MEMORANDUM

Date: September 26, 2018

To: Julie Castañeda
Clerk of the Board of Supervisors

From: C.H. Huckelberry
County Administrator

Re: **Operation Stonegarden Grant Amendment 1 Award 160404-03 Overtime and Mileage**

As you know, I provided you a copy of my September 21, 2018 memorandum to the Board of Supervisors indicating the error in denying the Operation Stonegarden (OPSG) Grant Amendment 1 Award 160404-03. It has been clarified the Amendment was for reimbursement of work already completed by County law enforcement. The Board of Supervisors will have to approve the contract amendment based on this clarification. The amendment is not to expand or extend OPSG.

Please see the attached September 24, 2018 memorandum from Sheriff Mark Napier indicating that it is critical this item be approved before October 31, 2018. Therefore, please place this subject as an item on the Board of Supervisors Agenda on October 2, 2018 for approval.

CHH/anc

Attachments

c: The Honorable Chairman and Members, Pima County Board of Supervisors

ATTACHMENT 1

MEMORANDUM

Date: September 21, 2018

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

Re: **Error in Denying Operation Stonegarden Contract Amendment 160404-03**

When the Operation Stonegarden (OPSG) grant was considered on the September 4, 2018 Regular Agenda, an OPSG Subgrantee Agreement Amendment #1 (160404-03) was placed on the Addendum. The amendment language read as if it was an expansion of the funding available for OPSG. In reality, the Amendment was for reimbursement for work that had already taken place.

I inquired of the Sheriff on September 10, 2018 for clarification and Sheriff's Operations Bureau Chief Karl Woolridge responded. Chief Woolridge indicated the funds are for reimbursement of services already provided during Fiscal Year 2016.

Therefore, to correct this error, I request the Board of Supervisors approve this amendment to receive reimbursement funding for expenses already incurred on OPSG for Fiscal Year 2016 in the future.

CHH/anc

Attachment

c: The Honorable Mark Napier, Pima County Sheriff
Julie Castañeda, Clerk of the Board of Supervisors

PIMA COUNTY SHERIFF'S DEPARTMENT

Mark D. Napier, Sheriff

M E M O R A N D U M

Date: September 11, 2018

To: Mr. C.H. Huckelberry, County Administrator

From: Chief K. Woolridge, Operations Bureau

Subject: Operation Stoneagarden Grant Amendment Award 160404-03

In response to your memorandum of September 10 regarding this Operation Stonegarden grant amendment (160404-03), the additional funds are reimbursement for services already provided during FY 2016.

Thank you for reconsidering this matter.

Please contact me if I can be of further assistance.

MEMORANDUM

Date: September 10, 2018

To: The Honorable Mark Napier
Pima County Sheriff

From: C.H. Huckelberry
County Administrator

Re: **Operation Stonegarden Grant Amendment 1 Award 160404-03 Overtime and Mileage**

At the September 4, 2018 Board of Supervisors Meeting, the Operation Stonegarden grants 170405-02 and 170405-03 were terminated. In addition, Addendum 7 on the same Board Agenda appeared to add $47,350 to the same contract. The amendment document simply indicates the amount of funding to be received was increased from $1,176,208 to $1,223,558, which would lead one to believe that it was for services not yet performed. However, the grant number effective date indicates that it is from November 1, 2016 to December 31, 2017, which tends to indicate it is reimbursement for services already performed by the Sheriff's Department. If this is the case, the amendment should have been approved and not denied by the Board of Supervisors even though the attached grant documents would mislead one to believe that the funding was increased for the OPSG grant.

Please clarify as to whether this is an increase in the total amount of the grant to allow for an additional $47,350 to be expended in overtime or if this is a reimbursement for services already provided for the designated grant period of November 1, 2016 to December 31, 2017. If it is for reimbursement rather than increased services, I will ask the Board to reconsider denial of the amendment and approve it as it reimburses Pima County for funds already spent on Operation Stonegarden even though the grant documents are somewhat misleading.

CHH/anc

Attachment

c: The Honorable Chairman and Members, Pima County Board of Supervisors
Andrew Flagg, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board of Supervisors

BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

○ Award ○ Contract ◉ Grant **Requested Board Meeting Date:** 9/4/2018

**** = Mandatory, information must be provided*** **or Procurement Director Award** ☐

***Contractor/Vendor Name/Grantor (DBA):**
STATE OF ARIZONA DEPARTMENT OF HOMELAND SECURITY

***Project Title/Description:**
IGA Amendment for FFY2016 Opeartion Stonegarden Grant Program Award
160404-03 OPSG Overtime and Mileage

***Purpose:**
Cooperative Law Enfocement-PCSD to provide the services for the State of Arizona Department of Homeland Security (AZDOHS). This Amendment is for increasing the funding for Pima County Sheriff's Department for services provided.

***Procurement Method:**
Not applicable

***Program Goals/Predicted Outcomes:**
Increase capability to prevent, protect against, and respond to border security issues; enhance State Homeland Security Strategies; increase coordination and collaboration among Federal, State, Local, Tribal, and territorial law enforcement agencies; provide intelligence-based operations; increase or augment specialized/technical law enforcement elements operational activities; and increase operational, material and technological readiness of local and Tribal law enforcement agencies.

***Public Benefit:**
Enhance security of United States borders along routes of ingress from international borders to include travel corridors in Pima County.

***Metrics Available to Measure Performance:**
Operational statistics from OPSG deployments and data provided to Federal Government.

***Retroactive:**
AZDOHS has been taking the process of obtaining approval from Border Patrol and FEMA, and PCSD received Subgrantee Agreement Amendment #1 on 8/20/2018. The first available agenda for the Board of Supervisors occurs on 9/4/2018. The negative impact if not approved is that PCSD will lose the additional funding for the services provided.

GTAM 19*007
SD
2 copies
9.4.2018

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e.,15-123): _____

Effective Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____

☐ **Expense Amount: $*** _____ ☐ Revenue Amount: $ _____

***Funding Source(s) required:** _____

Funding from General Fund? ◯Yes ◯ No If Yes $ _____ % _____

Contract is fully or partially funded with Federal Funds? ☐ Yes ☐ No

If Yes, is the Contract to a vendor or subrecipient? _____

Were insurance or indemnity clauses modified? ☐ Yes ☐ No

If Yes, attach Risk's approval.

Vendor is using a Social Security Number? ☐ Yes ☐ No

If Yes, attach the required form per Administrative Procedure 22-73.

Amendment / Revised Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e.,15-123): _____

Amendment No.: _____ AMS Version No.: _____

Effective Date: _____ New Termination Date: _____

Prior Contract No. (Synergen/CMS): _____

◯ Expense or ◯ Revenue ◯ Increase ◯ Decrease Amount This Amendment: $ _____

Is there revenue included? ◯Yes ◯ No If Yes $ _____

***Funding Source(s) required:** _____

Funding from General Fund? ◯Yes ◯ No If Yes $ _____ % _____

Grant/Amendment Information (for grants acceptance and awards) ◯ Award ◉ Amendment

Document Type: GTAM Department Code: SD Grant Number (i.e.,15-123): 19*007

Effective Date: 11/1/2016 Termination Date: 12/31/2017 Amendment Number: 1

☐ Match Amount: $ _____ ☒ Revenue Amount: $ 47,350

***All Funding Source(s) required:** Federal - Department of Homeland Security
State - Arizona Department of Homeland Security

***Match funding from General Fund?** ◯Yes ◉No **If Yes $** _____ % _____

***Match funding from other sources?** ◯Yes ◉No **If Yes $** _____ % _____

***Funding Source:** _____

***If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?** Passed through State - Arizona Dept of Homeland Security

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Contact: Yuko Jarvis

Department: Sheriff's Telephone: (520) 351-6958

Department Director Signature/Date: Julia Gates 08/22/2018

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: C. Daniel Barney 8/23/18
(Required for Board Agenda/Addendum Items)

SUBGRANTEE AGREEMENT Amendment #1
16-AZDOHS-OPSG-160404-03
Between
The Arizona Department of Homeland Security
And
Pima County Sheriff's Department

WHEREAS, A.R.S. § 41-4254 charges the Arizona Department of Homeland Security (AZDOHS) with the responsibility of administering funds.

Pursuant to Section XII of the subgrantee Agreement between the Arizona Department of Homeland Security and the subgrantee the following section of the above referenced Subgrantee Agreement is hereby amended as follows:

III. DESCRIPTION OF SERVICES:

The subrecipient shall provide the services for the State of Arizona, Arizona Department of Homeland Security as approved in the grant application titled "**OPSG Overtime and Mileage**" and funded at **$1,176,208** (as may have been modified by the award letter).

SHALL BE CHANGED TO READ:

The subrecipient shall provide the services for the State of Arizona, Arizona Department of Homeland Security as approved in the grant application titled **"OPSG Overtime and Mileage"** and funded at **$1,223,558** (as may have been modified by the award letter).

IV. MANNER OF FINANCING:

The AZDOHS shall:

Provide up to **$1,176,208** to the subrecipient for services provided under Paragraph III.

SHALL BE CHANGED TO READ:

Provide up to **$1,223,558** to the subrecipient for services provided under Paragraph III.

X. REPORTING REQUIREMENTS

Regular reports by the Subrecipient shall include:

f) Financial Reimbursements

The Subrecipient shall provide AZDOHS request for reimbursement as frequently as monthly but not less than quarterly. Reimbursement requests are only required when expenses have been incurred. Reimbursement requests shall be submitted with the Reimbursement Form provided by the AZDOHS staff. The Subrecipient shall submit a final reimbursement request for expenses received and invoiced prior to the end of the termination of this Agreement no more than **forty-five (45) calendar days** after the end of the Agreement. Requests for reimbursement received by AZDOHS later than **forty-five (45) calendar** days after the Agreement termination will not be paid. The final reimbursement request as submitted shall be marked as final.

SHALL BE CHANGED TO READ:

f) Financial Reimbursements

The Subrecipient shall provide AZDOHS request for reimbursement as frequently as monthly but not less than quarterly. Reimbursement requests are only required when expenses have

been incurred. Reimbursement requests shall be submitted with the Reimbursement Form provided by the AZDOHS staff. The Subrecipient shall submit a final reimbursement request for expenses received and invoiced prior to the end of the termination of this Agreement no more than **Two Hundred and Seventy-Three (273) calendar days** after the end of the Agreement. Requests for reimbursement received by AZDOHS later than **Two Hundred and Seventy-Three (273) calendar days** after the Agreement termination will not be paid. The final reimbursement request as submitted shall be marked as final.

All other terms of the original Subgrantee Agreement remain effective.

In Witness Whereof, the parties have set their hands to this AMENDMENT as of the day and year herein indicated and agree that all parties are obligated to follow all terms and conditions of the original subgrantee agreement and are liable for all funds received by the AZDOHS.

IN WITNESS WHEREOF

The parties hereto agree to execute this Amendment.

FOR AND BEHALF OF THE

Pima County Sheriff's Department

Authorized Signature
Karl Woolridge, Chief

8/22/10
Date

FOR AND BEHALF OF THE

Arizona Department of Homeland Security

Gilbert M. Orrantia
Director

Date

(Please be sure to complete and mail two original documents to the Arizona Department of Homeland Security.)

Any unauthorized changes to this document will result in termination of this award.

PIMA COUNTY

Richard Elias, Chairman, Board of Supervisors

Date

Attest:

Julie Castaneda, Clerk of the Board

Date

APPROVED AS TO FORM AND LEGAL AUTHORITY:

Deputy County Attorney

8/21/18

Date

ATTACHMENT 2

PIMA COUNTY SHERIFF'S DEPARTMENT

Mark D. Napier, Sheriff

M E M O R A N D U M

Date: September 24, 2018

To: Mr. C. H. Huckelberry, County Administrator

From: Sheriff Mark D. Napier

Subject: Sepetember 21, 2018 Memorandum, OPSG Denial

In reference to your September 21, 2018, memorandum, *Error in Denying Operation Stonegarden Contract Amendment 160404-03*, Captain John Stuckey was able to coordinate with the Arizona Department of Homeland Security and obtain an extension for the Board of Supervisors to consider this specific amendment, which allows for reimbursement of work already completed.

Sheriff's Department Financial Services section staff will be preparing a Board of Supervisors Agenda Item Report (BOSAIR). The extension allows the Sheriff's Department to submit for reimbursement until October 31, 2018; therefore, it is critical this item be placed upon the October 2 or 16, 2018, Board of Supervisors meeting agenda.