- D. "Public Health Council" means a group of Workers, not including supervisors or managers, whose purpose is to educate and inform other Workers for the same Employer regarding any Health Officer Order, any protections for Workers under Title 11 of this Code, any local emergency related to public health proclaimed by the Board of Supervisors, or any public health emergency declared by the Los Angeles County Health Officer.

(Ord. 2023-0035 § 2, 2023; Ord. 2020-0065U § 1, 2020.)

11.01.030 Retaliation Against Workers Prohibited.

- A. No Employer may discriminate in any manner or take adverse action, including but not limited to termination, constructive termination, demotion, pay reduction, or reduction in hours, against any Worker in retaliation for:
 - 1. Reporting to the County of Los Angeles, its Department of Public Health, any other County departments or designees, non-County agencies or entities, the Worker's Employer, other Workers, or Public Health Councils about the Employer's or another Worker's perceived noncompliance with a Health Officer Order, this Chapter, or any other Chapter of Title 11 of this Code;
 - 2. Discussing with the County of Los Angeles, its Department of Public Health, any other County departments or designees, non-County agencies or entities, the Worker's Employer, other Workers, or

Public Health Council the Employer's, or another Worker's, perceived noncompliance with a Health Officer Order, this Chapter, or any other Chapter of Title 11 of this Code;

3. Belonging to or forming a Public Health Council;
 4. Informing any Worker of his or her rights under this Chapter or any other Chapter of Title 11 of this Code, or assisting such Worker in exercising such rights;
 5. Exercising any right provided under this Chapter; or
 6. Discussing with another Worker a local emergency related to public health proclaimed by the Board of Supervisors or a public health emergency declared by the Los Angeles County Health Officer.
- B. The protections of this Section shall apply to all communications and actions of a Worker set forth above in subsections A.1 through and including A.6 that are made in good faith.
- C. Taking adverse action against a Worker within 90 days of the Worker's exercise of rights protected under this Section shall raise a rebuttable presumption of having done so in retaliation for the exercise of such rights.

(Ord. 2023-0035 § 3, 2023; Ord. 2020-0065U § 1, 2020.)

11.01.035 Worker Notification Requirement.

- A. The Department of Consumer and Business Affairs ("DCBA") shall prepare and provide a notice informing workers of their rights under this Chapter for posting in order for employers to comply with this Section. The DCBA shall make available electronic and hardcopy versions of such notice.
- B. Every employer shall post in a conspicuous place at any workplace or jobsite within the geographic boundaries of the County of Los Angeles ("the County") where any Worker works, excluding cities with their own Health Officer, the notice provided by the DCBA informing Workers of their rights under this Chapter. Employers who do not have a physical jobsite within the geographic boundaries of the County must provide a copy of the notice to each worker who performs work within the geographic boundaries of the County, excluding cities with their own Health Officer.
- C. If, during the course of an investigation or compliance check, the DCBA determines that there is a violation of this provision, the DCBA may issue and serve a Correction Order on the employer immediately requiring them to post the notice. The Correction Order shall identify the violation to be corrected and allow a reasonable amount of time to correct the violation.
- D. An administrative fine of up to \$500 payable to the County may be assessed for a violation of this provision. The fine may be assessed and communicated to the employer according to the rules developed by the DCBA under section 11.01.060 of this Chapter. Each day of a continuing violation constitutes a new and separate violation.

(Ord. 2022-0064 § 1, 2022.)

11.01.040 Investigation of Complaints.

- A. Any complaints alleging a violation of this Chapter must be lodged with the Department of Public Health or any of its agents or designees.
- B. The Department of Consumer and Business Affairs shall act as an agent for the Department of Public Health to investigate any complaint under this Chapter.
- C. The Department of Consumer and Business Affairs may issue a finding that an Employer has violated this Chapter no later than one year after receiving the corresponding complaint.

(Ord. 2020-0065U § 1, 2020.)

11.01.050 Administrative Fine for Violation.

Any Employer who violates this Chapter may be subject to an administrative fine not to exceed \$10,000 per violation per day pursuant to Chapter 1.25 of this Code.

(Ord. 2020-0065U § 1, 2020.)

11.01.060 Adoption of Rules.

The Department of Consumer and Business Affairs may develop rules for the administration and implementation of this Chapter. A copy of such rules shall be filed with the Executive Officer of the Board and shall be in effect immediately thereafter.

(Ord. 2020-0065U § 1, 2020.)

11.01.070 Right of Action to Enforce Violations.

- A. Any Worker aggrieved by an act made unlawful by this Chapter, or County Counsel on behalf of such Worker, may, within three years of an Employer's last act made unlawful by this Chapter, bring an action in the Superior Court of the State of California against that Employer for violations of this Chapter, and the aggrieved Worker may be awarded:
1. Where applicable, hiring or reinstatement to the position(s) sought or held before the alleged unlawful act, or front pay in lieu thereof.
 2. All actual damages (including, but not limited to, lost pay and benefits and noneconomic damages) suffered by the Worker, or statutory damages in the sum of \$10,000 per violation, whichever is greater.
 3. Punitive damages pursuant to California Civil Code section 3294.
- B. The court shall award reasonable attorneys' fees and costs to the prevailing party, including to a Worker, to County Counsel, or to an Employer who prevails in a lawsuit by a Worker and demonstrates that the Worker's lawsuit was frivolous.

(Ord. 2020-0065U § 1, 2020.)

11.01.080 Notice Before Initiating Suit.

- A. Before a civil action is filed by a Worker or County Counsel under Section 11.01.070, the following requirements must be met:
1. The Worker or County Counsel must provide written notice to the Employer of the provisions of this Chapter alleged to have been violated and the facts to support the alleged violations; and
 2. The Employer fails to cure the alleged violations of this Chapter within fifteen (15) business days of receiving such written notice.

(Ord. 2020-0065U § 1, 2020.)

11.01.090 Severability.

If any section, subsection, sentence, clause, or phrase of this urgency ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion(s) of this urgency ordinance. The Board hereby declares that it would have passed this urgency ordinance and every section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

(Ord. 2020-0065U § 1, 2020.)

Chapter 11.32 SWIMMING POOLS AND OTHER WATER AREAS²⁵

11.32.005 Title.

The Ordinance codified in this chapter shall be known as "Roxie's Swim Safe Ordinance."
(Ord. 2022-0032 § 2, 2022.)

11.32.010 Applicability of Chapter Provisions.

This chapter shall apply to all pools, as defined herein, except pools located on the grounds of a private home. This chapter shall apply, but not be limited to, all public swimming pools, commercial pools, real estate and community pools, pools at hotels, motels, resorts, mobilehome parks, auto courts, apartment houses consisting of four (4) or more residential units, clubs, public and private schools, gymnasias and health establishments, juvenile detention facilities, and children's camps. This chapter shall apply to all auxiliary structures and equipment thereof, such as locker rooms, shower rooms, dressing rooms, and toilet facilities; and filtration, pumping, piping, disinfecting, and safety equipment provided and maintained in connection with such facility.

(Ord. 2022-0032 § 3, 2022; Ord. 91-0099 § 1, 1991; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 550, 1959.)

11.32.020 Definitions.

- A. "Accredited lifeguard" means a person who possesses a current certificate from an American Red Cross or YMCA of the U.S.A. lifeguard training program, or has equivalent qualifications, a current American Red Cross Standard First Aid certificate or equivalent, and complies with the requirements of California Health and Safety Code section 116028. In addition, for public swimming areas, the lifeguard shall have experience as an accredited lifeguard for at least one swimming season or 100 hours of advanced open water training or equivalent qualifications.
- B. "Accredited lifeguard supervisor" means an accredited lifeguard who has the ability to monitor lifeguard performance as it relates to lifeguard and facility-specific training, including performing pre-service assessments; successful completion of a lifeguard supervisor training course; previous experience as an accredited lifeguard for at least three (3) months; knowledge of strategies to reduce risk and mitigate the health and safety hazards to both the patrons and the staff; and knowledge of development and evaluation of zones of bather surveillance responsibility diagrams for an aquatic venue.
- C. "Children's camp" has the same meaning as defined in Section 8.04.080.
- D. "Children's day camp" has the same meaning as defined in Section 8.04.081.
- E. "Children's overnight camp" has the same meaning as defined in Section 8.04.082.
- F. "Department" means the Los Angeles County Department of Public Health.
- G. "Direct fee" means a separately stated fee or charge for the use of a public swimming pool to the exclusion of any other service, facility, or amenity.

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- H. "Lazy river" means channeled flow of water of near constant depth in which the water is moved by pumps or other means of propulsion to provide a river like flow that transports bathers over a defined path. A lazy river may also be referred to as a tubing pool, leisure river, leisure pool, or a current channel.
- I. "Lifeguard in training" means a person who performs lifeguard duty under the direct supervision of an accredited lifeguard during a training program or preparatory to becoming an accredited lifeguard.
- J. "Lifeguard services" means the attendance at a public swimming pool, during periods of use, of one or more lifeguards who are accredited lifeguards and who are trained to administer first aid, including, but not limited to, cardiopulmonary resuscitation (CPR) as referenced in California Health and Safety Code section 1797.182 and who have no duties to perform other than to supervise the safety of participants in water-contact activities.
- K. "Public swimming area" means any portion of a body of water owned, operated, or under the control of any person which is permitted to be used for swimming and bathing, except:
1. A swimming pool;
 2. A wading pool;
 3. Any portion of the Pacific Ocean; and
 4. Swimming areas owned and controlled by a single family and used only by that family and its guests.
- For any body of water other than described in paragraphs 1, 2, 3, or 4 above, swimming or recreative bathing shall be at the user's discretion, unless it is clearly and plainly posted, in a manner acceptable to the Department, warning that swimming or recreative bathing is prohibited.
- If the Department finds that a body of water or any portion thereof is, in the normal course of events, used by such a small number of persons in relation to the area of such body of water or portion thereof, that those provisions of this division relating to public swimming areas are not necessary for the preservation of public peace, health or safety, such body of water or such portion thereof is not a "public swimming area."
- L. "Public swimming pool" means any swimming pool, hot tub, spa, or non-portable wading pool, that is any of the following:
1. Open to the public generally, whether for a fee or free of charge.
 2. Open exclusively to members of an organization and their guests; residents of an apartment building, apartment complex, residential real estate development, or other multifamily residential area, consisting of four (4) or more units; patrons of a hotel or other public accommodations facility; or campers participating in a children's camp.
 3. Located on the premises of an athletic club, or public or private school.
 4. Owned or operated by the state or any local government entity.
- M. "Spray pool" means any artificially constructed pool or basin, used or intended to be used by the public, which intercepts, but does not impound water sprayed over or onto it.
- N. "Swimming pool" and "pool" each means an artificial basin, chamber or tank constructed or prefabricated with impervious material, located outdoors or indoors, whether in-ground or above-ground, and used, or intended to be used, for swimming, diving, or recreative bathing. It does not include baths where the main purpose is the cleaning of the body, nor individual-type therapeutic tubs.
- O. "Wading pool" means any artificially constructed pool used or intended to be used for wading by the public, with a maximum depth of not more than eighteen (18) inches.
- P. "Waterslide" means a slide that runs into a landing pool or runout through a fabricated channel with flowing water.

Q. "Wave pool" means a swimming pool designed for the purpose of producing breaking wave action in the water and that is not primarily designed for standup surfing, or bodyboarding.

(Ord. 2022-0032 § 4, 2022; Ord. 9656 § 1, 1968; Ord. 9375 §§ 1 (part) and 2 (part), 1967; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 §§ 551, 552, 554, 559, 562 and 563, 1959.)

11.32.030 Public Swimming Areas—Water Quality Standards.

The water used in a public swimming area shall meet the following:

- A. No sewage discharges shall exist in the immediate vicinity of, or immediately upstream from, bathing areas;
- B. Dilution and time of travel between point of sewage discharge and bathing area shall be sufficient to allow natural purification to occur so that the presence of harmful organisms of sewage origin is unlikely;
- C. The complete sanitary survey of the area is satisfactory; and
- D. The waters meet the following bacteriological standards:
 - 1. Of all the samples collected during any 30day period, the average coliform index Most Probable Number (MPN) (confirmed test) shall not exceed five (5) coliform organisms per milliliter (500 per 100 ml.).
 - 2. Not more than ten percent (10%) of the samples tested shall exceed a coliform index MPN (conformed test) of ten (10) coliform organisms per milliliter (1,000 per 100 ml.), provided further that no single sample, when verified by a repeat sample taken within 48 hours, shall exceed 100 per milliliter (10,000 per 100 ml.).
 - 3. The bacteriological standards shall be run in accordance with Standard Methods for the Examination of Water and Sewage, published by the American Public Health Association.

(Ord. 2022-0032 § 5, 2022; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 553, 1959.)

11.32.040 Public Swimming Areas—Lifesaving and First Aid Equipment.

- A. Every public swimming area shall be provided with a minimum of one (1) approved life ring, buoy or equivalent at least fifteen (15) inches in diameter and, where so required, one rescue pole at least twelve (12) feet long, with hook. Such life rings, buoys or equivalent and rescue hook shall be readily accessible to each lifeguard, the location and spacing thereof to be determined by consideration of the area to be covered, configuration of water area and related factors, and approved by the Department. Such life rings, buoys, or equivalent shall have attached to them 75 feet of sound, 3/16-inch line, which shall be stored, when not in use, in such a way as to prevent kinking or fouling.
- B. When, in the opinion of the Department, any public swimming area is of such size that unaided swimming rescues by lifeguards do not offer sufficient protection to swimmers, one or more square-sterned boats equipped with oars, oarlocks, life rings, or hollow-type paddle boards, as the Department approves, shall be provided.
- C. A standard, 24-unit or larger first aid kit shall be provided and properly maintained, and kept readily available at all public swimming areas.

(Ord. 2022-0032 § 6, 2022; Ord. 9375 § 2 (part), 1967; Ord. 7583 Part 3 Ch. 6 § 565, 1959.)

11.32.050 Public Swimming Areas, Public Swimming Pools and Swimming Pools—Lifeguards and Aquatic Safety Plans.

- A. The following locations shall provide lifeguard services:
1. Public swimming pools located at or used by children's camps and schools.
 2. Public swimming pools where a direct fee is charged.
 3. Public swimming pools with an induced current or wave action, including but not limited to, wave pools.
 4. Swimming pools located at or used by juvenile detention facilities.
 5. Lazy rivers.
 6. Waterslides.
 7. Public swimming pools where alcohol is served.
 8. Public swimming areas when open or in use.
- B. For all other public swimming pools, lifeguard service shall be provided, or signs shall be erected clearly indicating that lifeguard service is not provided. The lettering shall be legible and at least one (1) inch (25.4 mm or 36 point type) high, with a contrasting background.
- C. All swimming pools requiring lifeguard services in this section shall create and implement an Aquatic Safety Plan as described below. The Aquatic Safety Plan shall include, but is not limited to, the following:
1. Pool areas staffing plan, which describes how pool staff will maintain the public swimming pool in a safe condition, including addressing health and safety hazards, water quality, staff training, facility rules and regulations, and responding to hazards and emergencies.
 2. Accredited lifeguard plan, developed by an accredited lifeguard, which describes lifeguard responsibilities, including those responsibilities identified in the pool areas staffing plan and related activities.
 3. Lifeguard staffing plan, which identifies the number of on-duty lifeguards needed to meet swimming pool safety and staffing requirements, and describes the duration and rotation of lifeguard tasks, staffing requirements, including any needed breaks and coverage, supervisor staffing and other staffing needs, and any additional lifeguard responsibilities.
 4. Emergency Action Plan (EAP), which describes how the swimming pool staff will respond to emergency situations, including identifying responding staff, communications, equipment, and procedures.
 5. Biohazard action plan, which describes the decontamination requirements should a swimming pool become contaminated, including access and restriction by the public, cleaning and disinfection, and maintenance of a record of the details of the contamination, and disposal of contaminants.
 6. Accidental chemical release plan, which describes the procedures to appropriately respond to a chemical release in a swimming pool, including necessary equipment and response and cleanup procedures.
- D. The swimming pool owner/operator shall retain a copy of the Aquatic Safety Plan on file at the pool facility and shall make it available for inspection by the Department. The Aquatic Safety Plan must satisfactorily contain each of the elements provided in C. 1 - 6 of this Section. The owner/operator of a swimming pool shall review and update the Aquatic Safety Plan at least annually and shall make the Aquatic Safety Plan available to the Department upon request. If, after review of the Aquatic Safety Plan, the Department finds it

deficient in the Department's opinion, the Department shall notify the owner/operator to correct and/or revise the Aquatic Safety Plan. Upon such notification, the owner/operator shall provide a revised Aquatic Safety Plan with corrections within fourteen (14) days to the Department.

- E. The owner/operator shall maintain incident report records of all lifeguard rescues where the accredited lifeguards enter the water and activate the EAP. Such records shall be maintained by the owner/operator for a minimum of two (2) years from the date of incident.
- F. All incidents of drowning and near-drowning which required emergency medical treatment and transportation to a health facility shall be reported by the owner/operator of a public swimming pool or public swimming area to the Department within 24 hours of the incident.

(Ord. 2022-0032 § 7, 2022; Ord. 9375 § 2 (part), 1967; Ord. 7583 Part 3 Ch. 6 § 564, 1959.)

11.32.060 Public Swimming Areas—Dressing Room Requirements.

If dressing rooms are provided at a public swimming area, they shall comply with the following:

- A. Public swimming areas used simultaneously by both sexes shall be provided with separate dressing rooms, with separate entrances to and exits from the dressing rooms.
- B. All dressing room walls and partitions shall have smooth surfaces which are impervious to moisture and free from cracks or open joints. Walls of compartments within a dressing room shall be constructed in such a manner that there is a clear, intervening space of not less than eight (8) inches between the bottom of the partition and the floor, unless otherwise approved by the Department.
- C. Floors in the dressing rooms, toilet rooms, and shower rooms shall be impervious and rough enough (but not abrasive to the feet) so as to be nonskid, similar to a "rough rotary, raised rubber, or wood float," finished, and shall be free from cracks or open joints. Floors shall pitch not less than one-fourth inch per foot to floor drains or surface-water disposal areas. All junctures of floors with walls and partitions shall be covered. Wood floors or wooden slats over concrete floors shall not be permitted.
- D. When lockers are provided, they shall be kept clean and free from vermin, properly ventilated, and shall be fastened firmly to concrete islands, or shall be installed with at least a six (6)-inch-high clear space beneath to permit flushing of the floor.
- E. All dressing rooms, shower rooms, toilets, lavatory rooms, and all other rooms in a bathhouse, shall be adequately ventilated and lighted. A minimum light intensity of three footcandles shall be provided in all parts of said rooms.
- F. Toilets shall be provided in close proximity to any dressing rooms, in addition to requirements specified in Section 11.32.070.

(Ord. 2022-0032 § 8, 2022; Ord. 9375 § 2 (part), 1967; Ord. 7583 Part 3 Ch. 6 § 568, 1959.)

11.32.070 Public Swimming Areas—Toilet Facilities.

- A. Adequate toilets for each sex shall be provided and maintained not over 300 feet distant from any portion of public swimming areas.
- B. All toilet facilities shall be maintained in a sanitary condition, well lighted and ventilated, and shall be kept supplied with toilet paper at all times.
- C. The type and location for such existing toilets shall be acceptable to the Department and plans for new toilet facilities shall be approved by the Department prior to construction.

(Ord. 2022-0032 § 9, 2022; Ord. 9375 § 2 (part), 1967; Ord. 7583 Part 3 Ch. 6 § 567, 1959.)

11.32.080 Health Restrictions For Employees and Other Persons.

Public pool employees and users must not present a health hazard to others using the public pool or ancillary facilities, pursuant to Title 22, California Code of Regulation section 65541, and the same provisions shall apply to employees and users of public swimming areas.

(Ord. 2022-0032 § 10, 2022; Ord. 9375 § 2 (part), 1967; Ord. 7583 Part 3 Ch. 6 § 570, 1959.)

11.32.090 Drinking Fountains Required Where.

At least one approved drinking fountain shall be installed and maintained in each wading pool area and each public swimming area for the use of the persons using the public swimming area or wading pool.

(Ord. 2022-0032 § 11, 2022; Ord. 9375 § 2 (Part), 1967; Ord. 7583 Part 3 Ch. 6 § 569, 1959.)

11.32.100 Wading Pools—Construction.

- A. The lining material of all wading pools shall be impervious to moisture and shall have a smooth finish, and the wading pool bottom shall be constructed to minimize slippage. There shall be a deck of not less than four (4) feet in width surrounding the wading pool; said deck shall be constructed of impervious material and shall have a smooth, nonslip finish.
- B. Wading pools shall have a bottom slope of not less than one (1) inch to each four (4) feet, nor more than one (1) inch per foot, toward the drains. There shall be no raised drains, steps or other obstructions on which children may fall or become injured in the wading pool.
- C. The wading pool shall be equipped with a drain at its lowest point. The drain shall not be connected directly to any part of a sewage disposal system.

(Ord. 2022-0032 § 12, 2022; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 556, 1959.)

11.32.110 Wading Pools—Adult Supervision Required.

Every person maintaining a wading pool which is open to the public shall supply constant adult supervision at all times when such wading pool is open to the public.

(Ord. 2022-0032 § 13, 2022; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 555, 1959.)

11.32.120 Wading Pools—Disinfection.

A chlorine residual of at least 3 ppm and a pH in the range of 7.2—7.8 shall be maintained at all times the wading pool is in use. A testing kit shall be maintained at the wading pool for this purpose.

(Ord. 2022-0032 § 14, 2022; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 557, 1959.)

11.32.130 Wading Pool—Water Clarity and Recirculation.

The water of all wading pools shall be kept sufficiently clear that the bottom of the wading pool will be visible at all times. A recirculating system shall be provided for each wading pool constructed subsequent to July 1, 1964. In lieu

of a recirculating system, existing wading pools may be emptied and refilled at least every two hours during the time the wading pool is open for use.

(Ord. 2022-0032 § 15, 2022; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 558, 1959.)

11.32.140 Water Supply.

- A. All water supplied to a wading pool or spray pool shall be from a source approved by the Department.
- B. The water supply for all showers, toilets, lavatories, and drinking facilities provided or maintained in connection with public swimming areas, spray pools and wading pools shall be adequate in quantity and shall meet the Department's requirements for drinking water.

(Ord. 2022-0032 § 16, 2022; Ord. 9375 § 2 (part), 1967; Ord. 7583 Part 3 Ch. 6 § 566, 1959.)

11.32.150 Spray Pool Requirements.

Spray pools shall be constructed in such a manner that all sprayed water falls into the pool or basin and runs to a drain which discharges into an approved disposal system. No obstructions, such as raised drains or steps which might cause injury to children in such pools, shall be permitted.

(Ord. 2022-0032 § 17, 2022; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 560, 1959.)

11.32.160 Swimming Pool Equipment—Requirements.

- A. All swimming pool equipment shall comply with the requirements of the California Building Code, Title 24, section 3123B.
- B. All recirculation and purification equipment shall be subject to review and approval by the Department before installation in connection with a swimming pool.
- C. It is unlawful for any person to install any recirculation and purification equipment related to a swimming pool unless such equipment has first been reviewed and approved by the Department.

(Ord. 2022-0032 § 18, 2022; Ord. 2014-0024 § 31, 2014; Ord. 9375 § 1 (part), 1967; Ord. 8588 § 1 (part), 1964; Ord. 7583 Part 3 Ch. 6 § 561, 1959.)

11.32.170 Implementation Date of Amendments.

Amendments made to this chapter and adopted in 2022 are effective on January 1, 2023.

(Ord. 2022-0032 § 19, 2022; Ord. 9375 § 2 (part), 1967; Ord. 7583 Part 3 Ch. 6 § 561.2, 1959.)

Chapter 11.35 TOBACCO RETAILING

11.35.010 Purpose and Application.

In promoting the health, safety, and general welfare of its residents, the County of Los Angeles has a substantial interest in encouraging compliance with federal, State, and local laws regulating tobacco sales and use; discouraging the purchase and use of tobacco products by anyone under the age of 21; increasing compliance with laws prohibiting the sale of tobacco products to anyone under the age of 21; and protecting children from being lured into nicotine and tobacco use through the illegal sale of products, including vaping products. It is the intent of the Ordinance codified in this Title, together with the additions to Title 7, to encourage responsible tobacco retailing and to discourage violations of tobacco-related laws, especially those that prohibit the sale or distribution of tobacco products to anyone under the age of 21. This Ordinance does not expand or reduce the degree to which the acts regulated by federal or State law are criminally proscribed or otherwise regulated.

(Ord. 2019-0049 § 4, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.020 Definitions.

For the purpose of this Chapter, the words and terms listed below shall have the following meanings:

- A. "Accessory" means equipment, products, or materials that are used, intended for use, or designed for use in smoking, vaping, ingesting, inhaling, or otherwise introducing tobacco or tobacco products into the human body and can be an object or device that is not essential in itself but adds to the beauty, convenience, or effectiveness of something else.
- B. "Arm's length transaction" means a sale in good faith and for valuable consideration that reflects the fair market value in the open market between two informed and willing parties, when neither is under any compulsion to participate in the transaction. A sale between relatives, related companies or partners, or a sale for the primary purpose of avoiding the effect of the violations of this Chapter that occurred at the location, is presumed not to be an arm's length transaction.
- C. "Characterizing flavor" means a taste or aroma, other than the taste or aroma of tobacco, imparted either prior to or during consumption of a tobacco product or any byproduct produced by the tobacco product, including, but not limited to, tastes or aromas relating to menthol, mint, wintergreen, fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb, or spice. Characterizing flavor includes flavor in any form, mixed with or otherwise added to any tobacco product or nicotine delivery device, including electronic smoking devices.
- D. "Cigarette" is any roll of tobacco wrapped in paper or in any substance not containing tobacco, or any roll of tobacco wrapped in any substance containing tobacco which is likely to be offered to, or purchased as a cigarette, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling.
- E. "Cigarillo" means any roll of tobacco other than a cigarette wrapped entirely or in part in tobacco or any substance containing tobacco and weighing no more than three pounds per thousand units. "Cigarillo" includes, but is not limited to, tobacco products known or labeled as small cigar or little cigar.
- F. "Component" means any item intended or reasonably expected to be used with or for the human consumption of a tobacco product.

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- G. "Department" means the Los Angeles County Department of Public Health.
- H. "Director" means the Director of the Los Angeles County Department of Public Health or designee.
- I. "Electronic Smoking Device" means an electronic device, including but not limited to an electronic cigarette, electronic cigar or cigarillo, electronic pipe, electronic hookah, vaping device, or any other product name or descriptor, which can be used to deliver an inhaled dose of nicotine or other substances, including any component, part, or accessory of such a device, whether manufactured, distributed, marketed, or sold as such.
- J. "Flavored Tobacco Product" means any tobacco product, as defined in this Chapter, which imparts a characterizing flavor.
- K. "License" means a Tobacco Retail License issued by the County pursuant to this Section.
- L. "Licensee" means any proprietor holding a license issued by the County pursuant to this Chapter.
- M. "Little Cigar" means any roll of tobacco other than a cigarette wrapped entirely or in part in tobacco or any substance containing tobacco and weighing no more than three pounds per thousand units. "Little Cigar" includes, but is not limited to, tobacco products known or labeled as small cigar or cigarillo.
- N. "Package" or "Packaging" means a pack, box, carton, or container of any kind or, if no other container, any wrapping (including cellophane) in which a tobacco product is sold or offered for sale.
- O. "Part" means a piece or segment of something, which combined with other pieces makes up the whole.
- P. "Person" means any individual, entity, firm, partnership, joint venture, limited liability company, association, social or professional club, fraternal organization, corporation, estate, trust, business trust, receiver, trustee, syndicate, or other group or combination of the above acting as a single unit.
- Q. "Pharmacy" means any retail establishment, including any location with an on-site pharmacy, in which the profession of pharmacy is practiced by a pharmacist licensed by the State of California in accordance with the Business and Professions Code and where prescription pharmaceuticals are offered for sale, regardless of whether the retail establishment sells other retail goods in addition to prescription pharmaceuticals.
- R. "Proprietor" means a person with an ownership interest in a business. An ownership interest shall be deemed to exist when a person has a ten percent or greater interest in the stock, assets, or income of a business other than the sole interest of security for debt.
- S. "Self-service Display" means the open display or storage of tobacco products or tobacco paraphernalia in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service display.
- T. "Tobacco Paraphernalia" means cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, characterizing flavors in any form, mixed with or otherwise added to any tobacco product or nicotine delivery device, including electronic smoking devices, and any other item designed or used for the smoking or ingestion of tobacco products.
- U. "Tobacco Product" means the following:
1. Any product containing, made, or derived from tobacco or nicotine whether natural or synthetic, that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff; or
 2. Any electronic smoking device that delivers nicotine or other substances, whether natural or synthetic, to the person inhaling from the device, including, but not limited to, an electronic cigarette, electronic cigar, electronic pipe, electronic hookah, or vaping device.

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3. Notwithstanding any provision of subsections (1) and (2) to the contrary, "tobacco product" includes any component, part, or accessory intended or reasonably expected to be used with a tobacco product, whether or not sold separately.
 4. "Tobacco Product" does not include drugs, devices, or combination products authorized for sale by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
- V. "Tobacco Retailer" means any person who sells, offers for sale or distribution, exchanges, or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, distributed, exchanged, or offered for exchange.
- W. "Tobacco Retailing" means selling, offering for sale, exchanging, or offering to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, offered for sale, exchanged, or offered for exchange.
- (Ord. 2019-0049 § 5, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.030 Mandatory Tobacco Retail License.

- A. Any person intending to act as a tobacco retailer, who does not currently hold a Tobacco Retail License, shall, within 180 days of the effective date of the Ordinance codified in this Chapter, obtain a Tobacco Retail License for each location at which tobacco retailing is to occur.
- B. Nothing in this Chapter shall be construed to grant any licensee any status or right other than to act as a tobacco retailer at the location identified on the face of the Tobacco Retail License, subject to compliance with all other applicable laws, regulations, or ordinances. Nothing in this Chapter shall be construed to render inapplicable, supersede, or apply in lieu of any other provision of applicable law.

(Ord. 2019-0049 § 6, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.040 Application Procedure for Tobacco Retail License.

All applications for a Tobacco Retail License shall be submitted in the name of each proprietor proposing to conduct tobacco retailing and signed by each prospective proprietor or an authorized agent. Each Tobacco Retail License application must be accompanied by the required Tobacco Retail License fee pursuant to Section 8.04.720 of this Code. A proprietor proposing to conduct tobacco retailing at more than one location shall submit a separate application for each location. Every application shall contain the following information:

- A. The name, address, and telephone number of each proprietor.
- B. The business name, address, and telephone number of the fixed location for which the Tobacco Retail License is sought.
- C. Whether any proprietor has previously been issued a Tobacco Retail License pursuant to this Chapter that is, or was at any time, suspended or revoked and, if so, the date of the suspension or revocation.
- D. Proof that the location for which a Tobacco Retail License is sought has been issued a valid State tobacco retailer's license by the California Department of Tax and Fee Administration, in addition to any other required or applicable licenses, permits, or certifications.
- E. A signed affirmation by each proprietor of being informed of, and agreeing to abide by, the laws affecting tobacco retail licenses.
- F. Such other information as the County deems necessary for the administration of this Chapter.

Any application that is denied is subject to an administrative review, at the request of the applicant, which shall be held pursuant to the provisions of Section 11.35.110 of this Chapter.

(Ord. 2019-0049 § 7, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.050 Issuance and Renewal of Tobacco Retail License.

- A. Upon receipt of an application for a new Tobacco Retail License and applicable fee, as set forth in Section 8.04.720, the applicant(s) shall be issued a Tobacco Retail License unless:
1. The application is incomplete, inaccurate, false, or misleading;
 2. The Department has information that the applicant, or the applicant's agent(s) or employee(s), violated any local, State, or federal tobacco control law within the preceding 180 days; or
 3. The application seeks authorization for tobacco retailing at an address where a previous Tobacco Retail License has been suspended, revoked, or is subject to suspension or revocation proceedings for any violation of any of the provisions of this Chapter. However, this shall not constitute a basis for denial of a Tobacco Retail License if either or both of the following apply:
 - a. The applicant provides documentation which clearly demonstrates that the applicant has acquired or is in the process of acquiring the premises or business in an arm's length transaction; or
 - b. It has been more than five years since the most recent Tobacco Retail License for that location was revoked.
- B. Renewal of Tobacco Retail License. A Tobacco Retail License shall be valid for one year and must be renewed between 30 and 60 days prior to the expiration of the Tobacco Retail License. A Tobacco Retail License may be renewed for additional one year periods by submission of a renewal application and the applicable fee. Any Tobacco Retail License that is suspended, has been revoked within the previous five years, or is subject to suspension or revocation proceedings shall not be renewed until suspension or revocation proceedings are complete and the suspension or revocation period, if any, is over.

(Ord. 2019-0049 § 8, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.055 Business License Required.

- A. In addition to the Tobacco Retail License, any Tobacco Shop in an unincorporated area of the County, devoted exclusively or predominantly to the sale of tobacco, tobacco products, and tobacco paraphernalia, must have a valid business license as required by Title 7 of this Code.
- B. Tobacco Shops currently holding a valid Tobacco Retail License as of the effective date of the Ordinance codified in this Chapter must apply for a business license as required by Title 7 of this Code and may legally operate while such application is in active process.
- C. Any retailer establishing a new Tobacco Shop after the effective date of this Ordinance must apply for and obtain a business license as required by Title 7 of this Code and a Tobacco Retail License, as required by this Chapter, before it may legally operate.
- D. If the business license is revoked or suspended for any period of time, the Tobacco Retail License shall be automatically revoked or suspended for the same period.

(Ord. 2019-0049 § 9, 2019.)

11.35.060 Tobacco Retail License Nontransferable.

A Tobacco Retail License is nontransferable. If a licensee changes business location, that licensee must obtain a new Tobacco Retail License prior to acting as a tobacco retailer at the new location. If a business licensed as a tobacco retailer is sold or transferred, the new proprietor must obtain a Tobacco Retail License for that location before acting as a tobacco retailer.

(Ord. 2019-0049 § 10, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.070 Violations.

- A. It shall be a violation of this Chapter for a tobacco retailer/licensee, or its agent(s) or employee(s), to violate any federal, State, or local tobacco law or regulation, including any provision of this Chapter.
- B. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this Chapter shall constitute a violation.
- C. Failure to prominently display the Tobacco Retail License in a publicly visible location at the licensed premises shall constitute a violation.
- D. The failure of the tobacco retailer/licensee, or the applicant's agent(s) or employee(s) to allow any peace officer, the Director, or any authorized County official to conduct unscheduled inspections of the premises of the business for the purpose of ensuring compliance with any federal, State, or local tobacco law or regulation, including any provision of this Chapter, at any time the business is open for business shall constitute a violation.
- E. After 180 days of the effective date of the Ordinance codified in this Chapter, it shall be a violation of this Chapter for a tobacco retailer/licensee or its agent(s) or employee(s) to sell or offer for sale, or to possess with the intent to sell or offer for sale, any flavored tobacco product or any component, part, or accessory intended to impart, or imparting a characterizing flavor in any form, to any tobacco product or nicotine delivery device, including electronic smoking devices.
- F. No tobacco retailer/licensee or its agent(s) or employee(s) may sell or offer for sale any little cigar or cigarillo unless it is sold in a package of at least 20 little cigars or cigarillos. Little cigars or cigarillos may not be sold individually or in packages of less than 20 units.
- G. Tobacco retailing by means of a self-service display is prohibited, pursuant to State law.
- H. A Tobacco Retail License may be issued to authorize tobacco retailing at a fixed location only. Tobacco retailing on foot or from vehicles, carts, or any other non-fixed location, is prohibited and shall be considered a violation of this Chapter.
- I. No Tobacco Retail License may issue and no existing Tobacco Retail License may be renewed, to authorize tobacco retailing in a pharmacy, including any location with an on-site pharmacy.
- J. Each tobacco retailer/licensee and its agent(s) or employee(s) must be over the age of 21 in order to sell tobacco and/or tobacco products.

(Ord. 2019-0049 § 11, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.080 Compliance Checks.

- A. Compliance with this Chapter shall be monitored by the Department of Public Health ("Department") or any law enforcement officer. Any law enforcement officer may conduct compliance checks, including but not limited to youth decoy operations, and enforce the penal provisions of this Chapter.
- B. The Department shall check the compliance of each tobacco retailer a minimum of one time per 12 month period. Compliance checks may be unannounced.

(Ord. 2019-0049 § 12, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.090 Administrative Fines.

Subject to the requirements of Chapter 1.25 of this County Code, the Director may impose administrative fines on persons violating any provision of this Chapter or any federal, State, or local law or regulation incorporated into this Chapter. The Director may impose a fine upon such violators in an amount determined by the Director. The imposition of any such fine shall in no way limit the Director's ability or authority to impose other requirements of this Chapter or seek other remedies against violators.

(Ord. 2019-0049 § 13, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.100 Suspension or Revocation of Tobacco Retail License.

- A. In addition to any other remedy authorized by law, a Tobacco Retail License may be suspended or revoked as provided in this Section if it is discovered that any of the following occurred:
 - 1. The licensee, or the licensee's agent(s) or employee(s), violated any provision of this Chapter. Violation by a licensee at one location shall not be construed as a violation at another location of the same licensee, nor shall violations by a prior licensee at the same location be accumulated against a subsequent licensee at the same location;
 - 2. The original or renewal application contained incomplete, inaccurate, false, or misleading information;
 - 3. One or more of the bases for denial listed in Section 11.35.050 existed before the Tobacco Retail License was issued; or
 - 4. A licensee is convicted of a misdemeanor or felony violation of any federal, State, or local tobacco law or regulation, including any provision of this Code.
- B. During any period of suspension or revocation, the licensee shall remove all tobacco products and tobacco paraphernalia from view, including from displays and behind counter storage areas, whether or not visible to the public. All tobacco products and tobacco paraphernalia must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely. Failure to do so may be considered a subsequent violation.
- C. During any period of suspension or revocation, the tobacco retailer/licensee shall conspicuously post, at each point of sale register and near the entrance door of the tobacco retail location, a notice of a Tobacco Retail License suspension provided by the Department of Public Health. The notice shall include the suspension or revocation period, reason for suspension or revocation, tobacco retailer/licensee and location information, and Department of Public Health contact information to report violations.
- D. When the Director finds a violation as set forth in this Chapter, the Tobacco Retail License may be suspended or revoked as follows:

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1. Upon finding by the Director of a first Tobacco Retail License violation within any five year period, the Tobacco Retail License may be suspended for up to 30 days;
 2. Upon a finding by the Director of a second Tobacco Retail License violation within any five year period, the Tobacco Retail License may be suspended for up to 90 days;
 3. Upon a finding by the Director of a third Tobacco Retail License violation in any five year period, the Tobacco Retail License may be suspended for up to 120 days; and
 4. Upon a finding by the Director of a fourth Tobacco Retail License violation within a five year period, the Tobacco Retail License shall be revoked.

(Ord. 2019-0049 § 14, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.110 Suspension or Revocation Procedure.

- A. Before a Tobacco Retail License is suspended or revoked, the Director shall provide written notice to the licensee. Said notice shall include the following:
 1. A statement that the proprietor's Tobacco Retail License is being suspended or revoked pursuant to this Chapter;
 2. The Code Section violated by licensee or licensee's agents or employees;
 3. A description of the violation that occurred;
 4. The address of the business where the violation occurred; and
 5. The procedure for requesting an administrative review.
- B. A licensee served with a notice of suspension or revocation may request an administrative review to contest the suspension or revocation. The request must be made in writing and filed with the Director within 10 calendar days of service of the notice of suspension or revocation. Failure to timely request an administrative review shall be deemed a waiver of the right to request such a review and a failure to exhaust administrative remedies.
- C. After receiving a timely administrative review request, the Director shall schedule an administrative review within 20 calendar days of receipt of the written request and designate a reviewing officer. The Director may appoint as a reviewing officer, any Department or other County employee with expertise in public health who is not directly involved in inspection or enforcement of tobacco retailing establishments.
- D. The proprietor shall be given written notice of the date, time, and location of the administrative review and the name of the reviewing officer who will conduct the administrative review at least 10 calendar days in advance of the review.
- E. The reviewing officer, in their discretion, may grant a reasonable continuance upon the written request and showing of good cause.
- F. At the administrative review, the Department has the burden of providing by a preponderance of the evidence that the alleged violation occurred.
- G. The failure to appear at the administrative review shall constitute an abandonment of the review request and a failure to exhaust administrative remedies.
- H. Within 10 calendar days after the close of the administrative review, the reviewing officer shall issue a written decision on the suspension or revocation of the Tobacco Retail License, including a statement of the basis for the decision. The reviewing officer's written decision shall constitute the final administrative decision of the County.

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- I. If the Director revokes a Tobacco Retail License, no new Tobacco Retail License may be issued for five years after that revocation.

(Ord. 2019-0049 § 15, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.120 Violation—Other Penalties.

- A. In addition to any other penalties and remedies provided by law, including the provisions of this Chapter, any violation of the provisions of this Chapter may be charged as a misdemeanor pursuant to Chapter 1.24 of this Code, or, in the discretion of the prosecutor, as an infraction. Any person who violates any provision of this Chapter is subject to a civil action, including but not limited to, an injunction, as well as prosecution for any criminal violation.
- B. In addition to any other penalty under this Chapter, a person found to have engaged in tobacco retailing without a valid Tobacco Retail License shall be ineligible to apply for or be issued a Tobacco Retail License as follows:
 - 1. After a person is caught in violation of this Section, no new Tobacco Retail License may be issued for the person as a proprietor until 30 days have passed from the date of the violation; and
 - 2. Each day that a person engages in tobacco retailing without a valid Tobacco Retail License shall constitute a separate violation.
- C. Any person found by the Director to be ineligible to be issued a Tobacco Retail License pursuant to this Section may request an administrative review within 10 days of notice of the violation. The request must be made to the Director in writing. Any administrative review shall be held pursuant to the provisions of Section 11.35.110 of this Chapter.
- D. Violations of this Chapter are hereby declared to be public nuisances pursuant to this Code.

(Ord. 2019-0049 § 16, 2019; Ord. 2007-0118 § 3 (part), 2007.)

11.35.130 Conflict with Other Law, Severability, Saving Clause.

Nothing in this Chapter shall be interpreted or applied so as to create any power or duty in conflict with any federal or State law. If any provision of this Chapter or the application thereof to any person or circumstance is held invalid, the remainder of this Chapter or the application of such provision to other persons or circumstances shall not be affected thereby.

(Ord. 2019-0049 § 17, 2019; Ord. 2007-0118 § 3 (part), 2007.)

Chapter 11.36 MASSAGE ESTABLISHMENTS

Part 1 GENERAL PROVISIONS

11.36.010 Purpose and Intent.

The ordinance codified in this Title, together with the additions and amendments to Titles 7, 8, and 22, are collectively referred to as the Los Angeles County Massage Establishment Ordinance. These Titles should be read together to understand an applicant and permittee's legal obligations and the Board of Supervisors' intent in implementing these provisions.

(Ord. 2020-0008 § 43, 2020.)

11.36.020 Definitions.

Definitions contained within Title 8, Chapter 8.04 of the Consumer Protection, Business and Wage Regulations shall pertain to this Chapter.

(Ord. 2020-0008 § 43, 2020.)

11.36.030 Referral of Massage Establishment Public Health Permit Applications and Law Enforcement Notification.

- A. The County Health Officer, or his or her designee, within ten (10) days of receiving an application for a public health permit to operate a Massage Establishment shall refer the applicant to the Tax Collector or the incorporated city agency to obtain the applicable business license.
- B. The County Health Officer, or his or her designee, shall notify the Sheriff's Department or local police department of all approved and denied Massage Establishment public health permit applications.

(Ord. 2020-0008 § 43, 2020.)

Part 2 GENERAL REQUIREMENTS OF MASSAGE ESTABLISHMENTS

11.36.040 Employment of Minors Prohibited.

It shall be unlawful to employ in a Massage Establishment any individual who is not at least eighteen (18) years of age, including the use of independent contractors.

(Ord. 2020-0008 § 43, 2020.)

11.36.050 Maintenance of Premises and Equipment.

- A. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities for the Massage Establishment shall be in good repair and maintained in a clean and sanitary condition.
- B. The Massage Establishment's windows may not be completely obstructed.
- C. Pools, showers, wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs shall be thoroughly cleaned after each use.
- D. Clean and sanitized towels and linens shall be provided for each patron of the establishment or each patron receiving massage services. No common use of towels or linens shall be permitted.
- E. Separate, adequate, closed cabinets shall be provided for the storage of clean and soiled linen, and shall be plainly marked: "Clean Linen," "Soiled Linen." Linen includes, but is not limited to, sheets, towels, and apparel. Soiled towels, linens and sheets shall be laundered and dried on the premises of suitable laundry facilities or at a commercial laundry service.
- F. Standard or portable massage tables with a durable, washable plastic or other waterproof material as a covering shall be used. Foam pads more than four (4) inches thick or more than four (4) feet wide may not be used. Beds, mattresses and water beds may not be used in the administration of a massage.
- G. The facility shall be free of vermin, including but not limited to cockroaches, mice, rats, and other pests that carry disease.
- H. A room, enclosure, or designated area that is separate from the toilet, massage room(s), steam room, or other common areas shared by the clients shall be designated and provided to employees at all times. The employee area(s) shall be furnished with adequate storage space for employees' personal belongings. Clients and members of the public may not have access to the employee area.
- I. Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.

(Ord. 2020-0008 § 43, 2020.)

11.36.060 Draping the Client—Required.

No massage, massage services, or massage therapy may be administered unless the patron's genitalia, and female breasts, are covered.

(Ord. 2020-0008 § 43, 2020.)

11.36.070 Attire Requirements.

All Massage Technicians shall meet the attire requirements specified in the California Business and Professions Code section 4609, subdivision (a)(10). All other employees, independent contractors, and owners of the Massage Establishment shall remain fully clothed in clean outer garments while on the premises of the Massage Establishment. At a minimum, such clothing shall be made of non-transparent material and shall cover the entirety of the torso area from above the chest to the knee.

(Ord. 2020-0008 § 43, 2020.)

Part 3 OPERATIONAL REQUIREMENTS OF MASSAGE ESTABLISHMENTS

11.36.080 Hours of Operation and Other Restrictions.

The permittee shall not conduct business or operate a Massage Establishment between the hours of 10:30 p.m. and 7:00 a.m. of any day.

(Ord. 2020-0008 § 43, 2020.)

11.36.090 Massage Technician—Required.

- A. It shall be unlawful for any individual to practice massage therapy for compensation at a Massage Establishment unless that individual is a Massage Technician, as defined in Section 8.04.1410.
- B. CAMTC-certification or a picture identification issued by the Tax Collector shall be worn by and clearly visible on the massage technician's person during working hours and at all times when the massage technician is in the Massage Establishment.
- C. Massage Technicians shall not engage in lewd conduct on business premises of the Massage Establishment. Lewd conduct means touching the genitals, buttocks, or female breast of either the Massage Technician or customer with some part of the other person's body for the purpose of sexual arousal or gratification.

(Ord. 2020-0008 § 43, 2020.)

11.36.100 Manager—Required.

While open, all Massage Establishments licensed under Section 8.04.288, except Sole Proprietors, shall have a manager as defined in Section 8.04.1410 on the premises. The manager must be familiar with and capable of communicating with employees, independent contractors, and patrons of the establishment on the requirements of this Chapter and State law as it relates to massage therapy.

(Ord. 2020-0008 § 43, 2020.)

11.36.110 Entry and Exit.

Massage Establishment clients shall enter and exit exclusively through the main entrance of the Massage Establishment. The main entrance shall be the door facing the street or, if no such door exists, the door that is most visible to members of the public passing by the Massage Establishment.

(Ord. 2020-0008 § 43, 2020.)

11.36.120 Cleanliness.

- A. Instruments used for massage shall be disinfected prior to each use by a reasonable method approved by the County Health Officer or his or her designee. Where such instruments for massage are employed, adequate quantities of supplies for disinfection shall be available during all hours of operation.

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- B. Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.
 - C. Hot (100°F) and cold running water shall be provided at all times.
- (Ord. 2020-0008 § 43, 2020.)

11.36.130 Contamination Prevention.

- A. Skin products, such as oil, lotions, and creams, shall be dispensed from single-use containers. Skin products stored in multi-use containers shall be dispensed in a manner to prevent contamination.
 - B. Sponges used to rub the skin must be single use, and disposed of after each use.
- (Ord. 2020-0008 § 43, 2020.)

11.36.140 Operating Requirements.

- A. No alcohol, cannabis or illegal drugs shall be permitted on premises. No alcoholic beverages, cannabis or drugs may be sold, served, used, consumed or possessed on business premises during business hours.
- B. A person shall not enter, be or remain in any part of a Massage Establishment or premises licensed as such while in the possession of, consuming or using any alcoholic beverage or drugs. The owner, operator, manager, and every supervising employee shall not permit any such person to enter or remain upon such premises.
- C. Massage Establishment owners or operators shall provide all employees with culturally and linguistically appropriate educational materials regarding employee rights, and information on a variety of resources, including linkages to health services, victim assistance services, and emergency numbers and hotlines to call for information and assistance.
- D. Massage Establishment premises shall not be used as a sleeping room or for any other residential purpose.
- E. A Massage Establishment owner shall notify the County Health Officer, or his or her designee, of any changes to the owner's address and/or phone number.
- F. A Massage Establishment owner shall report to the County Health Officer, or his or her designee, any of the following within ninety-six (96) hours of the occurrence:
 - 1. Arrests of any employees, independent contractors, or owners of the Massage Establishment for an offense other than a misdemeanor traffic offense;
 - 2. Any event involving the Massage Establishment owner or a Massage Technician employed therein that constitutes a violation of this ordinance or State or federal law;
 - 3. Any provision which requires reporting to the County Health Officer or his or her designee even if the Massage Establishment owner believes that the County Health Officer or his or her designee has or will receive the information from another source.
- G. Massage, massage services, or massage therapy are not permitted in rooms, booths, or other areas with doors capable of being locked.
- H. The exterior doors and the doors separating the waiting or reception area from the remainder of the establishment shall remain unlocked during business hours (including electric locking devices). This subdivision shall not apply to sole proprietorship Massage Establishments as defined in Section 8.04.1410.

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- I. A copy of the CAMTC certificate or valid Massage Technician license issued by the Treasurer and Tax Collector of each and every Massage Technician employed in the business shall be displayed in the reception area or similar open public place on the premises. CAMTC certificates or Massage Technician licenses of former employees and/or independent contractors shall be removed as soon as those Massage Technicians are no longer employed by or offering services through the massage business.
 - J. For each massage service provided, every massage business shall keep a complete and legible written or electronic record of the following information: (1) the date and hour that service was provided; (2) the service provided; (3) the name or initials of the employee entering the information; and (4) the name of the Massage Technician administering the service and the CAMTC certificate number, and business license identification number. Such records shall be open to inspection and copying by the Sheriff's Department, or other officials charged with enforcement of this Chapter. These records may not be used by any Massage Technician or operator for any purpose other than as records of service provided and may not be provided to other parties by the Massage Technician or operator unless otherwise required by law. Such records shall be retained on the premises of the massage business for a period of two (2) years and be immediately available for inspection during business hours.
 - K. Condoms are prohibited on or within the premises of a Massage Establishment.
 - L. All massages, massage services, and massage therapy must be performed at the Massage Establishment.
- (Ord. 2020-0008 § 43, 2020.)

11.36.150 Lighting and Ventilation.

Massage Establishments shall comply with the local building code for lighting and ventilation.

(Ord. 2020-0008 § 43, 2020.)

11.36.160 Toilet Facilities, Dressing and Lockers.

- A. A minimum of one (1) toilet and one (1) washbasin, shall be provided in every Massage Establishment as per local building code for patrons and employees. Hand wash sinks shall be provided with approved, sanitary drying method(s), which includes single-use paper towels, and soap placed in permanently installed dispensers. A trash receptacle shall be provided in each toilet room.
- B. Adequate dressing rooms shall be provided for patrons. Dressing rooms will be used only by patrons of the same sex at the same time. Dressing rooms need not be separate from the room in which the massage is being performed. If the massage takes place without disrobing of patrons, then separate dressing rooms are not required for each patron. A location for each patron served to safely store their valuables shall be provided such as a locker or other approved methods as approved by the County Health Officer or his or her designee.

(Ord. 2020-0008 § 43, 2020.)

11.36.170 Hand Wash Sink for Employees.

A minimum of one separate hand wash sink shall be provided in each Massage Establishment for the use of employees. The hand wash sink shall have hot (100°F) and cold running water at all times, and shall be located within or as close as practical to the area devoted to performing massage services. In addition, there shall be provided at each hand wash sink, liquid hand soap, single-use wall mounted disposable paper towels and soap placed in permanently installed dispensers.

(Ord. 2020-0008 § 43, 2020.)

11.36.180 Recording of Activities Prohibited.

No part of a Massage Establishment where massage, massage services or massage therapy are being conducted shall be equipped with any electronic, mechanical or artificial device used, or capable of being used, for recording or videotaping, for monitoring the activities, conversation, or other sounds in the treatment room or room used by customers, except in the designated reception areas.

(Ord. 2020-0008 § 43, 2020.)

Part 4 INSPECTION OF MASSAGE ESTABLISHMENTS AND ENFORCEMENTS

11.36.190 Inspection by Officials.

Any County of Los Angeles officials, including but not limited to Los Angeles County Sheriff's Department or local law enforcement, County Health Officer, Director of Environmental Health, and Director of Regional Planning for the County of Los Angeles, or their designees, shall have the right to enter the premises from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, fire, electrical, plumbing or health regulations, and to enforce compliance with applicable regulations, laws, and statutes.

(Ord. 2020-0008 § 43, 2020.)

11.36.200 Abatement.

Any Massage Establishment operated or maintained in a manner contrary to the requirements of this Chapter or as deemed by the County Health Officer, is hereby declared to be unlawful and a public nuisance.

(Ord. 2020-0008 § 43, 2020.)

11.36.210 Hearing Process.

- A. Any Massage Establishment public health permit issued to a permittee may be suspended or revoked by the Department of Public Health for a violation of the requirements of Titles 7, 8, or 11, or State and local laws or regulations. Any Massage Establishment for which the public health permit has been suspended or revoked shall close and cease doing business and remain closed until the permit has been reinstated or reissued by the Department of Public Health.
- B. Whenever the Department of Public Health finds that a Massage Establishment does not comply with the requirements of Titles 7, 8, or 11, or State and local laws or regulations, a report that contains a required compliance date shall be issued to the permittee. If the permittee fails to correct the violation by the compliance date, the Department of Public Health shall issue to the permittee a written notice setting forth the permit violations found by the Department of Public Health. The notice shall inform the permittee of a right to compliance review and if applicable, why the permittee's public health permit should be suspended or revoked. A permittee must make a written request to the Department of Public Health for a compliance review within ten (10) calendar days of service of the notice, or correct the violation. A failure to request a compliance review within ten (10) calendar days after service of the notice shall be deemed a waiver of the

right to a compliance review, and may subject the permittee's permit to immediate suspension by the Department of Public Health.

- C. The compliance review shall be held within fifteen (15) calendar days of the Department of Public Health's receipt of the permittee's written request for a compliance review. Upon written request by the permittee, the compliance review officer may postpone any compliance review date, if circumstances warrant such action, or cancel the compliance review if the permittee's violations are corrected as verified by the Department of Public Health.
- D. At the compliance review, the compliance review officer shall hear testimony, and read and consider documents submissions from the permittee and the Department of Public Health representatives.
- E. The compliance review officer shall issue and serve a written decision to the permittee within fifteen (15) calendar days following the compliance review. In the event of suspension or revocation, the decision shall specify the permit violations that were found to exist and/or continue that were the basis of the suspension or revocation, the time period of the suspension of the permit, and the actions required for the correction of the continuing violations.
- F. Failure to appear at the compliance review shall constitute an abandonment of the compliance review request.
- G. Notwithstanding any other provision of this Chapter, if any immediate danger to the public health or safety is found or is reasonably suspected, unless the danger is immediately corrected, the Department of Public Health may immediately suspend the permittee's public health permit and order the Massage Establishment immediately closed, pending the determination of a compliance review. Immediate danger to the public health or safety shall include any condition, based upon inspection findings or other evidence that can cause or is reasonably suspected of causing, infection, illness or disease transmission, lewd conduct, human trafficking, or any known or reasonably suspected hazardous condition.
- H. Whenever a public health permit is suspended as the result of an immediate danger to the public health or safety, the Department of Public Health shall issue to the permittee a notice setting forth the violations that have caused the immediate danger, specifying the Sections of this Chapter, or State or local laws or regulations, allegedly violated, and informing the permittee of the right to a compliance review and why the permittee's public health permit should be suspended.
- I. The Department of Public Health may, after providing an opportunity for a compliance review, suspend or revoke a public health permit for serious or repeated violations of the requirements of the County Code, regulations, laws, statutes, or for interference in the performance of the inspection and investigation duties of the Department of Public Health.
- J. A public health permit may be reinstated, or a new public health permit issued if the Department of Public Health determines that the conditions which prompted the suspension or revocation no longer exist.

(Ord. 2020-0008 § 43, 2020.)

11.36.220 Suspension or Revocation of Massage Establishment Public Health Permit.

- A. Any Massage Establishment public health permit issued under this Chapter may be suspended pending an Office Review when, in the opinion of the County Health Officer or his or her designee, the public health or safety requires such suspension. A written notice of such suspension shall be provided to the permit holder by hand delivery or registered mail.
- B. A Massage Establishment public health permit may be revoked or suspended after an Office Review, if the County Health Officer or his or her designee finds:

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1. Facts sufficient to support denial of a Massage Establishment public health permit on any ground set forth in Section 8.04.1470.
 2. The Massage Technician has violated the conduct requirements in Section 11.36.090.
 3. There is good cause to suspend or revoke the public health permit in accordance with Chapter 8.04 - Public Health Licenses.
 4. The Massage Technician has violated any of the provisions of this Chapter or a rule or regulation adopted by the County Health Officer or his or her designee related to the practice of massage.
 5. The owner of the Massage Establishment must register under the provisions of Penal Code section 290 or register as a sex offender in any state of the United States.
 6. The owner has been convicted of Penal Code sections 266h (pimping), 266i (pandering), 314 (indecent exposure, obscene exhibitions, and bawdy and other disorderly houses), 315 (keeping or residing in a house of ill-fame), 316 (keeping disorderly house), 318 (prevailing upon person to visit a place for prostitution), 647(b) (engaging in or soliciting prostitution), 653.22 (loitering with intent to commit prostitution), or 653.23 (supervision of prostitute); has a business permit or license denied, revoked, restricted, or suspended by any agency, board, city, county, territory, or state; is subject to an injunction for nuisance pursuant to Penal Code sections 11225—11235 (red light abatement); is convicted of a felony offense involving the sale of a controlled substance; is convicted of any crime involving dishonesty, fraud, deceit, violence, or moral turpitude; or is convicted in any other state of an offense which, if committed in this State, would have been punishable as one or more referenced offenses in this subdivision.
 7. The overflow or backup of toilets, sinks, floor sinks/drains resulting in the accumulation of sewage/wastewater on or within the premises.
 8. The presence of a vermin infestation within the Massage Establishment.
 9. The lack of available water or hot water (100°F) at all faucets within the facility.
 10. The city or County business license has been revoked or suspended.
- C. Whenever a public health permit has been revoked, the former permittee, whether a person, partnership, or corporation, shall not be granted a new public health permit for a period of one (1) year from the date of revocation.

(Ord. 2020-0008 § 43, 2020.)

11.36.230 Implementation.

The County Health Officer is responsible for administration of this Chapter which may include public education, public outreach, and promulgating guidelines and rules consistent with the provisions of this Chapter and the County Code.

(Ord. 2020-0008 § 43, 2020.)