

LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL

Homeland Security Advisory Committee **Policy Manual for Grants** FY 2019-20



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THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANTS DIVISION AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (COG-21)

The Office of the Governor's (OOG) Homeland Security Grants Division (HSGD) is the entity responsible for administering and awarding a number of grant programs across the State of Texas. The grant funding assists Texas jurisdictions in building, sustaining, and delivering core capabilities to further the National Preparedness Goal which is, "A secure and resilient Nation with capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk. The OOG has the final decision on any project, including those administered by the Lower Rio Grande Valley Development Council (LRGVDC). The LRGVDC (COG-21) is 1 of 24 Councils of Government in the State of Texas and is the liaison between the OOG and local jurisdictions in its 3 county region (Cameron, Hidalgo, and Willacy).

POLICIES AUTHORITY

The following policies and procedures will govern the LRGVDC's Homeland Security Advisory Committee's (HSAC) application review and prioritization process for designated funding sources. In addition, these policies and procedures will govern the operation of LRGVDC's Homeland Security planning as outlined in the Interlocal Cooperation Agreement between the OOG's Homeland Security Grants Division and the LRGVDC. These policies will be reviewed annually to align with regional and state guidelines.

HOMELAND SECURITY ADVISORY COMMITTEE (HSAC)

The Homeland Security Advisory Committee (HSAC) was created as a voluntary unincorporated association of the LRGVDC in November 2004. The HSAC is composed of 14 member jurisdictions. The primary responsibility of the HSAC is to assist the LRGVDC in the development, implementation, review, and update of a comprehensive plan to serve the needs of the region in the event of terrorist activities, natural disaster, and man-made disasters and to evaluate and make recommendations on grant applications submitted by jurisdictions.

The 3-county member representation for HSAC is:

Cameron – 5

Hidalgo – 7

Willacy - 2

FUNDING SOURCES: LETPA & SHSP

The LRGVDC's HSAC will prioritize the two (2) funding sources listed below:

LETPA (Law Enforcement Terrorism Prevention Activities)

Minimum Funding Level: \$2,500

Required Match: None

Purpose: The purpose of this funding is to support state, tribal, and local preparedness activities that continue to build law enforcement capabilities to prevent terrorist attacks and provide law enforcement and public safety communities with funds to support critical prevention and protection activities. Per Congressional mandate (911 Act), twenty-five percent (25%) of the combined Homeland Security Grant Program funding must be spent on Law Enforcement Terrorism Prevention Activities (LETPA).

The SHSP-LETPA is intended to support investments that improve the ability of jurisdictions to:

- **Prevent** a threatened or an actual act of terrorism; and/or
- **Protect** its citizens, residents, visitors, and assets against the greatest threats and hazards.

SHSP (State Homeland Security Program)

Minimum Funding Level: \$2,500

Required Match: None

Purpose: The purpose of this funding is to support state, tribal, and local preparedness activities that address high-priority preparedness gaps across all core capabilities where a *nexus to terrorism* exists.

The SHSP is intended to support investment that improve the ability of jurisdictions to:

- *Prevent* a threatened or an actual act of terrorism;
- *Protect* its citizen, residents, visitors, and assets against the greatest threats and hazards;
- *Mitigate* the loss of life and property by lessening the impact of future catastrophic events;
- *Respond* quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of a catastrophic incident; and/or
- *Recover* through a focus on the timely restoration, strengthening, accessibility and revitalization of infrastructure, housing, and a sustainable economy, as well as the health, social, cultural, historic, and environment fabric of communities affected by a catastrophic incident.

GRANT FUNDING NOTIFICATION

Upon notification from the OOG, the LRGVDC's Homeland Security staff will notify local jurisdictions in the region that the new grant cycle has begun.

GRANT ELIGIBILITY REQUIREMENTS

All applicants regardless of funding status must meet **ALL** the necessary requirements as set forth by the OOG's HSGD's Request for Funding Announcement (RFA), no exceptions.

- NIMS compliance
- Jurisdictions must have a current Emergency Management Plan at Intermediate Level or Above
- 90% Average, Both Adult & Juvenile Criminal History Dispositions
- Current on Uniform Crime Report (UCR)
- Current DUNS Number
- Be registered on System for Award Management (SAM)
- Mandatory workshop attendance

The LRGVDC's Homeland Security staff and the HSAC shall ensure that the funding recommendations on project applications are based on the following factors: mandatory workshop attendance, project's regional impact, project deployability, the LRGVDC THIRA (Threats and Hazards Identification and Risk Assessment) & SPR (State Preparedness Report), the LRGVDC's Implementation Plan, as well as reasonableness, cost effectiveness of the proposed project, and current policies.

ENVIRONMENTAL & HISTORIC PRESERVATION REVIEWS

Some projects may require an EHP review to comply with all applicable environmental and historic preservation laws and regulations. This process ensures that federal grant monies are used in a manner consistent with federal laws pertaining to the environment and historic preservation, as well as consideration of the effects to, and protection and enhancement of, natural and cultural resources.

MANDATORY WORKSHOP ATTENDANCE

The LRGVDC's Homeland Security staff shall conduct a grant application workshop for applicants applying for the Homeland Security Grants Division funding opportunities. All applicants are required to attend one (1) mandatory grant application workshop conducted by the LRGVDC's Homeland Security staff. The responsibility of attending a workshop is that of the applying jurisdiction. Representatives can be one of the three grant designated officials (i.e. Authorized Official, Project Director, or Financial Officer), or any other knowledgeable agency/entity designee.

LRGVDC's Homeland Security staff will electronically submit workshop materials, a list of workshops held (to include the name, organization, address and telephone number of each attendee) to the OOG's HSGD as required in the Interlocal Cooperation Agreement.

REGIONAL IMPACT AND DEPLOYABILITY

Grant project applications must have a *regional* impact to the LRGVDC (21) COG Region. Any projects/equipment funded by HSGP/LETPA grants must be deployable. Certain exceptions, may apply. For example but not limited to: fixed assets, radio tower, repeaters, etc.

LRGVDC THIRA AND SPR PROCESS

All applications for projects must be consistent with the capability targets set during the most current LRGVDC/State THIRA (Threats and Hazards Identification and Risk Assessment) process, as well as gaps identified in the LRGVDC's and/or State's SPR (State Preparedness Report).

LRGVDC IMPLEMENTATION PLAN

All applications for projects must be consistent with goals and objectives of the current LRGVDC Implementation Plan.

The LRGVDC's Implementation Plan supports the Texas Homeland Security Strategic Plan 2015-20. It establishes priority actions with specific performance measures to be completed by milestones established in the plan. The plan is a roadmap for homeland security preparedness and identifies the resources required to implement the plan.

These documents can be obtained by submitting a request to the LRGVDC's Homeland Security staff.

PROCEDURES FOR GRANT APPLICATION SUBMITTAL

All applications shall be submitted directly to the OOG's online grants management systems. The submission of applications will be done electronically via the OOG's online grant management system, **e-Grants**: <https://egrants.gov.texas.gov/fundopp.aspx>

All submission deadlines are set by the Office of the Governor's Homeland Security Grants Division. To obtain the OOG deadline schedule, please check their website, **e-Grants**: <https://egrants.gov.texas.gov/fundopp.aspx>

INELEGIBLE GRANT APPLICATIONS

Applications created on e-Grants but not certified by the Authorized Officials will not be considered valid and will be denied by the OOG's HSGD. The OOG's HSGD reserves the right to deny applications that do not meet the guidelines for the LETPA or SHSP grants.

HOMELAND SECURITY ADVISORY COMMITTEE (HSAC) GRANT APPLICATIONS REVIEW

The HSAC will set a date to review the project applications for the LRGVDC (COG-21) Region. The HSAC will score and prioritize applications. All applications must be represented at the HSAC review session. Representatives can be any one of the three grant designated officials (i.e. Authorized Official, Project Director or Financial Officer), or any other knowledgeable designee. Applicants will be provided with an opportunity to make a three-minute presentation before the HSAC and answer any questions regarding their proposals. Once all questions and comments are answered, the HSAC will proceed to score each project individually.

APPROVED ACTIVITY AREAS FOR GRANT FUNDING

Grant project applications must address one (1) of HSAC's approved activity areas for the LRGVDC COG-21 Region:

Interoperable Communications
<u>Special Response Teams and First Responder Capabilities</u> (including Border Security capabilities) <i>*For grant-related purposes, a Special Response Team must:</i> 1) be FEMA Typed; and 2) have some type of formal documentation in place (i.e. MOU, contract, plan(s), or written agreement). The applicant is responsible for submitting a copy to the LRGVDC Homeland Security staff prior to the prioritization meeting.
Critical Infrastructure

**Projects that do not fall under activity areas, may be considered if regional funding permits. However, there is no guarantee.*

RISK METHODOLOGY

A percentage of funding for each project is determined annually by the HSAC that will help determine the selection of grant project applications that address the needs of the LRGVDC (COG-21) Region.

ACTIVITY AREA:	LETPA PERCENTAGE:	SHSP PERCENTAGE:
Interoperable Communications	25%	25%
Special Response Teams & First Responder Capabilities	50%	50%
Critical Infrastructure	25%	25%

A scoring instrument is provided to each HSAC member at the annual review of the grant process. HSAC and COG staff will review and update the scoring instrument to align with regional and state guidelines. Applicants can view a copy of the scoring instrument at the mandatory grant workshop (see p.3). Only LRGVDC's Homeland Security staff will compute scores of the grant prioritization process.

CONFLICT OF INTEREST

The LRGVDC shall ensure that members of the COG's governing body, the HSAC, and COG staff abstain from scoring and voting on any grant application other than a grant application submitted by a COG, during the prioritization process if the member, or an individual related to an HSAC member within the third degree by consanguinity, or within the second degree by affinity:

- a. Is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded;
- b. Serves on any governing board that oversee the unit or division that would administer the grant, if awarded;
- c. Owns or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency; or
- d. Receives any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded.

When a potential conflict of interest exists, HSAC Members and members of the COG governing body must abstain from REVIEWING, VOTING, COMMENTING, OR TAKING ACTION on any grant application during the prioritization process.

If any applicant, HSAC member, COG personnel, or other individual, has reason to believe that favoritism or inappropriate actions occurred during the scoring or prioritization of HSGD projects, the COG shall ensure that the concerns are shared with HSGD as soon as possible.

FUNDING RECOMMENDATION GUIDELINES

The HSAC reserves the right to recommend an amount less than the requested amount based on the budget cost effectiveness, reasonableness, and/or previous grant performance under present/past funding sources.

The HSAC reserves the right to deny recommendations for funding on any application based on but not limited to:

- ineligible activity(ies) not permitted under the funding source
- ineligible line item(s) not permitted under the funding source
- project does not align with regional priorities

- eligibility criteria not met by applicant

In the event that the HSAC deems not to recommend full, or partial funding of an application, the LRGVDC's Homeland Security staff will notify the OOG's HSGD.

*All project grant applications selected by the HSAC are *conditionally approved* until the OOG's HSGD gives the final approval. Jurisdictions must wait until they receive official notification from the OOG's HSGD that their project application is approved before making any expenditures.

RECOMMENDATIONS OF CONDITIONALLY APPROVED GRANT APPLICATION PROJECTS TO LRGVDC EXECUTIVE BOARD

With the approval of the HSAC, a prioritized list of *conditionally approved* projects will be submitted to the LRGVDC's Board of Directors for endorsement. The LRGVDC's Board of Directors reserves the right to endorse or disallow the HSAC's recommendations. The LRGVDC's Board of Directors regularly meets every fourth Wednesday of the month with certain exceptions. The LRGVDC's Board of Directors will take final action on the priority lists. The OOG's HSGD will make the final approval on all conditionally approved projects.

APPEALS PROCESS

The LRGVDC's Homeland Security staff will send an email to applicants regarding the HSAC's decision on their application. An applicant may appeal the actions of the HSAC based on procedural violation(s). The appeal must be submitted in writing to the LRGVDC's Board of Directors Chair within ten (10) regular business working days from the date of the e-mail notification. Please note that appeals cannot be based on areas of discretion in the HSAC's scoring criteria.

FINAL REVIEW BY OOG'S HOMELAND SECURITY GRANTS DIVISION

A prioritized list of *conditionally approved* projects recommended for funding by the LRGVDC (COG-21) will be forwarded to the OOG's HSGD. If there are discrepancies on project grant applications, the OOG's HSGD staff will contact the applicant directly. All funding decisions made by the OOG's HSGD's Executive Director are final. No appeals will be accepted by the OOG's HSGD regarding their final funding decisions.

Appeals made regarding an HSAC decision will be handled by the LRGVDC only. If an applicant appeals a decision to the OOG's HSGD, the applicant will be requested to go back to their COG for resolution. The OOG's HSGD does not accept, or provide an appeals process.