

# **FINANCE COMMITTEE AGENDA**

**Called by:** John Butitta, Chairman  
**Members:** Jean Crosby, Joe  
Hoffman, Keith McDonald, Jaime  
Salgado, John F. Sweeney,  
Michael Thompson

**DATE:** THURSDAY, NOVEMBER 7, 2024  
**TIME:** IMMEDIATELY FOLLOWING THE  
OPERATIONS AND ADMINISTRATIVE  
COMMITTEE MEETING AT 5:30 PM  
**LOCATION:** ROOM 303  
COUNTY ADMINISTRATION BLDG  
404 ELM STREET  
ROCKFORD, IL 61101

## **AGENDA:**

- A. Call to Order
- B. Roll Call
- C. Approval of October 17, 2024 Minutes
- D. Public Comment – This is the time we invite the public to address the Finance Committee with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign up at the meeting. Speakers may not address zoning matters which are pending before the ZBA, the Zoning Committee or the County Board. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgement by the chair, please stand and state your name.
- E. Discussion Item: Resource Intervention Center Position – Debbie Jarvis
- F. Resolution Approving Amendment to the Fiscal Year 2025 Budget Policy Regarding Grants
- G. Ordinance for a Budget Amendment WCCMHB Jail Navigator Vehicle
- H. Ordinance for a Budget Amendment for Justice for Families Grant Award
- I. Ordinance for a Budget Amendment for Order of Protection Service Grant Award
- J. Other Matters
- K. Adjournment

**Winnebago County Board  
Finance Committee Meeting**  
County Administration Building  
404 Elm Street, Room 303  
Rockford, IL 61101

Thursday, October 17, 2024

Immediately following the Operations & Administrative Committee Meeting

**Present:**

Jaime Salgado, Vice Chairperson  
Jean Crosby  
Joe Hoffman  
Keith McDonald  
John F. Sweeney  
Michael Thompson

**Others Present:**

Patrick Thompson, County Administrator  
Steve Schultz, Chief Financial Officer  
Lafakeria Vaughn, Civil Bureau Chief, State's Attorney's Office  
Chris Dornbush, Chief Operations Officer  
John Giliberti, State's Attorney Office  
Carol Hartline, Attorney, Williams McCarthy LLP

**Absent:**

John Butitta, Chairperson

**AGENDA:**

- A. Call to Order
- B. Roll Call
- C. Approval of September 26, 2024 Minutes
- D. Public Comment – This is the time we invite the public to address the Finance Committee with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign-up at the meeting. Speakers may not address zoning matters that are pending before the ZBA, the Zoning Committee or the County Board. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgment by the Chairman, please stand and state your name. Thank you.
- E. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the General Fund
- F. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the IMRF Fund
- G. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the County Highway Fund
- H. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the County Bridge Fund
- I. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Federal Aid Matching Fund
- J. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Health Department Fund
- K. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Tort Judgment and Liability Fund
- L. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Social Security Fund
- M. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Veterans Assistance Fund
- N. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Detention

- Home Fund
- O. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Historical Museum Fund
  - P. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Nursing Home Operations Fund
  - Q. Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Children's Advocacy Fund
  - R. Closed Session to Discuss Pending Litigation and Labor Negotiations
  - S. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Luis Munoz versus Winnebago County
  - T. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Zoe Walker versus Winnebago County
  - U. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled James Gregory versus Winnebago County
  - V. Other Matters
  - W. Adjournment

### **Call to Order**

Vice Chairperson Salgado called the meeting to order at 6:05 PM.

### **Roll Call**

Vice Chairperson Salgado yes, Ms. Crosby yes, Mr. Hoffman yes, Mr. McDonald yes, Mr. Sweeney yes, Mr. Thompson yes.

### **Approval of September 26, 2024 Minutes**

Motion: Mr. Hoffman. Second: Mr. McDonald.

Vice Chairperson Salgado called for any discussion.

Motion passed by unanimous voice vote.

### **Public Comment**

Vice Chairperson Salgado omitted reading the Public Comment Section of the Agenda due to no one present to speak.

### **Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the General Fund**

### **Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the IMRF Fund**

### **Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the County Highway Fund**

### **Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the County Bridge Fund**

### **Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Federal Aid Matching Fund**

### **Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Health Department Fund**

### **Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Tort Judgment and Liability Fund**

**Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Social Security Fund**

**Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Veterans Assistance Fund**

**Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Detention Home Fund**

**Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Historical Museum Fund**

**Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Nursing Home Operations Fund**

**Ordinance to Authorize a Levy of Property Taxes in Fiscal Year 2025 for the Children's Advocacy Fund**

Vice Chairperson Salgado called for a motion to approve Ordinances Items E. through Q.

Motion: Mr. McDonald. Second: Ms. Crosby.

- Discussion followed.

Vice Chairperson Salgado called for any other discussion.

The motion passed by a unanimous voice vote.

**Closed Session to Discuss Pending Litigation and Labor Negotiations**

Motion: Ms. Crosby. Second: Mr. McDonald.

The motion passed by a unanimous voice vote.

**Roll Call**

Vice Chairperson Salgado yes, Ms. Crosby yes, Mr. Hoffman yes, Mr. McDonald yes, Mr. Sweeney yes, Mr. Thompson yes.

Vice Chairperson Salgado – No action was taken in the Closed Session.

**Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Luis Munoz versus Winnebago County**

Motion: Mr. Sweeney. Second: Ms. Crosby.

Vice Chairperson Salgado called for any discussion.

The motion passed by a unanimous voice vote.

**Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Zoe Walker versus Winnebago County**

Motion: Mr. Sweeney. Second: Ms. Crosby.

Vice Chairperson Salgado called for any discussion.

The motion passed by a unanimous voice vote.

**Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled James Gregory versus Winnebago County**

Motion: Mr. Sweeney. Second: Mr. Hoffman.

Vice Chairperson Salgado called for any other discussion.

The motion passed by a unanimous voice vote.

**Other Matters**

- None reported.

**Adjournment**

Vice Chairperson Salgado called for a motion to adjourn the meeting.

Motion: Mr. Sweeney. Second: Mr. Hoffman.

Motion passed by unanimous voice vote.

Respectfully submitted,

Nancy Bleile  
Executive Assistant

**Discussion Item:**  
**Resource Intervention Center**  
**Position – Debbie Jarvis**



# Resolution Executive Summary

Prepared By: Steve Schultz  
Committee: Finance Committee  
Committee Date: November 7, 2024  
Resolution Title: Resolution Approving Amendment to the Fiscal Year 2025 Budget Policy Regarding Grants  
County Code: Not Applicable  
Board Meeting Date: November 14, 2024

## Budget Information:

|                                 |     |                       |
|---------------------------------|-----|-----------------------|
| Was item budgeted?              | N/A | Appropriation Amount: |
| If not, explain funding source: |     |                       |
| ORG/OBJ/Project Code:           |     |                       |
| Budget Impact:                  |     |                       |

**Background Information:** Annually, County Administration prepares the Budget Policy for the upcoming budget year to provide guidance to departments and to establish the budget calendar for the County Board. The one proposed amendment to the FY2025 Budget Policy reflects a change regarding the de minimis indirect cost rate due to the rate increase by the federal government from 10% to 15% for new grant awards on or after October 1, 2024.

However, even though the rate increased, some agencies have not provided additional funding to allow for the increased indirect cost rate. Consequently, departments have had to utilize the original budgeted indirect cost rate of 10% in order to continue to meet the deliverables of the grant award.

- One proposed amendment to the Budget Policy is to modify the language on page 10 regarding Grants, as follows:
  - “If Indirect Costs are allowable, all new grant application budgets should include the County’s de minimis indirect cost rate, as defined by the federal government. For any grant awards prior to October 1, 2024, departments may utilize the de minimis indirect cost rate in effect at the time of the award and its deliverables. If not included, the explanation shall be included in the Grant Summary Worksheet.”
- This amendment will allow departments to utilize the current de minimis rate allowed by each granting agency without impacting their program’s deliverables.

Recommendation: Administration concurs  
Contract/Agreement: Not Applicable  
Legal Review: Yes  
Follow-Up: Not Applicable

**RESOLUTION  
OF THE  
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS**

2024 CR \_\_\_\_\_

SUBMITTED BY: FINANCE COMMITTEE

SPONSORED BY: JOHN BUTITTA

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**RESOLUTION APPROVING AMENDMENT TO THE FISCAL YEAR 2025 BUDGET  
POLICY REGARDING GRANTS**

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**WHEREAS**, the Winnebago County Board wishes to approve and adopt the amended Fiscal Year 2025 Budget Policy to reflect a change regarding the de minimis indirect cost rate established by the federal government for grant awards on or after October 1, 2024; and

**WHEREAS**, the County Administration has created a process based on sound financial principles for use in the 2025 fiscal year and this amendment to the Budget Policy will provide additional guidance to departments who apply for grants.

**NOW, THEREFORE BE IT RESOLVED**, by the County Board of the County of Winnebago, Illinois that it approves and adopts the amended Fiscal Year 2025 Budget Policy presented by the County Administration, a copy of which is attached to this Resolution as Exhibit A.

**BE IT FURTHER RESOLVED** that this Resolution shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER RESOLVED** that the Clerk of the County Board is hereby authorized to prepare and deliver certified copies of this Resolution to the County Board Chairman and all County department heads.



Respectfully Submitted,  
**FINANCE COMMITTEE**

**(AGREE)**

**(DISAGREE)**

\_\_\_\_\_  
JOHN BUTITTA, CHAIR

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JOHN BUTITTA, CHAIR

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JAIME SALGADO, VICE CHAIR

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JAIME SALGADO, VICE CHAIR

\_\_\_\_\_  
JOE HOFFMAN

\_\_\_\_\_  
JOE HOFFMAN

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JEAN CROSBY

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JEAN CROSBY

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JOHN F. SWEENEY

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
MICHAEL THOMPSON

\_\_\_\_\_  
MICHAEL THOMPSON

\_\_\_\_\_  
KEITH McDONALD

\_\_\_\_\_  
KEITH McDONALD

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this \_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
JOSEPH CHIARELLI  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
LORI GUMMOW  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# WINNEBAGO COUNTY

Fiscal Year 2025

Budget Policy

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## INTRODUCTION

Winnebago County Government operates on policies designed to protect the County's assets and taxpayers' interests, provide guidance to employees, and serve the public efficiently. It is the intent that the policy statements be used to avoid conflicting goals or activities, which may have a negative impact on the overall financial position of the County. The County's system of internal accounting controls is designed to provide reasonable assurance that the financial records are reliable for preparing financial statements and maintaining accountability for assets and obligations.

The County's budget process is governed by Illinois Compiled Statutes (55 ILCS 5/6) and Winnebago County Board Policies (Sec. 2-38 Winnebago County Code of Ordinances). All operating funds (those funds that are presented in the County's Annual Comprehensive Financial Report) are appropriated in the "Official Budget". Appropriations will be considered the maximum authorization to incur obligations and not a mandate to spend.

In addressing concerns for maintaining financial strength while protecting the interest of the taxpayer, the County Board is implementing the following directives for the development of the fiscal year 2025 budget.

## ACCOUNTING BASIS

### **Governmental Funds**

The County prepares financial statements based on the modified accrual basis of accounting for all governmental funds in which the revenues are recorded when both measurable and available. The County considers revenue to be available if they are collected within 60 days of the end of the current fiscal period for property taxes, 180 days of the end of the current fiscal policy for certain health department and County reimbursable grants and 90 days of the end of the current period for all other amounts.

Expenditures are recorded when the related fund liability is incurred, except for unmatured interest on long-term debt, claims, judgments, compensated absences and pension expenditures, which are recorded as a fund liability when expected to be paid with expendable available financial resources.

### **Proprietary Funds**

The County has two proprietary funds. Expenditures for these funds are budgeted on a full accrual basis of accounting. As such, expenses are recognized when incurred and revenues are recognized when they are obligated to the County.

Under both methods of accounting, Generally Accepted Accounting Principles (GAAP) prescribe that purchases are required to be accounted for in the fiscal year in which the item is received or the service performed. Items ordered or services performed late in the fiscal year and not received or completed by the end of the fiscal year will be applied to the budget of the following year.

## BUDGETARY PRIORITIES

Direction is hereby given to the County Administrator and the Chief Financial Officer to create the fiscal year 2025 budget with the following priorities:

1. Debt service payments required
2. Contractual payments based on lease agreements, software agreements and other contractual agreements
3. Mandated services at affordable funding levels
4. All operating necessities (Utilities, IMRF, Health Insurance, Liability Insurance)
5. General operating costs to provide services
6. Non-Union employee compensation
7. Capital needs of the organization
8. Meeting the 25% unrestricted reserve requirement of the General Fund and PSST Fund (See Fund Reserves and Balanced Budgets Section)
9. Outside agency funding to include non-obligated Host Fee Grants and local matching grants

## FUND RESERVES AND BALANCED BUDGETS

The intent of the Finance Committee is the budget must balance expenditures against available revenues and fund balance by fund. Special revenue fund expenditure budgets cannot exceed available fund balance of the fund. Special revenue funds with a negative fund balance will not be allowed to submit an expenditure budget until the negative fund balance has been eliminated.

The County has developed a fund reserve policy in which it shall be the intent of the County Board to maintain an unrestricted (total of unassigned) fund balance equal to three months of budgeted operating expenditures in the General Fund and the Public Safety Sales Tax Fund. Surpluses in excess of the necessary reserve required by this policy shall be transferred to the Capital Projects Fund. In addition, it is the intent of the County Board to maintain an unrestricted fund balance equal to three months of budgeted operating expenditures in the River Bluff Nursing Home fund.

## BUDGET SUBMITTAL AND PRESENTATION PROCESS

Elected Officials and Department Heads shall be provided budget worksheets with existing levels of funding. Based on revenue estimates for the current and next fiscal year, funding levels may be reduced from the current year's appropriations. Elected Officials and Department Heads are encouraged to analyze all services and programs for the cost of the programs, citizen demand, and mandates by Federal, State or County law.

Exceptions may be considered by the County Administrator and the Chief Financial Officer on a case-by-case basis.

When an Elected Official/Department Head has completed the required budget forms, a meeting can be scheduled (if necessary) with the County Administrator and Chief Financial Officer to review and ensure budget policy compliance. Concerns and/or issues should be addressed by the Department Head/Elected Official at this time. Any resulting changes to submitted budgets will be communicated to the Finance Office for system entry and review. Upon review by County Administrator and Chief Financial Officer, the budget will be scheduled for presentation to the Finance Committee per the attached budget calendar. Meetings will be scheduled with the Finance Committee (if necessary) for individual departments/Elected Officials to address the Finance Committee regarding their individual budget requests.

Prior to the date the County Board places the budget on layover for public review, the Elected Official/Department Head will be required to review the budget as entered in the financial system and sign off that all entered information is correct.

Once the Finance Committee has reviewed departmental budgets, and the recommended supplemental requests have been approved, the budget is moved to the whole board to be placed on public display for a minimum of fifteen (15) days prior to final approval.

The Chief Financial Officer and the County Administrator during the normal course of the budget preparation process may make budget revisions prior to the final board approval of the budget. It should be noted that proposed budget revisions made after the first reading but before final passage shall be documented and presented to the County Board for approval as part of the final budget approval.

New for FY2025, Elected Official/Department Heads will be required to submit a five-year plan for capital improvements. Guidelines for these budgets are on page 7.

## REVENUE ESTIMATIONS

The County will project annual revenues on a conservative analytical basis to protect it from short-run fluctuations in any one revenue source. In instances where the County is providing non-mandated services and the revenue stream(s) is/are not covering the costs of said services, direction will be requested by County Administration from the reporting Liaison Committee (and if necessary, the full County Board) on whether said service should be allowed to continue and supplemented with County funds.

Property Tax Assumptions: Winnebago County is mandated to follow the Illinois Property Tax Extension Limitation Law (PTELL) by the State of Illinois. PTELL allows governing bodies the ability to cover the costs of inflationary increases incurred in their day-to-day operations by increasing their previous year's extension by the CPI or 5%, whichever is smallest. For fiscal year 2025 the CPI is 5.0%. During the budget process, County Administration will present the increases available if the County Board chooses to capture new growth and/or to utilize the CPI increase authorized under PTELL in the calculation of property tax revenues when developing the fiscal year 2025 budget. The Finance Committee will inform the Chief Financial Officer of the amount of the levy to include in the budget document.

User Fees and Charges: All user fees and charges should be reviewed by County Administration, Elected Officials and Appointed Department Heads on an annual basis to ensure the fee collected is covering the cost of service provided (subject to State Statutes).

The County charges user fees for items and services which benefit a specific user more than the general public. State statutes or an indirect cost study determines user fees. Fee studies based on costs are conducted as needed to determine the level of fees needed to equal the total cost of providing the service.

#### Other FY2025 Revenue Assumptions:

- Nonrecurring (one-time) revenue sources will be used for operations unless directed for a specific use by the County Board.
- Cannabis Sales and Excise Taxes support the General Fund.
- Gaming-related revenue, including off-track betting, casino, and video gaming revenues, support the Capital Projects Fund and County Road Projects using a 50/50 split.
- Sale of assets support the Capital Projects Fund.
- New funding sources with a restricted purpose will be reviewed by the County Board to ensure appropriate usage at the department level. Additionally, these funding sources will be identified by a designated project number to meet reporting requirements by the funding agency.

#### EXPENSE ESTIMATIONS

Salary and Wage Estimates: Each department will be provided a budget document outlining the employees of the department with their rate of pay as of the date of the preparation of the document. It is the responsibility of the department to review the list including the position titles and employment status (FT, PT or seasonal). The department shall budget for any contractual obligations as outlined in respective bargaining contracts for the upcoming year. The department should include any vacant positions that are not included on the list if the intent is to fill that position in the upcoming year.

The Finance Committee will provide the County Administrator the non-union employee wage increase rate to include in the budget document. The Finance Committee will make a recommendation no later than the 1st Finance Committee meeting in June. Non-bargaining employees are eligible to receive the one-percent longevity pay in accordance with County policy and this should be included in the development of the salary and wage budgets.

Employees transferring from one County department to another will be allowed to retain their accrued vacation upon transfer. The new department will assume the liability should the employee terminate their employment while employed by said department.

Grant Budgets: Each department should submit a separate budget document for ongoing grant awards by the project (award) number. Grant revenue estimates should equal grant expenditure estimates for reimbursement-based grants. Grant award performance periods may not align with the County's fiscal year. In such cases, the department should estimate to the best of their ability the expenses that will be incurred for the grant program during the County's fiscal year. Grant budgets should include all applicable expenses as defined in the grant award and approved grant budget.

New grant awards will be budgeted at the time the County Board accepts the award. See further details in the Grant Policy and Grant Procedures documents.

#### Other FY2025 Expense Assumptions:

- In the event of loss of Federal or State funding and/or reimbursement for specific services, it is understood that Department/Elected Official will be expected to either reduce funded services or identify other reductions/revenue increases to offset the losses. Exceptions will be addressed on a case-by-case basis.
- Contractual obligations should be included in the budget request and, if applicable, noted as a supplemental request.

- Equipment needs and repairs that do not meet the criteria of a capital request as defined below should be included in the departmental operating budgets.
- All appropriations that have not been expended or appropriated to ongoing capital improvement projects shall lapse at the end of the fiscal year.

## CAPITAL IMPROVEMENT PROJECTS (CIP) PLANNING AND BUDGETS

The CIP budgets are necessary to provide adequate consideration of the County's short-term and long-term needs and strategic goals and evaluate the options and timing availability of funds to address those needs. As noted in the Revenue Estimate section of this document, the CIP Fund will be funded through Gaming revenue, sale of assets and excess funds in the General and PSST funds. CIP includes major construction, expansion, purchase or major repair of buildings and other physical structures. CIP may also include fleet and equipment replacement needs. Per the County asset policy, capital projects should have a component value greater than \$12,000 and should have a useful life greater than three to five years. CIP does not include highway department projects or equipment funded by grant or other funding sources.

Each Department Head/Elected Official will submit a list of capital needs for the next five years on the document provided for capital requests. Requested projects should be prioritized by the departments. The requesting department should note the need for funding of the project. In addition to the cost of completing the project, the department should identify any costs to operate and maintain the asset over its useful life. These additional expenses would need to be included in the department's operating budget.

Only projects included in the first year of the plan will be considered for approval and funding. Projects presented for future years are shown for planning purposes only. Funding for a capital plan will be reviewed in conjunction with the annual budget. **Submittal of capital needs does not guarantee funding.**

Approved CIP projects will be appropriated in the Capital Projects Improvement Fund. County Administration has developed a team. This team will meet regularly to review and discuss the progress of approved projects.

Capital project appropriations, unlike operating budget appropriations, are typically one-time in nature and the project may take multiple years to complete. Budgetary control for these projects will be at the fund and project level which differs from operating budgets. Due to the fact that capital projects may cross fiscal years, the County Administrator/Chief Financial Officer will have the authority to rollover available project balances to the next fiscal year during the budget preparation process. Each previously approved project will be reviewed with department heads prior to the calculation of the rollover amount. Factors Administration will consider when calculating the rollover amount would include the timing of any remaining payments and estimated completion percentage. The current year estimated actuals plus any amounts included in the rollover budget will not exceed the amount of the original approved project budget. Administration will not rollover any capital project funds which have not had activity for two fiscal years. A listing of project budgets that are to be rolled over will be reviewed by the aforementioned Administration team and included in the final budget package as presented to the County Board.

CIP appropriations funding projects belonging to the two Enterprise Funds will be budgeted in those respective funds in order to properly track assets according to GAAP and financial reporting. Approval of CIP projects related to these funds will require a budget amendment including a plan to transfer funds from the CIP fund to



the Enterprise fund and expenditures for the project in the Enterprise fund. Actual transfers will only be recorded by Finance as related projects are completed.

#### BUDGET AMENDMENT PROCESS (AFTER ADOPTION BY THE BOARD):

All requests for budget amendments must start with a completed Budget Amendment Form (available upon request from Finance) submitted to the Chief Financial Officer, who upon review, will work with the requesting department head in preparing an ordinance (if required) in the County Board approved format for committee and board presentation.

- The County Board must approve all transfers of budgets between departments or funds by a 2/3<sup>rd</sup> majority vote (14) of the County Board. (Transfers may not be made from certain special purpose funds to other funds).
- Additional (emergency) appropriations must also be approved by a 2/3<sup>rd</sup> majority vote (14) of the County Board.
- Budgetary control over expenditures exists at the object-class-level (character code). Line item transfers between object-class-level (character code) or object codes may be requested by the department and approved by the Chief Financial Officer, provided the total amount appropriated by the County Board for the respective department (org code) is not exceeded.

#### FINANCIAL POLICIES

The following pages include financial policies that have been approved by the County Board. These policies should be considered in addition to the Budget Development Guidelines in completion of budgets.

#### FISCAL YEAR

The County's fiscal year is October 1st through September 30th. (Set by County Board per 55 ILCS 5/6-1-001).

#### ACCOUNTING/ AUDITING

State statutes require an annual audit by independent certified public accountants (55 ILCS 5/6-31003). An Annual Comprehensive Financial Report shall be prepared according to the criteria set by the Government Finance Officers Association (GFOA). The County follows Generally Accepted Accounting Principles (GAAP) as set forth by the Governmental Accounting Standards Board (GASB).

#### ACCOUNTING AND FINANCIAL REPORTING POLICIES

The accounting policies of the County of Winnebago, Illinois will conform to generally accepted accounting principles as applicable to governmental units. The accepted standard-setting body for establishing governmental accounting and financial reporting principles is the Governmental Accounting Standards Board (GASB). It shall be the intent of the County to maintain a self-balancing set of accounts on an on-going basis to be closed quarterly. The general ledger will be closed by the Finance department no later than 45 days after month end. The books shall remain open 90 days after the fiscal year end.

It shall be the intent of the County to maintain a program of internal controls to safeguard all assets and ensure effective and efficient use of all assets. It shall be the responsibility of the Finance Director to establish a formal

set of "best practice" internal controls. In addition, the County Auditor shall ensure that all departments comply with those controls.

It shall also be the intent for the independent auditor to review the system of internal controls and report any weaknesses detected to the Board as part of the annual audit.

It shall be the intent of the County to utilize fund accounting principles and generally accepted accounting practices in the recording of all financial transactions. The general ledger shall be maintained on a cash basis, with the intent to move to an accrual basis on a quarterly basis. The Finance Committee will be provided with budget versus actual revenue and expenditure reports on a quarterly basis.

It shall be the intent of the County to prepare annually an Annual Comprehensive Financial Report to be presented to the Board no later than 180 days after year-end. The Annual Comprehensive Financial Report should be audited by an independent CPA firm experienced in governmental auditing. It shall be the further intent of the County to present its Annual Comprehensive Financial Report to the Government Finance Officers Association to receive the Certificate of Excellence award in financial reporting. If at any time the County will not receive an unqualified opinion from the CPA firm, the CPA firm and the Finance Director will notify the Board prior to the issuance of the report.

It shall be the intent of the County to maintain a capital asset ledger of all permanent assets acquired. The Finance department will maintain these asset records on an on-going basis to ensure proper controls and report annually regarding these records to the Board. No asset will be considered fixed unless its value or component value exceeds \$12,000 dollars or in the case of infrastructure assets purchased or acquired with an original cost of \$50,000 or more.

Depreciation will be charged on all capital assets. This policy is consistent with the requirements of GASB Statement No. 34. Depreciation will be recorded on a straight-line basis over the normal useful life of the asset.

It shall be the intent of the County to manage all accounts receivable. Accounts receivable are created by operations in certain departments and offices. In general, they arise at the renewal of a permit or license from departments such as Health, River Bluff Nursing Home or Transportation. The department or office that is responsible for the billing is responsible for collections and managing receivables. Consistent with good financial management, each department and office will age their receivables. Departments and Offices shall continue collection efforts.

The Finance department remits vendor payments on a regular schedule twice a month. Vendor payments are released by the County Clerk's office per the defined schedule. Emergency requests for payment are considered on a case-by-case basis. All remittances will be mailed unless there is a business purpose requiring a department to obtain the check at which time a release form will need to be signed.

It is the intent of the County to comply with the modified accrual basis of accounting, in which revenues are recorded when they are both measurable and available. The County considers revenue to be available if they are collected within 60 days of the end of the current fiscal period for property taxes, 180 days of the end of the current fiscal period for certain health department and County reimbursable grants, and 90 days of the end of the current fiscal period for all other amounts.

## GRANTS

The purpose of this policy is to ensure that all grant-funded programs or projects are managed according to the terms set forth in the grant agreement, Winnebago County Grant Administration Policies and Procedures and

other applicable County policies and procedures. To inform the County Board of the value of a new grant program, the Board must have full knowledge of the total cost and/or impact of the program and its funding sources. It is a requirement that departments administering grants are familiar with the grant administration policies and procedures; in addition to individual grant requirements.

A grant is an amount of money that a government or other institution gives to an individual or to an organization for a particular purpose.

The following should be considered when applying for, accepting, and/or managing grant awards:

- A new grant is a grant awarded for a purpose that has not been previously supported by grant funding.
- Grant Award Agreement Federal/State/Local compliance requirements.
- If Indirect Costs are allowable, all new grant application budgets should include the County's de minimis indirect cost rate, as defined by the federal government. For any grant awards prior to October 1, 2024, departments may utilize the de minimis indirect cost rate in effect at the time of the award and its deliverables. If not included, the explanation shall be included in the Grant Summary Worksheet.
- Departments who apply for grants that require a local match must find the local match within their budgets.
- Departments who apply for new grants must understand the special conditions associated with their funding and inform the County Board of the conditions in the Resolution, prior to approval. Upon Board acceptance and approval, the County Board Administration Staff will log each special condition into the Special Conditions System of Register.
  - The County Board's definition of a conflicting special condition is any special condition of funding (outside of standard state/federal conditions) that may prohibit another department's ability to apply for funding.

Departments will submit a budget amendment for new grant awards to the Chief Financial Officer to amend the respective budget. A 2/3rd vote of all members constituting the County Board is required to amend department budgets to reflect grant revenues and expenses (55 ILCS 5/6-1003).

- Grants will be controlled at the operating budget level based on the County's fiscal year.
- The grant budget will be periodically reviewed by the designated Grant Managers to ensure that the revenues and expenditures are consistent with the grant award's allowable costs.
- Designated Grant Managers will inform Finance Director of identified sub-award/sub-recipients.
- Grants will be reviewed quarterly, as needed, by the Grant Compliance Officer or Finance Director with the Department Head, Elected Official, or designated Grant Managers.

*The Chairman is authorized, on behalf of the County Board to execute the renewal, continuation or modification of any previously awarded grant, without further Board action.*

## RISK MANAGEMENT

The County has an established program for unemployment, liability and workers compensation. To forecast expenditures, the County considers claims, retention levels, fixed costs, and fund reserves.

## INVESTMENT POLICY

The County Treasurer is responsible for the investing of all Winnebago County funds (55 ILCS 5/3-11006). It is always prudent for any public unit to have an Investment Policy in place for the purpose of safeguarding funds, equitably distributing the investments, and maximizing income of the governmental unit. The following policy is adopted for the Winnebago County Treasurer's Office.

### SCOPE OF INVESTMENT POLICY

This Investment Policy applies to the investment activities of all funds under the jurisdiction of the Winnebago County Treasurer. This Investment Policy will also apply to any new funds or temporary funds placed under the jurisdiction of the Winnebago County Treasurer. The Illinois Compiled Statutes will take precedence except where this policy is more restrictive, wherein this policy will take precedence.

### OBJECTIVES

The purpose of this Investment Policy of the Winnebago County Treasurer is to establish cash management and investment guidelines for the stewardship of public funds under the jurisdiction of the Winnebago County Treasurer. The specific objectives of this investment policy will be as follows:

1. Safety of Principal.
2. Diversity of investment to avoid unreasonable risks.
3. The portfolio shall remain sufficiently liquid to meet all operating costs, which may be reasonably anticipated.
4. The highest interest rate available will always be the objective of this policy, combined with safety of principal. The Winnebago County Treasurer will require full collateralization of any deposits.
5. In maintaining its investment portfolio, the Winnebago County Treasurer shall avoid any transaction that might impair public confidence in the Winnebago County Treasurer's Office.
6. The Winnebago County Treasurer will give consideration to the financial institutions positive community involvement when consideration is given to the financial institution to be used as a depository.
7. All funds will be invested for a period of one day or longer, depending on the requirement for the disbursement of funds.
8. All funds shall be deposited within two working days at prevailing rates or better, in accordance with Illinois Compiled Statutes.

### RESPONSIBILITY

All investment of funds under the control of the Winnebago County Treasurer is the direct responsibility of the Winnebago County Treasurer. The Winnebago County Treasurer shall be responsible for all transactions and shall establish a system of controls of the activities of all subordinates who are directly involved in the assistance of such investment activities.

### PRUDENCE

The standard of prudence to be used by investment officials shall be the "prudent person," and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for any individual securities credit risk or market price changes, provided that deviations from expectation are reported in a timely fashion, and appropriate action is taken to control adverse developments.

## ACCOUNTING

All investment transactions shall be recorded by the Winnebago County Treasurer or the Winnebago County Treasurer's staff. A report will be generated, at least monthly, listing all active investments, including information regarding securities in portfolio by class or type, book value, interest earned and market value as of report date. This report will be made available to the Winnebago County Board and Winnebago County Treasurer.

## FINANCIAL INSTITUTIONS

The Winnebago County Treasurer will have the sole responsibility to select which financial institutions will be depositories for Winnebago County Treasurer funds. The Winnebago County Treasurer will take into consideration security, size, location, condition, service, fees and the community relations involvement of the financial institution when choosing a financial institution.

At no time will the Winnebago County Treasurer investments exceed 65% of the financial institution's capital and surplus.

All financial institutions having any type of financial relationships: deposit investments, loans, etc., are required to provide a complete and current "Call Report," required by their appropriate regulatory authority each calendar quarter within 30 days of the "Call" request date.

## INVESTMENT VEHICLES

The Winnebago County Treasurer will use investments approved for governmental units as set forth in the most current issue of the Illinois Compiled Statutes.

## COLLATERAL

In order to protect the funds of Winnebago County, it will be a standard practice of the Winnebago County Treasurer to require that all deposits in financial institutions be collateralized. Collateral shall be held under the name of Winnebago County. During the term of the deposit, at least 102% collateralization will be required whenever deposits exceed the insured limits of FDIC. The Winnebago County Treasurer will require a signed

Pledge Agreement between Winnebago County, the Financial Institution, and the Holding Company to be on file at all times.

102% of collateralization of the deposit will be required. Only the following collateral will be accepted:

- U.S. Government direct securities
- Obligations of Federal Instrumentalities
- Obligations of the State of Illinois
- Obligations of the County of Winnebago
- Obligations of municipalities located within the County of Winnebago, subject to acceptance by the Winnebago County Treasurer

- Acceptable Collateral as identified in the Illinois Compiled Statutes for use by the Treasurer of the State of Illinois

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the possible income to be derived.

The above standard is established as the standard for professional responsibility and shall be applied in the context of managing the Winnebago County Treasurer's portfolio, pursuant to the Public Funds Investment Act at 30 Illinois Compiled Statutes 235/2.5 and other provisions included in that Act, along with all other Statutes and Constitutional provisions regarding conflicts of interest and ethical considerations.

#### SECURITY CONTROLS

Only the Winnebago County Treasurer is authorized to establish financial accounts for the office of Winnebago County Treasurer. At all times either the Winnebago County Treasurer, singly or signatories as designated by the Winnebago County Treasurer, should be authorized to sign on financial accounts of the office of the Winnebago County Treasurer.

#### ADOPTION

This investment policy or similar policy has been in effect since January 1, 2022. Last revision March 12, 2022.

#### FISCAL YEAR 2025 BUDGET CALENDAR

| Budget Task | Date |
|-------------|------|
|-------------|------|

|  |   |
|--|---|
| Chief Financial Officer and Finance Department to review budget process, refine budget requirements, determine budget calendar and prepare preliminary budget guidelines | Feb 1 <sup>st</sup><br>to<br>March 1 <sup>st</sup>                            |
| Finance Committee to review Budget Calendar  | March 7 <sup>th</sup>   |
| Initial forecast of Fiscal Years <del>2023</del> 2024 and <del>2024</del> 2025 with preliminary tax levy options to be presented to the Finance Committee                | March <del>June</del><br>7 <sup>th</sup> - 15 <sup>th</sup>                   |
| Finance Committee to approve 2025 Budget Policy & Guidelines   | March 21 <sup>st</sup>  |
| County Board to approve 2025 Budget Policy & Guidelines  | March 28 <sup>th</sup>  |
| Budget preparation materials are distributed to departments  | April 19 <sup>th</sup> <del>24<sup>th</sup></del> -<br>April 30 <sup>th</sup> |
| Departments to submit all budget documents to the Chief Financial Officer  | May 31 <sup>st</sup>  |
|  |   |
| Chief Financial Officer and Administrator to review all preliminary budgets with Departments   | June 7 <sup>th</sup> – 14 <sup>th</sup>                                       |
| Recommended budgets are provided to Department Heads/Elected Officials   | June 20 <sup>th</sup>   |
| Budget changes made as needed due to unforeseen items  | June 21-July 18   |
| Budget to be reviewed by Chairman, Administrator and Chief Financial Officer   | June 20 <sup>th</sup>   |
| County Administrator to present recommended budget to the Committee of the Whole   | Aug 8 <sup>th</sup>   |
|  |   |
| Truth in Taxation Hearing (we will schedule a date if needed)  |   |
| Department Heads and Elected Officials sign off sheet on budgets and capital requests due in the Finance Department  | Aug 1 <sup>st</sup>   |
| Finance Committee to vote on County Budget Ordinance   | Aug 29 <sup>th</sup>  |
| County Board to place balanced Proposed Budget on public display   | Sept 5 <sup>th</sup>  |
| County Board to adopt the appropriation and tax levy ordinance/budget  | Sept 26 <sup>th</sup>   |



# Ordinance Executive Summary

**Prepared By:** Steve Schultz  
**Committee:** Finance Committee  
**Committee Date:** November 7, 2024  
**Ordinance Title:** Ordinance for a Budget Amendment WCCMHB Jail Navigator Vehicle  
**Board Meeting Date:** November 26, 2024

## Budget Information:

|  |                                |
|--|--------------------------------|
| Was item budgeted? No  | Appropriation Amount: \$35,000 |
| If not, explain funding source: Grant award                          |                                |
| ORG/OBJ/Project Code: 60200 / 46410 / 02067 WCCMHB Navigator Vehicle |                                |
| FY2024 Budget Impact: \$35,000                                       |                                |

**Background Information:** New grant awarded by the Winnebago County Community Mental Health Board (WCCMHB) to provide funds for a vehicle to support transportation for the Sheriff's Jail Navigator program.

**Recommendation:** Finance Department recommends approval

**Contract/Agreement:** Not applicable

**Legal Review:** Not applicable

**Follow-Up:** Not applicable



**2025 Fiscal Year**

Sponsored by:  
John Butitta, Finance Committee Chairman

Finance: November 7, 2024  
Lay Over: November 14, 2024  
**Final Vote: November 26, 2024**

**2024 CO**

**TO: THE HONORABLE BOARD MEMBERS OF THE COUNTY OF WINNEBAGO, ILLINOIS**

The Winnebago County Finance Committee presents the following Ordinance amending the Annual Appropriation Ordinance for the fiscal year ending September 30, 2025 and recommends its adoption.

**Ordinance for a Budget Amendment WCCMHB Jail Navigator Vehicle**

**WHEREAS**, a new grant has been awarded by the Winnebago County Community Mental Health Board (WCCMHB) to provide a vehicle to support transportation for the Sheriff's Jail Navigator Program; and,

**WHEREAS**, the Winnebago County Board adopted the "Annual Budget and Appropriation Ordinance" for the fiscal year ending September 30, 2025 at its September 26, 2024 meeting; and,

**WHEREAS**, 55ILCS 5/6-1003(2014), states, "After the adoption of the county budget, no further appropriations shall be made at any other time during such fiscal year, except as provided in this Act. Appropriations in excess of those authorized by the budget in order to meet an immediate emergency may be made at any meeting of the board by a two-thirds vote of all the members constituting such board, the vote to be taken by ayes and nays and entered on the record of the meeting."

**NOW, THEREFORE, BE IT ORDAINED**, that the County Board deems that pursuant to provisions as set forth in 55ILCS 5/6-1003(2014), certain conditions have occurred in connection with the operations of the County which are deemed to be immediate emergencies; therefore, the increases detailed per the attached Request for Budget Amendment are hereby authorized for Amendment **#25-001 WCCMHB Jail Navigator Vehicle Grant Award**.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIR

\_\_\_\_\_  
JOHN BUTITTA, CHAIR

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIR

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JAIME SALGADO, VICE CHAIR

\_\_\_\_\_  
JEAN CROSBY

\_\_\_\_\_  
JEAN CROSBY

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JOE HOFFMAN

\_\_\_\_\_  
JOE HOFFMAN

\_\_\_\_\_  
KEITH McDONALD

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KEITH McDONALD

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
MICHAEL THOMPSON

\_\_\_\_\_  
MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of  
Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

2024  
**WINNEBAGO COUNTY**  
 FINANCE COMMITTEE  
 REQUEST FOR BUDGET AMENDMENT

|                 |  |                          |  |  |  |
|-----------------|--|--------------------------|--|--|--|
| DATE SUBMITTED: |  | <b>11/7/2024</b>         |  | AMENDMENT NO: 2025-001                     |  |
| DEPARTMENT:     |  | Sheriff Grant Fund       |  | SUBMITTED BY: Steve Schultz                |  |
| FUND#:          |  | 0302 Sheriff Grants Fund |  | DEPT. BUDGET NO. 60200 Sheriff Grants Fund |  |

| Department<br>Org Number  | Object<br>(Account)<br>Number | Project<br>Number | Object (Account) Description  | Adopted<br>Budget | Amendments<br>Previously<br>Approved | Revised<br>Approved<br>Budget | Increase<br>(Decrease) | Revised<br>Budget after<br>Approved<br>Budget<br>Amendment |
|---|-------------------------------|-------------------|-------------------------------|-------------------|--------------------------------------|-------------------------------|------------------------|--|
| <b>Expenditures</b>   |                               |                   |                               |                   |                                      |                               |                        |  |
| 60200   | 46410                         | 02067             | WCCMHB Jail Navigator-Vehicle | \$0               | \$0                                  | \$0                           | \$35,000               | \$35,000   |
|   |                               |                   |                               |                   |                                      |                               |                        |  |
| <b>Revenue</b>  |                               |                   |                               |                   |                                      |                               |                        |  |
| 60200   | 32130                         | 02067             | WCCMHB Jail Navigator-Vehicle | \$0               | \$0                                  | \$0                           | (35,000)               | (\$35,000)   |
|   |                               |                   |                               |                   |                                      |                               |                        |  |
| TOTAL ADJUSTMENT:   |                               |                   |                               |                   |                                      |                               | \$0                    |  |
| <b>Reason budget amendment is required:</b>   |                               |                   |                               |                   |                                      |                               |                        |  |
| New grant awarded by the Winnebago County Community Mental Health Board to provide funds for a vehicle to support transportaion for the Sheriff's Jail Navigator Program. |                               |                   |                               |                   |                                      |                               |                        |  |
| <b>Potential alternatives to budget amendment:</b>  |                               |                   |                               |                   |                                      |                               |                        |  |
| None  |                               |                   |                               |                   |                                      |                               |                        |  |
| <b>Impact to fiscal year 2024 budget: \$35,000</b>  |                               |                   |                               |                   |                                      |                               |                        |  |
| <b>Revenue Source: Grant award</b>  |                               |                   |                               |                   |                                      |                               |                        |  |

**WCCMHB**

Winnebago County  
Community Mental  
Health Board

**Winnebago County Community Mental Health Board  
Accelerator Award Work Plan Agreement**

**INTRODUCTION:** This Work Plan Agreement defines the expectations the Winnebago County Community Mental Health Board has of the agency and service listed, including the work to be performed and/or the results to be achieved, for the stated contract year.

|   |  |
|---|--|
| <b>Agency:</b>  | Winnebago County   |
| <b>Service, Program or Project Name:</b>  | Justice-Involved Peer Navigator  |
| <b>Amount:</b>  | \$35,000   |
| <b>Contract Year:</b>   | June 1, 2024 – June 30, 2026   |
| <b>Area of Capital:</b><br>Human, Social, and/or Physical                           | <ul style="list-style-type: none"><li>• Physical</li></ul>             |
| <b>Expense Categories:</b><br>What expense categories will the awarded funds cover? | <ul style="list-style-type: none"><li>• Purchase of Vehicles</li></ul> |

**FUNDING AGREEMENT DELIVERABLES**

| <b>Project Progress</b>        | <b>Title</b>                    | <b>Description</b>                                    | <b>Estimated Completion Date</b> | <b>Payout Amount</b> |
|--------------------------------|---------------------------------|---|----------------------------------|----------------------|
| Initial - After Board Approval | Board approval, contract signed | Project is approved by Board, and contract is signed. | N/a                              | \$0.00               |
| 25% Complete                   | N/a                             | N/a   | N/a                              | N/a                  |
| 50% Complete                   | N/a                             | N/a   | N/a                              | N/a                  |
| 75% Complete                   | N/a                             | N/a   | N/a                              | N/a                  |
| 100% Complete                  | Project Complete                | Van is purchased and in use                           | October 1, 2024                  | \$35,000 (100%)      |

**DEFINE THE SERVICE, PROGRAM, or PROJECT TO BE SUPPORTED OR DELIVERED** Define the service, program, project to be supported or delivered by requested funds.

Funds will directly contribute to the purchase of a van for the transport of peer navigators and staff for the transportation during the Peer Navigator Program.

**OUTCOMES TO BE REPORTED FOR THIS SERVICE, PROGRAM or PROJECT**

The Peer Navigator Program will provide crucial support and transportation for MAT clients, ensuring they receive necessary care and services. Peer navigators will improve treatment adherence, reduce relapse rates, and facilitate smoother transitions back into the community by offering personalized, empathetic support. The program will foster collaboration with healthcare providers, increase awareness and education about MAT, and work to reduce stigma associated with substance use disorders, enhancing overall community support.

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**Signature**

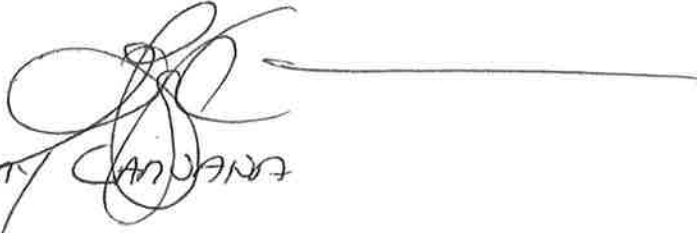
**Please Note:** by entering data into the next three (3) fields calling for insertion of your Name, Title, and Date, you are representing that you are an officer or agent for **Winnebago County** duly authorized to approve the Service, Program, Project Work Plan.

Authorized Signature:

Printed Name:

Title:

Date:

A handwritten signature in black ink, appearing to read "Gary Canzana", with a long horizontal line extending to the right.

---

**Mental Health Board Reviewed/Accepted**

Authorized Signature:

Printed Name:

Title:

Date:



# Ordinance Executive Summary

**Prepared By:** Circuit Court – Thomas Jakeway

**Committee:** Finance

**Committee Date:** November 7, 2024

**Resolution Title:** Ordinance for a Budget Amendment for Justice for Families Grant Award

**County Code:** Winnebago County Annual Appropriation Ordinance

**Board Meeting Date:** November 26, 2024

## Budget Information:

|  |                                    |
|--|------------------------------------|
| Was item budgeted? No  | Appropriation Amount: \$163,930.00 |
| If not, explain funding source: Department of Justice Grant        |                                    |
| ORG/OBJ/Project Code: 60900 / various / 02300 FY25 JFF Grant Award |                                    |
| FY2025 Budget Impact: N/A  |                                    |

**Background Information:** The Department of Justice Office on Violence Against Women has awarded Winnebago County continuation funding to continue and enhance the operations of the Domestic Violence Coordinated Court.

**Recommendation:** Finance Department recommends approval

**Contract/Agreement:** N/A

**Legal Review:** N/A

**Follow-Up:** Adjust Munis line Items

**2025 Fiscal Year**

Finance: November 7, 2024

Lay Over: November 14, 2024

Sponsored by:

**Final Vote: November 26, 2024**

John Butitta, Finance Committee Chairman

## **2024 CO**

**TO: THE HONORABLE BOARD MEMBERS OF THE COUNTY OF WINNEBAGO, ILLINOIS**

The Winnebago County Finance Committee presents the following Ordinance amending the Annual Appropriation Ordinance for the fiscal year ending September 30, 2025 and recommends its adoption.

### **Ordinance for a Budget Amendment for Justice for Families Grant Award**

**WHEREAS**, The Department of Justice Office on Violence Against Women has awarded Winnebago County continuation funding for the Justice for Families program to continue and enhance the functions of the Domestic Violence Coordinated Court; and,

**WHEREAS**, the Winnebago County Board adopted the "Annual Budget and Appropriation Ordinance" for the fiscal year ending September 30, 2025 at its September 26, 2024 meeting; and,

**WHEREAS**, 55ILCS 5/6-1003(2014), states, "After the adoption of the county budget, no further appropriations shall be made at any other time during such fiscal year, except as provided in this Act. Appropriations in excess of those authorized by the budget in order to meet an immediate emergency may be made at any meeting of the board by a two-thirds vote of all the members constituting such board, the vote to be taken by ayes and nays and entered on the record of the meeting."

**NOW, THEREFORE, BE IT ORDAINED**, that the County Board deems that pursuant to provisions as set forth in 55ILCS 5/6-1003(2014), certain conditions have occurred in connection with the operations of the County which are deemed to be immediate emergencies; therefore, the increases detailed per the attached Request for Budget Amendment are hereby authorized for Amendment **#25-002 FY25 Justice for Families Grant Award**.



Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIR

\_\_\_\_\_  
JOHN BUTITTA, CHAIR

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIR

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIR

\_\_\_\_\_  
JEAN CROSBY

\_\_\_\_\_  
JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

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KEITH McDONALD

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KEITH McDONALD

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
MICHAEL THOMPSON

\_\_\_\_\_  
MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

2024  
WINNEBAGO COUNTY  
FINANCE COMMITTEE  
REQUEST FOR BUDGET AMENDMENT

|                 |  |                             |  |   |  |
|-----------------|--|-----------------------------|--|---|--|
| DATE SUBMITTED: |  | 10/22/2024                  |  | AMENDMENT NO: 2025-002                      |  |
| DEPARTMENT:     |  | Circuit Court               |  | SUBMITTED BY: Thomas Jakeway                |  |
| FUND#:          |  | 0309 - Circuit Court Grants |  | DEPT. BUDGET NO. 60900-Circuit Court Grants |  |

| Department<br>Org Number  | Object<br>(Account)<br>Number | Project<br>Number | Object (Account) Description | Adopted<br>Budget | Amendments<br>Previously<br>Approved | Revised<br>Approved<br>Budget | Increase<br>(Decrease) | Revised<br>Budget after<br>Approved<br>Budget<br>Amendment |
|---|-------------------------------|-------------------|------------------------------|-------------------|--------------------------------------|-------------------------------|------------------------|--|
| <b>Expenditures</b>   |                               |                   |                              |                   |                                      |                               |                        |  |
| 60900   | 41110                         | 02300             | Regular Salary               | \$0               | \$0                                  | \$0                           | \$88,000               | \$88,000   |
| 60900   | 41221                         | 02300             | Life Insurance               | \$0               | \$0                                  | \$0                           | \$68                   | \$68   |
| 60900   | 41231                         | 02300             | IMRF                         | \$0               | \$0                                  | \$0                           | \$1,698                | \$1,698  |
| 60900   | 41241                         | 02300             | FICA                         | \$0               | \$0                                  | \$0                           | \$4,774                | \$4,774  |
| 60900   | 42110                         | 02300             | Supplies                     | \$0               | \$0                                  | \$0                           | \$5,000                | \$5,000  |
| 60900   | 43190                         | 02300             | Other Professional Services  | \$0               | \$0                                  | \$0                           | \$40,000               | \$40,000   |
| 60900   | 43310                         | 02300             | Travel                       | \$0               | \$0                                  | \$0                           | \$15,000               | \$15,000   |
| 60900   | 48211                         | 02300             | Health Insurance Cont.       | \$0               | \$0                                  | \$0                           | \$9,390                | \$9,390  |
| <b>Revenue</b>  |                               |                   |                              |                   |                                      |                               |                        |  |
| 60900   | 32110                         | 02308             | Federal Operating Grant      | \$0               | \$0                                  | \$0                           | (163,930)              | (\$163,930)  |
| <b>TOTAL ADJUSTMENT:</b>  |                               |                   |                              |                   |                                      |                               | (\$0)                  |  |
| <b>Reason budget amendment is required:</b>   |                               |                   |                              |                   |                                      |                               |                        |  |
| The Department of Justice Office on Violence Against Women has awarded Winnebago County continuation funding to continue and enhance the operations of the Domestic Violence Coordinated Court. The award provides funding for salary and benefit costs for one full time and one part time employee. The award also provides funding for subcontractor costs related to court advocacy services and increased access to justice initiatives. |                               |                   |                              |                   |                                      |                               |                        |  |
| <b>Potential alternatives to budget amendment:</b>  |                               |                   |                              |                   |                                      |                               |                        |  |
| None  |                               |                   |                              |                   |                                      |                               |                        |  |
| <b>Impact to fiscal year 2025 budget:</b> \$163,930   |                               |                   |                              |                   |                                      |                               |                        |  |
| <b>Revenue Source:</b> Grant award  |                               |                   |                              |                   |                                      |                               |                        |  |



## Department of Justice (DOJ)

### Office on Violence Against Women (OVW)

Washington, D.C. 20531

|  |  |
|--|--|
| <b>Name and Address of Recipient:</b>  | COUNTY OF WINNEBAGO<br>400 W STATE ST        |
| <b>City, State and Zip:</b>  | ROCKFORD, IL 61101                           |
| <b>Recipient UEI:</b>  | K6CATG9GFEX4                                 |
| <b>Project Title:</b> OVW FY24 Justice for Families<br>Project Winnebago County Circuit Court  | <b>Award Number:</b> 15JOVW-24-GG-00042-JFFX |
| <b>Solicitation Title:</b> OVW Fiscal Year 2024 Justice for Families Program   |  |
| <b>Federal Award Amount:</b> \$600,000.00  | <b>Federal Award Date:</b> 8/7/24            |
| <b>Awarding Agency:</b>  | Office on Violence Against Women             |
| <b>Funding Instrument Type:</b>  | Grant  |
| <b>Assistance Listing:</b><br>16.021 - Justice Systems Response to Families  |  |
| <b>Project Period Start Date:</b> 10/1/24  | <b>Project Period End Date:</b> 9/30/27      |
| <b>Budget Period Start Date:</b> 10/1/24   | <b>Budget Period End Date:</b> 9/30/27       |
| <b>Project Description:</b><br>???The Grants to Support Families in the Justice System program (referred to as the Justice for Families Progr  |  |
| <p>Through this continuation Justice for Families project, the Winnebago County Circuit Court and its partners, Winnebago County, the 17th Judicial Circuit Family Violence Coordinating Council, Winnebago County State's Attorney's Office, Winnebago County Public Defender's Office, Winnebago County Circuit Clerk, Winnebago County Court Services; City of Rockford Family Peace Center, Remedies Renewing Lives, Rockford Sexual Assault Counseling, Inc., Rockford Alliance Against Sexual Exploitation, Regional Access and Mobilization Project, The Arc of Winnebago, Boone, and Ogle Counties, The Liam Foundation, YWCA of Northwestern Illinois, Children's Safe Harbor, Prairie State Legal Services, and Northern Illinois University College of Law, will implement a standard project addressing the following purpose areas: 3) Training for court-based and court-related personnel; 5) Court and court-based programs and services; 6) Civil legal assistance; and 8) Training within the civil justice system. Specific activities will include: 1) continuing the Domestic Violence Coordinated Court to monitor offender compliance with court orders; 2) continuing the Domestic Violence Assistance Center (DVAC) to assist victims with filing for orders of protection; 3) providing training for court-based and court-related personnel and provide training within the civil justice system; and 4) providing civil legal assistance to victims by continuing to enhance and support training of pro bono attorneys.</p> <p>This is a continuation of 15JOVW-21-GG-00215-JFFX.</p> |  |

## Award Letter

August 7, 2024

Dear Nicole Ticknor,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office on Violence Against Women (OVW) has approved the application submitted by COUNTY OF WINNEBAGO for an award under the funding opportunity entitled 2024 OVW Fiscal Year 2024 Justice for Families Program. The approved award amount is \$600,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OVW, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Rosemarie Hidalgo  
Director

### Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOPs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEOP requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at [askOCR@ojp.usdoj.gov](mailto:askOCR@ojp.usdoj.gov).

## **Memorandum Regarding NEPA**

### **NEPA Letter Type**

OVW – Categorical Exclusion – Some Minor Renovations Allowed

### **NEPA Letter**

Certain minor renovations are allowed under the Justice for Families Program. All recipients of Justice for Families Program funding must assist OVW in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the recipient or by a subrecipient or third party. Accordingly, prior to obligating funds for any of the specified activities, the recipient must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

1. New construction;
2. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
3. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
4. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
5. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require submission of additional information to OVW and cooperating with OVW in additional processes and analyses.

Recipients should carefully review the award grant conditions, as they may contain more specific information about environmental compliance.

### **NEPA Coordinator**

|                            |                    |                            |
|----------------------------|--------------------|----------------------------|
| <b>First Name</b><br>Debra | <b>Middle Name</b> | <b>Last Name</b><br>Murphy |
|----------------------------|--------------------|----------------------------|

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**Award Information**

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

**Recipient Information**

**Recipient Name**  
COUNTY OF WINNEBAGO

**UEI**  
K6CATG9GFEX4

|                                   |   |
|-----------------------------------|---|
| <b>Street 1</b><br>400 W STATE ST | <b>Street 2</b>                         |
| <b>City</b><br>ROCKFORD           | <b>State/U.S. Territory</b><br>Illinois |
| <b>Zip/Postal Code</b><br>61101   | <b>Country</b><br>United States         |
| <b>County/Parish</b><br>no value  | <b>Province</b><br>no value             |

**Award Details**

|  |   |
|--|---|
| <b>Federal Award Date</b><br>8/7/24            | <b>Award Type</b><br>Initial            |
| <b>Award Number</b><br>15JOVW-24-GG-00042-JFFX | <b>Supplement Number</b><br>00          |
| <b>Federal Award Amount</b><br>\$600,000.00    | <b>Funding Instrument Type</b><br>Grant |

|                                  |  |
|----------------------------------|--|
| <b>Assistance Listing Number</b> | <b>Assistance Listings Program Title</b> |
| 16.021                           | Justice Systems Response to Families     |

**Statutory Authority**

34 U.S.C. 12464

[X] I have read and understand the information presented in this section of the Federal Award Instrument.

## Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

### Solicitation Title

2024 OVW Fiscal Year 2024 Justice for Families Program

### Awarding Agency

OVW

### Application Number

GRANT14046860

### Grant Manager

MAUREEN MONAGLE

### Phone Number

202-297-3520

### E-mail Address

maureen.monagle@usdoj.gov

### Project Title

OVW FY24 Justice for Families Project Winnebago County Circuit Court

### Performance Period Start

#### Date

10/01/2024

### Performance Period End Date

09/30/2027

### Budget Period Start Date

10/01/2024

### Budget Period End Date

09/30/2027

## Project Description

???The Grants to Support Families in the Justice System program (referred to as the Justice for Families Program) was authorized in the Violence Against Women Reauthorization Act of 2013 to improve the response of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, and stalking, or in cases involving allegations of child sexual abuse. The program supports the following activities for improving the capacity of courts and communities to respond to families affected by the targeted crimes: court-based and court-related programs; supervised visitation and safe exchange by and between parents; training for people who work with families in the court system; civil legal services; and the provision of resources in juvenile court matters. Projects supported by the Justice for Families Program are those that focus on keeping victims and their children safe from further abuse and holding offenders accountable.

Through this continuation Justice for Families project, the Winnebago County Circuit Court and its partners, Winnebago County, the 17th Judicial Circuit Family Violence Coordinating Council, Winnebago County State's Attorney's Office, Winnebago County Public Defender's Office, Winnebago County Circuit Clerk, Winnebago County Court Services; City of Rockford Family Peace Center, Remedies Renewing Lives, Rockford Sexual Assault Counseling, Inc., Rockford Alliance Against Sexual Exploitation, Regional Access and Mobilization Project, The Arc of Winnebago, Boone, and Ogle Counties, The Liam Foundation, YWCA of Northwestern Illinois, Children's Safe Harbor, Prairie State Legal Services, and Northern Illinois University College of Law, will implement a standard project addressing the following purpose areas: 3) Training for court-based and court-related personnel; 5) Court and court-based programs and services; 6) Civil legal assistance; and 8) Training within the civil justice system. Specific activities will include: 1) continuing the Domestic Violence Coordinated Court to monitor offender compliance with court orders; 2) continuing the Domestic Violence Assistance Center (DVAC) to assist victims with filing for orders of protection; 3) providing training for court-based and court-related personnel and provide training within the civil justice system; and 4) providing civil legal assistance to victims by continuing to enhance and support training of pro bono attorneys.

This is a continuation of 15JOVW-21-GG-00215-JFFX.

[X] I have read and understand the information presented in this section of the Federal Award Instrument.

## Financial Information

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**

The recipient budget is currently under review.

☒ *I have read and understand the information presented in this section of the Federal Award Instrument.*

## Other Award Documents

☐ *I have read and understand the information presented in this section of the Federal Award Instrument.*

No other award documents have been added.

## Award Conditions

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**

### Condition 1

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in the Office on Violence Against Women (OVW) taking appropriate action with respect to the recipient and the award. Among other things, OVW may withhold award funds, disallow costs, or suspend or terminate the award. The U.S. Department of Justice (DOJ), including OVW, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

### Condition 2

Applicability of Part 200 Uniform Requirements and DOJ Grants Financial Guide



The recipient agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements"), and the current edition of the DOJ Grants Financial Guide as posted on the OVW website, including any updated version that may be posted during the period of performance. The recipient also agrees that all financial records pertinent to this award, including the general accounting ledger and all supporting documents, are subject to agency review throughout the life of the award, during the close-out process, and for three years after submission of the final Federal Financial Report (SF-425) or as long as the records are retained, whichever is longer, pursuant to 2 C.F.R. 200.334, 200.337.

### **Condition 3**

#### **Requirement to report potentially duplicative funding**

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify OVW in writing of the potential duplication, and, if so requested by OVW, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

### **Condition 4**

#### **Requirements related to System for Award Management and unique entity identifiers**

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining current information in SAM.

The recipient also must comply with applicable restrictions on subawards (subgrants) to first-tier subrecipients (subgrantees), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier assigned by SAM.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Requirements related to System for Award Management (SAM) and unique entity identifiers") and are incorporated by reference here.

### **Condition 5**

#### **Requirement to report actual or imminent breach of personally identifiable information (PII)**

The recipient (and any subrecipient at any tier) must have written procedures in place to respond in the event of an actual or imminent breach (as defined in OMB M-17-12) if it (or a subrecipient)-- 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of personally identifiable information (PII) (as defined in 2 C.F.R. 200.1) within the scope of an OVW grant-funded program or activity, or 2) uses or operates a Federal information system (as defined in OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OVW Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

### **Condition 6**

#### **Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OVW authority to terminate award)**

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients (subgrantees), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Prohibited conduct by

recipients and subrecipients related to trafficking in persons (including reporting requirements and OVW authority to terminate award") and are incorporated by reference here.

#### **Condition 7**

Determinations of suitability to interact with participating minors

This condition applies to this award if it is indicated in the application for the award (as approved by DOJ) (or in the application for any subaward at any tier), the DOJ funding announcement (solicitation), or an associated federal statute that a purpose of some or all of the activities to be carried out under the award (whether by the recipient or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status. The details of this requirement are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors") and are incorporated by reference here.

#### **Condition 8**

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears on the OVW website at <https://www.justice.gov/ovw/conference-planning>.

#### **Condition 9**

OVW Training Guiding Principles

The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <https://www.justice.gov/sites/default/files/ovw/legacy/2012/06/28/ovw-training-guiding-principles-grantees-subgrantees.pdf>.

#### **Condition 10**

Effect of failure to address audit issues

The recipient understands and agrees that OVW may withhold award funds, or may impose other related requirements, if (as determined by OVW) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

#### **Condition 11**

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by OVW during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

#### **Condition 12**

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal

employment opportunity program.

### **Condition 13**

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (amended effective April 3, 2024).

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that relate to engaging in or conducting explicitly religious activities and requires that recipients and subrecipients that are social service providers provide written notice to beneficiaries or prospective beneficiaries of certain protections as described in 28 C.F.R. 38.6(b).

### **Condition 14**

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

### **Condition 15**

Restrictions on "lobbying" and policy development

In general, as a matter of federal law, federal funds may not be used by the recipient, or any subrecipient (subgrantee) at any tier, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, in order to avoid violation of 18 U.S.C. 1913. The recipient, or any subrecipient (subgrantee) may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 34 U.S.C. 12291(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.

Another federal law generally prohibits federal funds awarded by OVW from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

### **Condition 16**

Compliance with general appropriations-law restrictions on the use of federal funds for this fiscal year

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, for each fiscal year, are set out at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: General appropriations-law restrictions on use of federal award funds") and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

### **Condition 17**

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient and any subrecipients (subgrantees) must promptly refer to the DOJ Office of the Inspector General

(OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/grant-complaint> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

#### **Condition 18**

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient (subgrantee) under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards (subgrants), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward (subgrant), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

**Condition 19**

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact OVW for guidance.

**Condition 20**

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients (subgrantees) to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

**Condition 21**

Requirement to disclose whether recipient is designated high risk by a federal grant-making agency outside of DOJ

If the recipient is designated high risk by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OVW by email to OVW.GFMD@usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: (1) the federal awarding agency that currently designates the recipient high risk; (2) the date the recipient was designated high risk; (3) the high-risk point of contact at that federal awarding agency (name, phone number, and email address); and (4) the reasons for the high-risk status, as set out by the federal awarding agency.

**Condition 22**

Availability of general terms and conditions on OVW website

The recipient agrees to follow the applicable set of general terms and conditions that are available at <https://www.justice.gov/ovw/award-conditions>. These do not supersede any specific conditions in this award document.

**Condition 23**

Compliance with statutory and regulatory requirements

The recipient agrees to comply with all relevant statutory and regulatory requirements, which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, the Violence Against Women Act Reauthorization Act of 2022, P.L. 117-103, the Omnibus Crime Control and Safe Streets Act of 1968, 34 U.S.C. 10101 et seq., and OVW's implementing regulations at 28 C.F.R. Part 90.

**Condition 24**

Compliance with solicitation requirements

The recipient agrees that it must be in compliance with requirements outlined in the solicitation under which the



approved application was submitted, the applicable Solicitation Companion Guide, and any program-specific frequently asked questions (FAQs) on the OVW website (<https://www.justice.gov/ovw/resources-and-faqs-grantees>). The program solicitation, Companion Guide, and any program-specific FAQs are hereby incorporated by reference into this award.

#### **Condition 25**

##### **VAWA 2013 nondiscrimination condition**

The recipient acknowledges that 34 U.S.C. 12291(b)(13) prohibits recipients of OVW awards from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. Recipients may provide sex-segregated or sex-specific programming if doing so is necessary to the essential operations of the program, so long as the recipient provides comparable services to those who cannot be provided with the sex-segregated or sex-specific programming. The recipient agrees that it will comply with this provision. The recipient also agrees to ensure that any subrecipients (subgrantees) at any tier will comply with this provision.

#### **Condition 26**

##### **Misuse of award funds**

The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.

#### **Condition 27**

##### **Limitation on use of funds to approved activities**

The recipient agrees that grant funds will be used only for the purposes described in the recipient's application, unless OVW determines that any of these activities are out of scope or unallowable. The recipient must not undertake any work or activities that are not described in the recipient's application, award documents, or approved budget, and must not use staff, equipment, or other goods or services paid for with grant funds for such work or activities, without prior written approval, via Grant Award Modification (GAM), from OVW.

#### **Condition 28**

##### **Non-supplantation**

The recipient agrees that grant funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.

#### **Condition 29**

##### **Confidentiality and information sharing**

The recipient agrees to comply with the provisions of 34 U.S.C. 12291(b)(2), nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The recipient also agrees to comply with the regulations implementing this provision at 28 CFR 90.4(b) and "Frequently Asked Questions (FAQs) on the VAWA Confidentiality Provision (34 U.S.C. 12291(b)(2))" on the OVW website at <https://www.justice.gov/ovw/resources-and-faqs-grantees>. The recipient also agrees to ensure that all subrecipients (subgrantees) at any tier meet these requirements.

#### **Condition 30**

##### **Activities that compromise victim safety and recovery or undermine offender accountability**

The recipient agrees that grant funds will not support activities that compromise victim safety and recovery or undermine offender accountability, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; procedures or policies that compromise the

confidentiality of information and privacy of persons receiving OVW-funded services; procedures or policies that impose requirements on victims in order to receive services (e.g., seek an order of protection, receive counseling, participate in couples' counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.); procedures or policies that fail to ensure service providers conduct safety planning with victims; project design and budgets that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or are Deaf or hard of hearing; or any other activities outlined in the solicitation or companion guide under which the application was submitted.

### **Condition 31**

Policy for response to workplace-related incidents of sexual misconduct, domestic violence, and dating violence

The recipient, and any subrecipient at any tier, must have a policy, or issue a policy within 270 days of the award date, to address workplace-related incidents of sexual misconduct, domestic violence, and dating violence involving an employee, volunteer, consultant, or contractor. The details of this requirement are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Policy for response to workplace-related sexual misconduct, domestic violence, and dating violence") and are incorporated by reference here.

### **Condition 32**

Termination or suspension

The Director of OVW, upon a finding that there (1) has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, (2) has been failure by the recipient to make satisfactory progress toward the goals, objectives, or strategies set forth in the application, or (3) have been project changes proposed or implemented by the recipient to the extent that, if originally submitted, the application would not have been selected for funding, will terminate or suspend until the Director is satisfied that there is no longer such failure or changes, all or part of the award, in accordance with the provisions of 28 C.F.R. Part 18, as applicable mutatis mutandis. The federal regulation providing uniform rules for termination of grants and cooperative agreements is 2 C.F.R. 200.340.

### **Condition 33**

Semiannual and final performance progress report submission

The recipient agrees to submit semiannual performance progress reports that describe activities conducted during the reporting period, including program effectiveness measures. Reports must be submitted throughout the project period, even if no funds were spent and no activities were conducted in a given reporting period. Delinquent reports may affect future discretionary award decisions and may lead to suspension and/or termination of the award.

The information that must be collected and reported to OVW can be found in the reporting form associated with the grant program or initiative under which this award was made. Performance progress reports must be submitted within 30 days after the end of the reporting periods, which are January 1 - June 30 and July 1 - December 31. Recipients are required to submit their reports through the Justice Grants System, unless and until OVW issues updated instructions for report submission. The final report is due 90 days after the end of the project period and should be marked "final" in the Report Type field.

### **Condition 34**

Quarterly Federal Financial Reports

The recipient agrees that it will submit quarterly Federal Financial Reports (SF-425) to OVW in the Justice Grants System, not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 120 days following the end of the award period. Delinquent reports may affect future discretionary award decisions and may lead to suspension and/or termination of the award.

### **Condition 35**

Program income

Program income, as defined by 2 C.F.R. 200.1, means gross income earned by the non-federal entity that is directly generated by a supported activity or earned as a result of the federal award during the period of performance. Without

prior approval from OVW, program income must be deducted from total allowable costs to determine the net allowable costs. In order to add program income to the OVW award, the recipient must seek approval from its program manager via a budget modification Grant Award Modification (GAM) prior to generating any program income. Any program income added to the federal award must be used to support activities that were approved in the budget and follow the conditions of the OVW award. Any program income approved via budget modification GAM must be reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the addition alternative. If the program income amount changes (increases or decreases) during the project period, it must be approved via a budget modification GAM by the end of the project period. If the budget modification is not submitted and approved, it could result in audit findings for the recipient.

#### **Condition 36**

FFATA reporting subawards and executive compensation

The recipient agrees to comply with applicable requirements to report first-tier subawards (subgrants) of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the Federal Funding Accountability and Transparency Act of 2006 (FFATA) Subaward Reporting System (FSRS). The details of recipient obligations, which derive from FFATA, are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Reporting Subawards and Executive Compensation") and are incorporated by reference here.

#### **Condition 37**

Changes to MOU and/or IMOA

The recipient agrees to submit for OVW review and approval any anticipated addition of, removal of, or change in collaborating partner agencies or individuals who are signatories of the Memorandum of Understanding and, if applicable, the Internal Memorandum of Agreement.

#### **Condition 38**

Submission of all materials and publications

The recipient agrees to submit to OVW one copy of all materials and publications (written, web-based, audio-visual, or any other format) that are funded under this award not less than twenty days prior to distribution or public release. If the materials are found to be outside the scope of the program, or in some way to compromise victim safety, the recipient will need to revise the materials to address these concerns or the recipient will not be allowed to use award funds to support the development or distribution of the materials.

#### **Condition 39**

Publication disclaimer

The recipient agrees that all materials and publications (written, web-based, audio-visual, or any other format) resulting from award activities shall contain the following statement: "This project was supported by Grant No. \_\_\_\_\_ awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice." The recipient also agrees to ensure that any subrecipient at any tier will comply with this condition.

#### **Condition 40**

Copyrighted works

Pursuant to 2 C.F.R. 200.315(b), the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. OVW reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work, in whole or in part (including in the creation of derivative works), for federal purposes, and to authorize others to do so.

OVW also reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a subrecipient (subgrantee) of this



award, for federal purposes, and to authorize others to do so.

In addition, the recipient (or subrecipient, contractor, or subcontractor of this award at any tier) must obtain advance written approval from the OVW program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the recipient (and of each subrecipient, contractor, or subcontractor as applicable) to ensure that this condition is included in any subaward, contract, or subcontract under this award.

#### **Condition 41**

Grantee orientation - mandatory attendance

First-time recipients, or continuation recipients if requested, must agree to have key staff members, as identified by OVW, attend the OVW grantee orientation seminar, which may be offered in-person, online, or a combination of both. Additionally, if there is a change in the project director/coordinator during the grant period, the recipient agrees, at the earliest opportunity, to send the new project director/coordinator, regardless of prior experience with this or any other federal award, to an in-person OVW grantee orientation seminar or require completion of the orientation online, whichever is available.

#### **Condition 42**

Prior approval for non-OVW sponsored technical assistance

The recipient agrees that funds allocated for OVW-sponsored technical assistance may not be used for any other purpose without prior approval by OVW. To request approval, the recipient must submit a copy of the event's brochure, a curriculum and/or agenda, a description of the hosts or trainers, and an estimated breakdown of costs. The request must be submitted to OVW at least 20 days prior to registering for the event. Requests to attend non-OVW sponsored events will be considered on a case-by-case basis. This prior approval process also applies to requests for the use of OVW-designated technical assistance funds to pay a consultant or contractor not designated as an OVW technical assistance provider to develop and/or provide training and/or technical assistance.

#### **Condition 43**

Participation in OVW-sponsored technical assistance

The recipient agrees to attend and participate in OVW-sponsored technical assistance. Technical assistance includes, but is not limited to, national and regional conferences, audio conferences, webinars, peer-to-peer consultations, and workshops conducted by OVW-designated technical assistance providers.

#### **Condition 44**

Consultant compensation rates

The recipient acknowledges that consultants paid with award funds generally may not be paid at a rate in excess of \$81.25 per hour, not to exceed \$650 per day. To exceed this specified maximum rate, recipients must submit to OVW a detailed justification and have such justification approved by OVW, prior to obligation or expenditure of such funds. Issuance of this award or approval of the award budget alone does not indicate approval of any consultant rate in excess of \$81.25 per hour, not to exceed \$650 per day. Although prior approval is not required for consultant rates below this specified maximum rate, recipients are required to maintain documentation to support all daily or hourly consultant rates.

#### **Condition 45**

Required SAM reporting

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OVW award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OVW awards are required to report information about such proceedings, through the

federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system.

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings within SAM are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Recipient Integrity and Performance Matters, including Recipient Reporting in SAM") and are incorporated by reference here.

#### **Condition 46**

##### **Batterer intervention programs**

The recipient agrees that batterer intervention programs supported with grant funds must use the power of the criminal justice system to hold batterers accountable for their behavior. Programs that focus on anger management for batterers will not be supported with grant funds.

#### **Condition 47**

##### **Requirements for recipients and subrecipients providing legal assistance**

The recipient agrees that the legal assistance eligibility requirements, as set forth below, are a continuing obligation on the part of the recipient. The legal assistance eligibility requirements are: (1) any person providing legal assistance through a program funded under this grant program (A)(i) is a licensed attorney or is working under the direct supervision of a licensed attorney, (ii) in immigration proceedings, is a Board of Immigration Appeals accredited representative, (iii) in Veterans' Administration claims, is an accredited representative, or (iv) is any person who functions as an attorney or lay advocate in Tribal court; and (B)(i) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or (ii)(I) is partnered with an entity or person that has demonstrated expertise described in clause (i) and (II) has completed or will complete training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide; (2) any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a tribal, state, territorial, local, or culturally specific domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, state, territorial, and local law enforcement officials; (3) any person or organization providing legal assistance through this grant program has informed and will continue to inform State, local, territorial, or tribal domestic violence, dating violence, stalking, or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work; (4) the recipient's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, dating violence, domestic violence, stalking, or child sexual abuse is an issue; and (5) any person providing legal assistance under this grant program has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues. The recipient also agrees to ensure that any subrecipient at any tier will comply with this condition.

#### **Condition 48**

##### **Supervision for junior project attorneys**

The recipient agrees to provide regular and emergency attorney supervision for project attorneys who have practiced law for less than five years and who are providing legal services in connection with the grant-funded project.

#### **Condition 49**

##### **Approval of case selection criteria**

Within 30 days of hiring the staff member(s) who will provide grant-funded legal services, the recipient agrees to submit to OVW for review and approval case selection criteria used to select clients for grant-funded legal services.

#### **Condition 50**

##### **Attorney's fees as program income**

The recipient agrees that in the following circumstances attorney's fees may be accepted as program income under 2 C.F.R. 200.307(e)(2) and added to the federal award: (1) fees that are issued by a judge in an OVW-supported case without the request of the OVW-funded attorney; or (2) fees that are sought by the OVW-funded attorney for the

purpose of deterring repeated or abusive filings by the perpetrator of the domestic violence, dating violence, sexual assault, or stalking. In any other circumstances, the recipient must seek approval from its program manager. Any program income added to the federal award must be used to support OVW activities that were approved in the budget and follow the conditions of the OVW award. Any program income received through one of the circumstances listed above or approved by the OVW program manager must be reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the addition alternative. Any program income added to the federal award must also be approved via budget modification Grant Award Modification (GAM) by the end of the project period. If a recipient receives fees that do not fall within one of the circumstances listed above or does not receive prior approval from the OVW program manager, then the resulting program income must be deducted from the OVW award pursuant to 2 C.F.R. 200.307(e)(1) and reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the deduction alternative.

#### **Condition 51**

Representing victims in child protection proceedings

The recipient agrees that it will use grant funds to represent a victim of domestic violence in a child protection proceeding only if the proceeding relates to or arises out of the abuse or violence committed against the victim.

#### **Condition 52**

Representing nonoffending parents in child sex abuse cases

The recipient agrees that it will use grant funds to represent a parent of a victim only in the following circumstances: 1) the client is the nonoffending parent; 2) the case involves allegations of child sexual abuse; 3) the services relate to family matters, including civil protection orders, custody, and divorce; and 4) the other parent is represented by counsel.

#### **Condition 53**

Development and approval of training curricula

The recipient agrees to coordinate with the designated OVW technical assistance provider to develop the training curriculum funded under this project. Further, the recipient agrees to submit the training curriculum not less than twenty (20) days prior to public release for OVW review and approval.

#### **Condition 54**

Compliance with NEPA and related laws

The recipient understands that all OVW awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. 4321 et seq.) and other related federal laws (including the National Historic Preservation Act), if applicable. If the recipient plans to undertake any activity that triggers these requirements, such as renovation (however minor), the recipient agrees to assist OVW in complying with NEPA and related laws. (See 28 C.F.R. Part 61, App. D.) Award funds to be used for such activity will be placed on hold until this process is complete, at which point an Award Condition Modification will be processed to release the hold. The recipient also agrees to comply with all federal, state, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award. The recipient understands that this may include renovations that are recommended by OVW to enhance safe outcomes of a project even when those renovations are supported with funds outside of the OVW award.

#### **Condition 55**

Withholding of funds pending completion of prior award under the same program

The recipient acknowledges that it has a prior award under the same OVW grant program from which this new award is being made. Before obligating, expending, or drawing down funds from this award, the recipient must first expend all funds from the prior award. The only exception is that the recipient may obligate, expend, and draw down funds from this award for travel-related expenses up to \$10,000 to attend OVW-sponsored technical assistance events. If the recipient needs to obligate, expend, or draw down additional funds from this award prior to the completion/expiration of the prior award, it must submit a written request to its program manager for review and approval.

**Condition 56**

## Indirect costs

The recipient may not obligate, expend, or draw down any award funds for indirect costs, unless and until either (1) the recipient submits to OVW a current, federally-approved indirect cost rate agreement, or (2) the recipient determines that it is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and advises OVW in writing of both its eligibility and its election.

**Condition 57**

## Conditional clearance with release of technical assistance funds

The recipient acknowledges that the budget for this award is pending review and approval. Until OVW approves the budget, any obligations or expenditures incurred by the recipient are made at the recipient's own risk. The recipient may obligate, expend, or draw down up to \$10,000 for participation in or travel-related expenses to attend OVW-sponsored technical assistance events, but these obligations and expenditures remain at the recipient's own risk until the budget is approved. Remaining funds will not be available for drawdown until OVW's Grants Financial Management Division has approved the budget and budget narrative via a Grant Award Modification (GAM). If applicable, the Indirect Cost Rate will be identified in the GAM when the budget is approved. If there is another condition on the award prohibiting any obligation, expenditure, and drawdown of any funds, that other condition will control.

[X] *I have read and understand the information presented in this section of the Federal Award Instrument.*

**Award Acceptance****Declaration and Certification to the U.S. Department of Justice as to Acceptance**

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

**Agency Approval****Title of Approving Official**

Director

**Name of Approving Official**

Rosemarie Hidalgo

**Signed Date And Time**

7/31/24 9:28 AM

**Authorized Representative**

[X]

**Entity Acceptance**

**Title of Authorized Entity Official**

Project Manager

**Name of Authorized Entity Official**

Nicole Ticknor

**Signed Date And Time**

8/13/2024 2:31 PM



## GRANT SUMMARY WORKSHEET

|                            |   |
|----------------------------|---|
| <b>Prepared By:</b>        | Circuit Court-- Thomas Jakeway  |
| <b>Committee:</b>          | Finance   |
| <b>Committee Date:</b>     | November 7, 2024  |
| <b>Resolution Title:</b>   | Ordinance for Approval of Budget Amendment for Justice for Families Grant |
| <b>Board Meeting Date:</b> | November 14, 2024   |

All new grant awards must be approved through their respective Committees prior to presenting for Board approval. Those requiring a budget modification must also be approved by the Finance Committee. To provide the County Board with the information needed for compliance requirements, please provide a complete Committee and Board packet that includes this form, the Executive Summary, Resolution, and Award.

### Funding Information:

|   |   |
|---|---|
| Grant Period of Performance: 10/1/24- 9/30/28   |   |
| Is match required?  | <input type="checkbox"/> yes <input checked="" type="checkbox"/> no |
| - If yes, did you work with Accounting to determine match allocation?   | <input type="checkbox"/> yes <input type="checkbox"/> no            |
| Are Indirect Costs Allowable under the award?   | <input checked="" type="checkbox"/> yes <input type="checkbox"/> no |
| - If yes, what is the granting agency's allowable de minimis Indirect Cost rate? 10%  |   |
| Is the indirect cost included in the budget?  | <input type="checkbox"/> yes <input checked="" type="checkbox"/> no |
| <i>Indirect Cost Base includes: salaries, fringe benefits, travel, supplies, training, and up to the first \$50,000 of each subaward.</i>                           |   |
| - If no, please explain: This is a continuation award and as such indirect costs were not included as outlined in the County's grant award policies and procedures. |   |
| Does funding agreement contain Special Conditions that may prohibit another department's ability to apply for funding?  |   |
| <input checked="" type="checkbox"/> yes <input type="checkbox"/> no   |   |
| - If yes, please explain: Please see the attached award letter that includes 57 special conditions related to this grant program.                                   |   |
| How many sub-awards are included in this award?   | 1   |
| - Do subawards/contracts contain Indirect Costs?  | <input checked="" type="checkbox"/> yes <input type="checkbox"/> no |
| - If yes, please provide Indirect Cost rates and total Indirect applied to each subaward or contract: 10% of first \$25,000 of subaward                             |   |



# Ordinance Executive Summary

**Prepared By:** Circuit Court – Thomas Jakeway

**Committee:** Finance

**Committee Date:** November 7, 2024

**Resolution Title:** Ordinance for a Budget Amendment for Order of Protection Service Grant Award

**County Code:** Winnebago County Annual Appropriation Ordinance

**Board Meeting Date:** November 26, 2024

## Budget Information:

|  |                                    |
|--|------------------------------------|
| Was item budgeted? No  | Appropriation Amount: \$282,000.00 |
| If not, explain funding source: Department of Justice Grant                      |                                    |
| ORG/OBJ/Project Code: 60900 / various / 02308 Orders of Protection Service Grant |                                    |
| FY2025 Budget Impact: N/A  |                                    |

**Background Information:** The Department of Justice Office on Violence Against Women has awarded Winnebago County funding to serve as a pilot site for the Electronic Service Protection Order Pilot Project.

**Recommendation:** Finance Department recommends approval

**Contract/Agreement:** N/A

**Legal Review:** N/A

**Follow-Up:** Adjust Munis line Items

**2025 Fiscal Year**

Sponsored by:  
John Butitta, Finance Committee Chairman

Finance: November 7, 2024  
Lay Over: November 14, 2024  
**Final Vote: November 26, 2024**

**2024 CO**

**TO: THE HONORABLE BOARD MEMBERS OF THE COUNTY OF WINNEBAGO, ILLINOIS**

The Winnebago County Finance Committee presents the following Ordinance amending the Annual Appropriation Ordinance for the fiscal year ending September 30, 2025 and recommends its adoption.

**Ordinance for a Budget Amendment for Order of Protection Service Grant Award**

**WHEREAS**, The Department of Justice Office on Violence Against Women has awarded Winnebago County funding to serve as a pilot site for the Electronic Service Protection Order Pilot Project. This award allows for the development of policies and infrastructure to allow for the legal and practical electronic service of protective orders in Winnebago County. The award provides funding for salary and benefit costs for a full- time employee and a percentage of costs to account for time spent on this project for current employees. The award also provides funding for subcontractor costs related to creating new technical infrastructure to allow for the electronic service of documents, supplies, training costs, and indirect costs for the County; and,

**WHEREAS**, the Winnebago County Board adopted the “Annual Budget and Appropriation Ordinance” for the fiscal year ending September 30, 2025 at its September 26, 2024 meeting; and,

**WHEREAS**, 55ILCS 5/6-1003(2014), states, “After the adoption of the county budget, no further appropriations shall be made at any other time during such fiscal year, except as provided in this Act. Appropriations in excess of those authorized by the budget in order to meet an immediate emergency may be made at any meeting of the board by a two-thirds vote of all the members constituting such board, the vote to be taken by ayes and nays and entered on the record of the meeting.”

**NOW, THEREFORE, BE IT ORDAINED**, that the County Board deems that pursuant to provisions as set forth in 55ILCS 5/6-1003(2014), certain conditions have occurred in connection with the operations of the County which are deemed to be immediate emergencies; therefore, the increases detailed per the attached Request for Budget Amendment are hereby authorized for Amendment **#25-003 Order of Protection Service Grant Award**.



Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIR

\_\_\_\_\_  
JOHN BUTITTA, CHAIR

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIR

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIR

\_\_\_\_\_  
JEAN CROSBY

\_\_\_\_\_  
JEAN CROSBY

\_\_\_\_\_  
JOE HOFFMAN

\_\_\_\_\_  
JOE HOFFMAN

\_\_\_\_\_  
KEITH McDONALD

\_\_\_\_\_  
KEITH McDONALD

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
MICHAEL THOMPSON

\_\_\_\_\_  
MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of  
Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

2024  
WINNEBAGO COUNTY  
FINANCE COMMITTEE  
REQUEST FOR BUDGET AMENDMENT

|                 |  |                             |  |   |  |
|-----------------|--|-----------------------------|--|---|--|
| DATE SUBMITTED: |  | 10/22/2024                  |  | AMENDMENT NO: 2025-003                      |  |
| DEPARTMENT:     |  | Circuit Court               |  | SUBMITTED BY: Thomas Jakeway                |  |
| FUND#:          |  | 0309 - Circuit Court Grants |  | DEPT. BUDGET NO. 60900-Circuit Court Grants |  |

| Department<br>Org Number   | Object<br>(Account)<br>Number | Project<br>Number | Object (Account) Description | Adopted<br>Budget | Amendments<br>Previously<br>Approved | Revised<br>Approved<br>Budget | Increase<br>(Decrease) | Revised<br>Budget after<br>Approved<br>Budget<br>Amendment |
|--|-------------------------------|-------------------|------------------------------|-------------------|--------------------------------------|-------------------------------|------------------------|--|
| <b>Expenditures</b>  |                               |                   |                              |                   |                                      |                               |                        |  |
| 60900  | 41110                         | 02308             | Regular Salary               | \$0               | \$0                                  | \$0                           | \$105,792              | \$105,792  |
| 60900  | 41221                         | 02308             | Life Insurance               | \$0               | \$0                                  | \$0                           | \$61                   | \$61   |
| 60900  | 41231                         | 02308             | IMRF                         | \$0               | \$0                                  | \$0                           | \$3,988                | \$3,988  |
| 60900  | 41241                         | 02308             | FICA                         | \$0               | \$0                                  | \$0                           | \$8,091                | \$8,091  |
| 60900  | 42110                         | 02308             | Supplies                     | \$0               | \$0                                  | \$0                           | \$14,742               | \$14,742   |
| 60900  | 43190                         | 02308             | Other Professional Services  | \$0               | \$0                                  | \$0                           | \$105,000              | \$105,000  |
| 60900  | 43310                         | 02308             | Travel                       | \$0               | \$0                                  | \$0                           | \$10,000               | \$10,000   |
| 60900  | 48211                         | 02308             | Health Insurance Cont.       | \$0               | \$0                                  | \$0                           | \$34,325               | \$34,325   |
| <b>Revenue</b>   |                               |                   |                              |                   |                                      |                               |                        |  |
| 60900  | 32110                         | 02308             | Federal Operating Grant      | \$0               | \$0                                  | \$0                           | (282,000)              | (\$282,000)  |
| <b>TOTAL ADJUSTMENT:</b>   |                               |                   |                              |                   |                                      |                               | (\$0)                  |  |
| <b>Reason budget amendment is required:</b>  |                               |                   |                              |                   |                                      |                               |                        |  |
| <p>The Department of Justice Office on Violence Against Women has awarded Winnebago County funding to serve as a pilot site for the Electronic Service Protection Order Pilot Project. The award provides funding for salary and benefit costs for a full time employee and a percentage of costs to account for time spent on this project for current employees. The award also provides funding for subcontractor costs related to creating new technical infrastructure to allow for the electronic service of documents, supplies, training costs, and indirect costs for the County.</p> |                               |                   |                              |                   |                                      |                               |                        |  |
| <b>Potential alternatives to budget amendment:</b>   |                               |                   |                              |                   |                                      |                               |                        |  |
| None   |                               |                   |                              |                   |                                      |                               |                        |  |
| <b>Impact to fiscal year 2025 budget:</b> \$282,000  |                               |                   |                              |                   |                                      |                               |                        |  |
| <b>Revenue Source:</b> Grant award   |                               |                   |                              |                   |                                      |                               |                        |  |



## Department of Justice (DOJ)

### Office on Violence Against Women (OVW)

Washington, D.C. 20531

|  |  |
|--|--|
| <b>Name and Address of Recipient:</b>  | COUNTY OF WINNEBAGO<br>400 W STATE ST        |
| <b>City, State and Zip:</b>  | ROCKFORD, IL 61101                           |
| <b>Recipient UEI:</b>  | K6CATG9GFEX4                                 |
| <b>Project Title:</b> OVW FY24 Electronic Service Protection Order Court Pilot   | <b>Award Number:</b> 15JOVW-24-GG-00808-ESPO |
| <b>Solicitation Title:</b> OVW Fiscal Year 2024 Electronic Service Protection Order Court Pilot  |  |
| <b>Federal Award Amount:</b> \$1,500,000.00  | <b>Federal Award Date:</b> 9/19/24           |
| <b>Awarding Agency:</b>  | Office on Violence Against Women             |
| <b>Funding Instrument Type:</b>  | Grant  |
| <b>Assistance Listing:</b><br>16.062 - Grants to State and Tribal Courts to Implement Protection Order Pilot Programs  |  |
| <b>Project Period Start Date:</b> 10/1/24  | <b>Project Period End Date:</b> 9/30/29      |
| <b>Budget Period Start Date:</b> 10/1/24   | <b>Budget Period End Date:</b> 9/30/29       |
| <b>Project Description:</b><br><br>The Electronic Service Protection Order Court Pilot supports efforts to develop and implement programs for properly and legally serving protection orders through electronic communication methods. The program awards grants to state or tribal courts that are a part of a multidisciplinary partnership that includes, to the extent practicable, a state, tribal, or local law enforcement agency; a state, tribal, or local prosecutor's office; a victim service provider or state or tribal domestic violence coalition; a provider of culturally specific services; a nonprofit program or government agency with demonstrated experience in providing legal assistance or legal advice to victims of domestic violence and sexual assault; the bar association of the state or tribe; the state or tribal association of court clerks; a state, tribal, or local association of criminal defense attorneys; at least two individuals with experience in design and management of court case management systems; at least two state or tribal court judges with expertise in domestic violence and issuing protective orders; and a judge assigned to the criminal docket of the state or tribal court.<br><br>Through this new Electronic Service Protection Order Court Pilot project, the Winnebago County Circuit Court will collaborate with the Winnebago County Circuit Clerk's Office, the Winnebago County Department of Information Technology, the Winnebago County Sheriff's Office, Remedies Renewing Lives, and the judiciary, specifically Honorable Joseph P. Bruscato and Honorable Jennifer J. Clifford, to develop and implement programs for properly and |  |

legally serving protection orders through electronic communication methods. During the course of the proposed project, the Winnebago County Circuit Court and its project partners will: 1) develop the policies and infrastructure for protective order electronic service through establishing a Protective Order Electronic Service Work Group and creating an Implementation Plan, developing enhancements to the Illinois Protection Order System, and researching best practices to inform local policies and rules; 2) implement the electronic service of protective orders through the continuation of Protective Order Electronic Service Workgroup Meetings, securing the legal authority for practical electronic service, transitioning to use of Illinois Protection Order System for electronic service, developing a training curriculum to provide training around electronic service, and beginning data collection activities; and 3) disseminate findings and best practices through creating reports, presentations, and developing the required two year project overview report.

## Award Letter

September 19, 2024

Dear Nicole Ticknor,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office on Violence Against Women (OVW) has approved the application submitted by COUNTY OF WINNEBAGO for an award under the funding opportunity entitled 2024 OVW Fiscal Year 2024 Electronic Service Protection Order Court Pilot. The approved award amount is \$1,500,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OVW, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Rosemarie Hidalgo  
Director

### Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) enforces federal civil rights laws and other provisions that prohibit discrimination by recipients of federal financial assistance from OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW).

Several civil rights laws, including Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance (recipients) to give assurances that they will comply with those laws. Taken together, these and other civil rights laws prohibit recipients from discriminating in the provision of services and employment because of race, color, national origin, religion, disability, and sex or from discriminating in the provision of services on the bases of age.

Some recipients of DOJ financial assistance have additional obligations to comply with other applicable nondiscrimination provisions like the Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of religion in addition to race, color, national origin, and sex. Recipients may also have related requirements regarding the development and implementation of equal employment opportunity programs.

OCR provides technical assistance, training, and other resources to help recipients comply with civil rights obligations. Further, OCR administratively enforces civil rights laws and nondiscrimination provisions by investigating DOJ recipients that are the subject of discrimination complaints. In addition, OCR conducts compliance reviews of DOJ recipients based on regulatory criteria. These investigations and compliance reviews permit OCR to evaluate whether DOJ recipients are providing services to the public and engaging in employment practices in a nondiscriminatory manner.

For more information about OCR, your civil rights and nondiscrimination responsibilities, how to notify your employees or beneficiaries of their civil rights protections and responsibilities and how to file a complaint, as well as technical assistance, training, and other resources, please visit [www.ojp.gov/program/civil-rights-office/outreach](http://www.ojp.gov/program/civil-rights-office/outreach). If you would like OCR to assist you in fulfilling your civil rights or nondiscrimination responsibilities, please contact us at [askOCR@ojp.usdoj.gov](mailto:askOCR@ojp.usdoj.gov) or [www.ojp.gov/program/civil-rights-office/about#ocr-contacts](http://www.ojp.gov/program/civil-rights-office/about#ocr-contacts).

**Memorandum Regarding NEPA**

**NEPA Letter Type**

OVW – Categorical Exclusion - No Renovations Allowed

**NEPA Letter**

Renovations and construction are unallowable under this grant, and therefore none of the following activities will be conducted under the OVW federal action (i.e., the OVW-funded grant project) or a related third-party action:??

1. New construction.??
2. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including proper
3. A renovation which will change the basic prior use of a facility or significantly change its size.?
4. Research and technology whose anticipated and future application could be expected to have an effect on the environ
5. Implementation of a program involving the use of chemicals.??

In addition, the OVW federal action is neither a phase nor a segment of a project that, when reviewed in its entirety, would. Consequently, the subject federal action meets the Office on Violence Against Women’s criteria for a categorical exclusion.

**NEPA Coordinator**

**First Name**

Debra

**Middle Name**

**Last Name**

Murphy

**Award Information**

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

**Recipient Information**

**Recipient Name**

COUNTY OF WINNEBAGO

**UEI**

K6CATG9GFEX4

**Street 1**

400 W STATE ST

**Street 2**

|  |  |  |
|--|--|--|
| <b>City</b><br>ROCKFORD  | <b>State/U.S. Territory</b><br>Illinois  |  |
| <b>Zip/Postal Code</b><br>61101  | <b>Country</b><br>United States  |  |
| <b>County/Parish</b><br>no value   | <b>Province</b><br>no value  |  |
| <b>Award Details</b>   |  |  |
| <b>Federal Award Date</b><br>9/19/24   | <b>Award Type</b><br>Initial   |  |
| <b>Award Number</b><br>15JOVW-24-GG-00808-ESPO   | <b>Supplement Number</b><br>00   |  |
| <b>Federal Award Amount</b><br>\$1,500,000.00  | <b>Funding Instrument Type</b><br>Grant  |  |
| <b>Assistance Listing Number</b>   | <b>Assistance Listings Program Title</b>                                       |  |
| 16.062   | Grants to State and Tribal Courts to Implement Protection Order Pilot Programs |  |
| <b>Statutory Authority</b>   |  |  |
| 34 U.S.C. § 10462a   |  |  |
| <input checked="" type="checkbox"/> <i>I have read and understand the information presented in this section of the Federal Award Instrument.</i>                     |  |  |
| <b>Project Information</b>   |  |  |
| This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions. |  |  |
| <b>Solicitation Title</b><br>2024 OVW Fiscal Year 2024 Electronic Service Protection Order Court Pilot   | <b>Awarding Agency</b><br>OVW  |  |
| <b>Application Number</b><br>GRANT14152600   |  |  |
| <b>Grant Manager</b><br>MAUREEN MONAGLE  | <b>Phone Number</b><br>202-297-3520  | <b>E-mail Address</b><br>maureen.monagle@usdoj.gov |
| <b>Project Title</b><br>OVW FY24 Electronic Service Protection Order Court Pilot   |  |  |

**Performance Period Start****Date**

10/01/2024

**Performance Period End Date**

09/30/2029

**Budget Period Start Date**

10/01/2024

**Budget Period End Date**

09/30/2029

**Project Description**

The Electronic Service Protection Order Court Pilot supports efforts to develop and implement programs for properly and legally serving protection orders through electronic communication methods. The program awards grants to state or tribal courts that are a part of a multidisciplinary partnership that includes, to the extent practicable, a state, tribal, or local law enforcement agency; a state, tribal, or local prosecutor's office; a victim service provider or state or tribal domestic violence coalition; a provider of culturally specific services; a nonprofit program or government agency with demonstrated experience in providing legal assistance or legal advice to victims of domestic violence and sexual assault; the bar association of the state or tribe; the state or tribal association of court clerks; a state, tribal, or local association of criminal defense attorneys; at least two individuals with experience in design and management of court case management systems; at least two state or tribal court judges with expertise in domestic violence and issuing protective orders; and a judge assigned to the criminal docket of the state or tribal court.

Through this new Electronic Service Protection Order Court Pilot project, the Winnebago County Circuit Court will collaborate with the Winnebago County Circuit Clerk's Office, the Winnebago County Department of Information Technology, the Winnebago County Sheriff's Office, Remedies Renewing Lives, and the judiciary, specifically Honorable Joseph P. Bruscato and Honorable Jennifer J. Clifford, to develop and implement programs for properly and legally serving protection orders through electronic communication methods. During the course of the proposed project, the Winnebago County Circuit Court and its project partners will: 1) develop the policies and infrastructure for protective order electronic service through establishing a Protective Order Electronic Service Work Group and creating an Implementation Plan, developing enhancements to the Illinois Protection Order System, and researching best practices to inform local policies and rules; 2) implement the electronic service of protective orders through the continuation of Protective Order Electronic Service Workgroup Meetings, securing the legal authority for practical electronic service, transitioning to use of Illinois Protection Order System for electronic service, developing a training curriculum to provide training around electronic service, and beginning data collection activities; and 3) disseminate findings and best practices through creating reports, presentations, and developing the required two year project overview report.

[X] *I have read and understand the information presented in this section of the Federal Award Instrument.*



## Financial Information

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**

The recipient budget is currently under review.

☒ *I have read and understand the information presented in this section of the Federal Award Instrument.*

## Other Award Documents

☐ *I have read and understand the information presented in this section of the Federal Award Instrument.*

No other award documents have been added.

## Award Conditions

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**

### Condition 1

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in the Office on Violence Against Women (OVW) taking appropriate action with respect to the recipient and the award. Among other things, OVW may withhold award funds, disallow costs, or suspend or terminate the award. The U.S. Department of Justice (DOJ), including OVW, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

### Condition 2

Applicability of Part 200 Uniform Requirements and DOJ Grants Financial Guide

The recipient agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part

2800 (together, the "Part 200 Uniform Requirements"), and the current edition of the DOJ Grants Financial Guide as posted on the OVW website, including any updated version that may be posted during the period of performance. The recipient also agrees that all financial records pertinent to this award, including the general accounting ledger and all supporting documents, are subject to agency review throughout the life of the award, during the close-out process, and for three years after submission of the final Federal Financial Report (SF-425) or as long as the records are retained, whichever is longer, pursuant to 2 C.F.R. 200.334, 200.337.

### **Condition 3**

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify OVW in writing of the potential duplication, and, if so requested by OVW, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

### **Condition 4**

Requirements related to System for Award Management and unique entity identifiers

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining current information in SAM.

The recipient also must comply with applicable restrictions on subawards (subgrants) to first-tier subrecipients (subgrantees), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier assigned by SAM.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Requirements related to System for Award Management (SAM) and unique entity identifiers") and are incorporated by reference here.

### **Condition 5**

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any subrecipient at any tier) must have written procedures in place to respond in the event of an actual or imminent breach (as defined in OMB M-17-12) if it (or a subrecipient)-- 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of personally identifiable information (PII) (as defined in 2 C.F.R. 200.1) within the scope of an OVW grant-funded program or activity, or 2) uses or operates a Federal information system (as defined in OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OVW Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

### **Condition 6**

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OVW authority to terminate award)

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients (subgrantees), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OVW authority to terminate award)") and are incorporated by reference here.

**Condition 7**

## Determinations of suitability to interact with participating minors

This condition applies to this award if it is indicated in the application for the award (as approved by DOJ) (or in the application for any subaward at any tier), the DOJ funding announcement (solicitation), or an associated federal statute that a purpose of some or all of the activities to be carried out under the award (whether by the recipient or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status. The details of this requirement are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors") and are incorporated by reference here.

**Condition 8**

## Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears on the OVW website at <https://www.justice.gov/ovw/conference-planning>.

**Condition 9**

## OVW Training Guiding Principles

The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <https://www.justice.gov/sites/default/files/ovw/legacy/2012/06/28/ovw-training-guiding-principles-grantees-subgrantees.pdf>.

**Condition 10**

## Effect of failure to address audit issues

The recipient understands and agrees that OVW may withhold award funds, or may impose other related requirements, if (as determined by OVW) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

**Condition 11**

## Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by OVW during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

**Condition 12**

## Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

**Condition 13**

## Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (amended effective April 3, 2024).

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that relate to engaging in or conducting explicitly religious activities and requires that recipients and subrecipients that are social service providers provide written notice to beneficiaries or prospective beneficiaries of certain protections as described in 28 C.F.R. 38.6(b).

### **Condition 14**

#### Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

### **Condition 15**

#### Restrictions on "lobbying" and policy development

In general, as a matter of federal law, federal funds may not be used by the recipient, or any subrecipient (subgrantee) at any tier, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, in order to avoid violation of 18 U.S.C. 1913. The recipient, or any subrecipient (subgrantee) may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 34 U.S.C. 12291(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.

Another federal law generally prohibits federal funds awarded by OVW from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

### **Condition 16**

#### Compliance with general appropriations-law restrictions on the use of federal funds for this fiscal year

The recipient, and any subrecipient (subgrantee) at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, for each fiscal year, are set out at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: General appropriations-law restrictions on use of federal award funds") and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

### **Condition 17**

#### Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient and any subrecipients (subgrantees) must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar

misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/grant-complaint> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

#### **Condition 18**

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient (subgrantee) under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards (subgrants), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward (subgrant), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

#### **Condition 19**

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact OVW for guidance.

#### **Condition 20**

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients (subgrantees) to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

#### **Condition 21**

Requirement to disclose whether recipient is designated high risk by a federal grant-making agency outside of DOJ

If the recipient is designated high risk by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OVW by email to OVW.GFMD@usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: (1) the federal awarding agency that currently designates the recipient high risk; (2) the date the recipient was designated high risk; (3) the high-risk point of contact at that federal awarding agency (name, phone number, and email address); and (4) the reasons for the high-risk status, as set out by the federal awarding agency.

#### **Condition 22**

Availability of general terms and conditions on OVW website

The recipient agrees to follow the applicable set of general terms and conditions that are available at <https://www.justice.gov/ovw/award-conditions>. These do not supersede any specific conditions in this award document.

#### **Condition 23**

Compliance with statutory and regulatory requirements

The recipient agrees to comply with all relevant statutory and regulatory requirements, which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, the Violence Against Women Act Reauthorization Act of 2022, P.L. 117-103, the Omnibus Crime Control and Safe Streets Act of 1968, 34 U.S.C. 10101 et seq., and OVW's implementing regulations at 28 C.F.R. Part 90.

#### **Condition 24**

Compliance with solicitation requirements

The recipient agrees that it must be in compliance with requirements outlined in the solicitation under which the approved application was submitted, the applicable Solicitation Companion Guide, and any program-specific frequently asked questions (FAQs) on the OVW website (<https://www.justice.gov/ovw/resources-and-faqs-grantees>). The program solicitation, Companion Guide, and any program-specific FAQs are hereby incorporated by reference into this



award.

**Condition 25**

## VAWA 2013 nondiscrimination condition

The recipient acknowledges that 34 U.S.C. 12291(b)(13) prohibits recipients of OVW awards from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. Recipients may provide sex-segregated or sex-specific programming if doing so is necessary to the essential operations of the program, so long as the recipient provides comparable services to those who cannot be provided with the sex-segregated or sex-specific programming. The recipient agrees that it will comply with this provision. The recipient also agrees to ensure that any subrecipients (subgrantees) at any tier will comply with this provision.

**Condition 26**

## Misuse of award funds

The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.

**Condition 27**

## Limitation on use of funds to approved activities

The recipient agrees that grant funds will be used only for the purposes described in the recipient's application, unless OVW determines that any of these activities are out of scope or unallowable. The recipient must not undertake any work or activities that are not described in the recipient's application, award documents, or approved budget, and must not use staff, equipment, or other goods or services paid for with grant funds for such work or activities, without prior written approval, via Grant Award Modification (GAM), from OVW.

**Condition 28**

## Non-supplantation

The recipient agrees that grant funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.

**Condition 29**

## Confidentiality and information sharing

The recipient agrees to comply with the provisions of 34 U.S.C. 12291(b)(2), nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The recipient also agrees to comply with the regulations implementing this provision at 28 CFR 90.4(b) and "Frequently Asked Questions (FAQs) on the VAWA Confidentiality Provision (34 U.S.C. 12291(b)(2))" on the OVW website at <https://www.justice.gov/ovw/resources-and-faqs-grantees>. The recipient also agrees to ensure that all subrecipients (subgrantees) at any tier meet these requirements.

**Condition 30**

## Activities that compromise victim safety and recovery or undermine offender accountability

The recipient agrees that grant funds will not support activities that compromise victim safety and recovery or undermine offender accountability, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services; procedures or policies that impose requirements on victims in order to receive services (e.g., seek an order of protection, receive counseling, participate in couples' counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.);

procedures or policies that fail to ensure service providers conduct safety planning with victims; project design and budgets that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or are Deaf or hard of hearing; or any other activities outlined in the solicitation or companion guide under which the application was submitted.

### **Condition 31**

Policy for response to workplace-related incidents of sexual misconduct, domestic violence, and dating violence

The recipient, and any subrecipient at any tier, must have a policy, or issue a policy within 270 days of the award date, to address workplace-related incidents of sexual misconduct, domestic violence, and dating violence involving an employee, volunteer, consultant, or contractor. The details of this requirement are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Policy for response to workplace-related sexual misconduct, domestic violence, and dating violence") and are incorporated by reference here.

### **Condition 32**

Termination or suspension

The Director of OVW, upon a finding that there (1) has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, (2) has been failure by the recipient to make satisfactory progress toward the goals, objectives, or strategies set forth in the application, or (3) have been project changes proposed or implemented by the recipient to the extent that, if originally submitted, the application would not have been selected for funding, will terminate or suspend until the Director is satisfied that there is no longer such failure or changes, all or part of the award, in accordance with the provisions of 28 C.F.R. Part 18, as applicable mutatis mutandis. The federal regulation providing uniform rules for termination of grants and cooperative agreements is 2 C.F.R. 200.340.

### **Condition 33**

Semiannual and final performance progress report submission

The recipient agrees to submit semiannual performance progress reports that describe activities conducted during the reporting period, including program effectiveness measures. Reports must be submitted throughout the project period, even if no funds were spent and no activities were conducted in a given reporting period. Delinquent reports may affect future discretionary award decisions and may lead to suspension and/or termination of the award.

The information that must be collected and reported to OVW can be found in the reporting form associated with the grant program or initiative under which this award was made. Performance progress reports must be submitted within 30 days after the end of the reporting periods, which are January 1 - June 30 and July 1 - December 31. Recipients are required to submit their reports through the Justice Grants System, unless and until OVW issues updated instructions for report submission. The final report is due 90 days after the end of the project period and should be marked "final" in the Report Type field.

### **Condition 34**

Quarterly Federal Financial Reports

The recipient agrees that it will submit quarterly Federal Financial Reports (SF-425) to OVW in the Justice Grants System, not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 120 days following the end of the award period. Delinquent reports may affect future discretionary award decisions and may lead to suspension and/or termination of the award.

### **Condition 35**

Program income

Program income, as defined by 2 C.F.R. 200.1, means gross income earned by the non-federal entity that is directly generated by a supported activity or earned as a result of the federal award during the period of performance. Without prior approval from OVW, program income must be deducted from total allowable costs to determine the net allowable costs. In order to add program income to the OVW award, the recipient must seek approval from its program manager via a budget modification Grant Award Modification (GAM) prior to generating any program income. Any program



income added to the federal award must be used to support activities that were approved in the budget and follow the conditions of the OVW award. Any program income approved via budget modification GAM must be reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the addition alternative. If the program income amount changes (increases or decreases) during the project period, it must be approved via a budget modification GAM by the end of the project period. If the budget modification is not submitted and approved, it could result in audit findings for the recipient.

#### **Condition 36**

FFATA reporting subawards and executive compensation

The recipient agrees to comply with applicable requirements to report first-tier subawards (subgrants) of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the Federal Funding Accountability and Transparency Act of 2006 (FFATA) Subaward Reporting System (FSRS). The details of recipient obligations, which derive from FFATA, are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Reporting Subawards and Executive Compensation") and are incorporated by reference here.

#### **Condition 37**

Changes to MOU and/or IMOA

The recipient agrees to submit for OVW review and approval any anticipated addition of, removal of, or change in collaborating partner agencies or individuals who are signatories of the Memorandum of Understanding and, if applicable, the Internal Memorandum of Agreement.

#### **Condition 38**

Submission of all materials and publications

The recipient agrees to submit to OVW one copy of all materials and publications (written, web-based, audio-visual, or any other format) that are funded under this award not less than twenty days prior to distribution or public release. If the materials are found to be outside the scope of the program, or in some way to compromise victim safety, the recipient will need to revise the materials to address these concerns or the recipient will not be allowed to use award funds to support the development or distribution of the materials.

#### **Condition 39**

Publication disclaimer

The recipient agrees that all materials and publications (written, web-based, audio-visual, or any other format) resulting from award activities shall contain the following statement: "This project was supported by Grant No. \_\_\_\_\_ awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice." The recipient also agrees to ensure that any subrecipient at any tier will comply with this condition.

#### **Condition 40**

Copyrighted works

Pursuant to 2 C.F.R. 200.315(b), the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. OVW reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work, in whole or in part (including in the creation of derivative works), for federal purposes, and to authorize others to do so.

OVW also reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a subrecipient (subgrantee) of this award, for federal purposes, and to authorize others to do so.

In addition, the recipient (or subrecipient, contractor, or subcontractor of this award at any tier) must obtain advance

written approval from the OVW program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the recipient (and of each subrecipient, contractor, or subcontractor as applicable) to ensure that this condition is included in any subaward, contract, or subcontract under this award.

#### **Condition 41**

Grantee orientation - mandatory attendance

First-time recipients, or continuation recipients if requested, must agree to have key staff members, as identified by OVW, attend the OVW grantee orientation seminar, which may be offered in-person, online, or a combination of both. Additionally, if there is a change in the project director/coordinator during the grant period, the recipient agrees, at the earliest opportunity, to send the new project director/coordinator, regardless of prior experience with this or any other federal award, to an in-person OVW grantee orientation seminar or require completion of the orientation online, whichever is available.

#### **Condition 42**

Prior approval for non-OVW sponsored technical assistance

The recipient agrees that funds allocated for OVW-sponsored technical assistance may not be used for any other purpose without prior approval by OVW. To request approval, the recipient must submit a copy of the event's brochure, a curriculum and/or agenda, a description of the hosts or trainers, and an estimated breakdown of costs. The request must be submitted to OVW at least 20 days prior to registering for the event. Requests to attend non-OVW sponsored events will be considered on a case-by-case basis. This prior approval process also applies to requests for the use of OVW-designated technical assistance funds to pay a consultant or contractor not designated as an OVW technical assistance provider to develop and/or provide training and/or technical assistance.

#### **Condition 43**

Participation in OVW-sponsored technical assistance

The recipient agrees to attend and participate in OVW-sponsored technical assistance. Technical assistance includes, but is not limited to, national and regional conferences, audio conferences, webinars, peer-to-peer consultations, and workshops conducted by OVW-designated technical assistance providers.

#### **Condition 44**

Consultant compensation rates

The recipient acknowledges that consultants paid with award funds generally may not be paid at a rate in excess of \$81.25 per hour, not to exceed \$650 per day. To exceed this specified maximum rate, recipients must submit to OVW a detailed justification and have such justification approved by OVW, prior to obligation or expenditure of such funds. Issuance of this award or approval of the award budget alone does not indicate approval of any consultant rate in excess of \$81.25 per hour, not to exceed \$650 per day. Although prior approval is not required for consultant rates below this specified maximum rate, recipients are required to maintain documentation to support all daily or hourly consultant rates.

#### **Condition 45**

Required SAM reporting

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OVW award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OVW awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system.

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil,

criminal, and administrative proceedings within SAM are posted on the OVW website at <https://www.justice.gov/ovw/award-conditions> (titled "Award Condition: Recipient Integrity and Performance Matters, including Recipient Reporting in SAM") and are incorporated by reference here.

#### **Condition 46**

##### **Planning Period**

The recipient agrees to engage in a planning period of up to 24 months prior to implementing a program for properly and legally serving protection orders through electronic communication methods. The planning period activities include: collaboration with the OVW technical assistance provider(s) and project partners; hiring or designation of a staff member to act as the project coordinator; and making substantial efforts, when possible, to develop or expand partnerships through a Letter of Commitment with 1) a state, tribal or local prosecutor's office, 2) a provider of culturally specific services, 3) a nonprofit program or government agency with demonstrated experience in providing legal assistance or legal advice to victims of domestic violence and sexual assault, 4) the bar association of the applicable state or Indian tribe, 5) the state or tribal association of court clerks, 6) a state, tribal, or local association of criminal defense attorneys, 7) a judge assigned to the criminal docket of the state or tribal court, 8) and an additional state or tribal court judge with expertise in domestic violence and issuing protective orders. Letters of Commitment from any new partners will be submitted as a deliverable.

#### **Condition 47**

##### **Additional Reporting Requirements**

The recipient agrees to submit additional reports as provided in 34 U.S.C. 10462a(f) and described in the program solicitation.

#### **Condition 48**

##### **Indirect costs**

The recipient may not obligate, expend, or draw down any award funds for indirect costs, unless and until either (1) the recipient submits to OVW a current, federally-approved indirect cost rate agreement, or (2) the recipient determines that it is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and advises OVW in writing of both its eligibility and its election.

#### **Condition 49**

##### **Conditional clearance with release of technical assistance funds**

The recipient acknowledges that the budget for this award is pending review and approval. Until OVW approves the budget, any obligations or expenditures incurred by the recipient are made at the recipient's own risk. The recipient may obligate, expend, or draw down up to \$10,000 for participation in or travel-related expenses to attend OVW-sponsored technical assistance events, but these obligations and expenditures remain at the recipient's own risk until the budget is approved. Remaining funds will not be available for drawdown until OVW's Grants Financial Management Division has approved the budget and budget narrative via a Grant Award Modification (GAM). If applicable, the Indirect Cost Rate will be identified in the GAM when the budget is approved. If there is another condition on the award prohibiting any obligation, expenditure, and drawdown of any funds, that other condition will control.

[X] *I have read and understand the information presented in this section of the Federal Award Instrument.*

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## **Award Acceptance**

### **Declaration and Certification to the U.S. Department of Justice as to Acceptance**

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this

declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant’s legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

**Agency Approval**

|                                    |                                   |                             |
|------------------------------------|-----------------------------------|-----------------------------|
| <b>Title of Approving Official</b> | <b>Name of Approving Official</b> | <b>Signed Date And Time</b> |
| Director                           | Rosemarie Hidalgo                 | 9/11/24 2:16 PM             |

**Authorized Representative**

[X]

**Entity Acceptance**

**Title of Authorized Entity Official**  
Project Manager

**Name of Authorized Entity Official**  
Nicole Ticknor

**Signed Date And Time**  
9/23/2024 12:54 PM



## GRANT SUMMARY WORKSHEET

|                            |  |
|----------------------------|--|
| <b>Prepared By:</b>        | Circuit Court-- Thomas Jakeway   |
| <b>Committee:</b>          | Finance  |
| <b>Committee Date:</b>     | November 7, 2024   |
| <b>Resolution Title:</b>   | Ordinance for Approval of Budget Amendment for Order of Protection Service Grant |
| <b>Board Meeting Date:</b> | November 14, 2024  |

All new grant awards must be approved through their respective Committees prior to presenting for Board approval. Those requiring a budget modification must also be approved by the Finance Committee. To provide the County Board with the information needed for compliance requirements, please provide a complete Committee and Board packet that includes this form, the Executive Summary, Resolution, and Award.

### Funding Information:

|   |   |
|---|---|
| Grant Period of Performance: 10/1/24- 9/30/29   |   |
| Is match required?  | <input type="checkbox"/> yes <input checked="" type="checkbox"/> no |
| - If yes, did you work with Accounting to determine match allocation?   | <input type="checkbox"/> yes <input type="checkbox"/> no            |
| Are Indirect Costs Allowable under the award?   | <input checked="" type="checkbox"/> yes <input type="checkbox"/> no |
| - If yes, what is the granting agency's allowable de minimis Indirect Cost rate? 10%  |   |
| Is the indirect cost included in the budget?  | <input checked="" type="checkbox"/> yes <input type="checkbox"/> no |
| <i>Indirect Cost Base includes: salaries, fringe benefits, travel, supplies, training, and up to the first \$50,000 of each subaward.</i> |   |
| - If no, please explain:  |   |
| Does funding agreement contain Special Conditions that may prohibit another department's ability to apply for funding?                    |   |
| <input checked="" type="checkbox"/> yes <input type="checkbox"/> no   |   |
| - If yes, please explain: Please see the attached award letter that includes 49 special conditions related to this grant program.         |   |
| How many sub-awards are included in this award?   | 2   |
| - Do subawards/contracts contain Indirect Costs?  | <input type="checkbox"/> yes <input checked="" type="checkbox"/> no |
| - If yes, please provide Indirect Cost rates and total Indirect applied to each subaward or contract:                                     |   |