

DATE: November 17, 2016 **AGENDA ITEM:** E-2

TO: BSCC Chair and Members

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SUBJECT: Delegation of Authority to Executive Director to Submit Federal Grant Applications: **Requesting Approval**

Summary

This item requests the Board to delegate its authority to apply for federal grants to the Executive Director in order to meet the grant application deadlines that fall outside regularly scheduled meetings of the Board.

Background

The Board of State and Community Corrections is the designated supervisory board of the state planning agency pursuant to federal acts and is charged with the administration of federal grants related to criminal justice and delinquency and gang prevention. (Pen. Code, § 6024, subd. (d).) As such, the Board has annually applied for, and has received, the following federal grants: Edward Byrne Memorial Justice Assistance Grants (Byrne/JAG), Residential Substance Abuse Treatment (RSAT) for State Prisoners Program, and the Title II Formula Grant. The release of the solicitations for these grants and the deadlines related to their applications frequently fall outside the Board's regularly scheduled board meetings, however. For example, the Byrne/JAG application is often due 30 days following the release of the solicitation. As such, because the Board has not previously granted clear authority to staff to apply on its behalf and was not presented with the application 30-days in advance, the Board was found technically deficient in its application. This resulted in the Bureau of Justice Assistance temporarily freezing the state's Byrne/JAG funds.

The BJA has subsequently determined that the Board has provided adequate documentation to unfreeze the funds. However, in order to avoid being found technically deficient in the application process in the future, staff recommends clearly delegating authority to the Executive Director to apply for federal grants on the Board's behalf. The Board may delegate any ministerial authority or duty conferred or imposed upon the Board to a subordinate officer subject to those conditions it may choose to impose. (Pen. Code, § 6025.6.)

Recommendations/Action

1. Delegate authority to the Executive Director to apply for federal grants on behalf of the Board of State and Community Corrections. Note: The development of any state plans and/or related RFPs will continue to go through the executive steering committee and Board approval process; the delegation of authority is simply to allow the Executive Director to submit the request for funds to the federal government on behalf of the Board.