

AGENDA MATERIAL

DATE 11-2-21 ITEM NO. CCS

Melissa Whitney

From: JoAnn diFilippo [REDACTED]
Sent: Monday, November 1, 2021 1:29 PM
To: COB_mail
Cc: District1; DIST2; District3; District4; District5; Jan Lesher
Subject: BOS November 2, 2021 meeting: Consent Agenda Item 5

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Clerk of the Board: please submit this email as a Comment Letter to Consent Agenda item #5 (GTAW 22-37)

Chairwoman Bronson and Supervisors:

Consent agenda item #5 is requesting board approval for a U.S. Department of Labor grant award issued to Pima County in the amount of \$365,535.00. This award is dated September 27, 2021 from the federal Grant Officer (performance period starting September 24, 2021). Attached to the award is a Special Condition stating the Scope of Work (SOW) requires a revision BEFORE the federal granting officer will finalize the award. The Special Condition states:

"you must address the issues identified in this document by submitting a subsequent modification request via email to your assigned Federal Project Operator (FPO) within 30 business days of the receipt of this grant award package. This modification request must incorporate all information requested below and receive FPO concurrence that all conditions have been resolved." The letter further stipulates *"a submittal of revised documents does not in and of itself constitute approval by the Employment and Training Administration, as final approval must be given by the Grant Officer."*

Therefore, the question at-hand is: Did the county submit the required revised Scope of Work to the federal granting officer as of this date?

Note: The requirement deadline is 30 business days of the receipt of the grant award package. The actual date of receipt by the county is not indicated on the board agenda packet; however, it is reasonable to believe a couple more days may exist before the expiration of the "receipt" date given that the date the federal officer signed the award was September 27, 2021.

If the Scope of Work was revised after September 27, 2021, did the federal grant officer provide written documentation of concurrence that all conditions have been resolved? However, it appears you are now being asked to approve the grant award without determining whether or not the revised Scope of Work was submitted to the federal grant officer for final concurrence.

Therefore, it appears the board has one of two options to exercise in approving this grant award including:

1. If the federal grant officer concurred with the revisions, where is the written copy of the concurrence communication? It should have been attached to this agenda packet for the board to acknowledge and approve the grant award (including the revised Scope of Work and the concurrence communique from the federal grant officer);
2. If the Scope of Work has not yet been modified and/or is still pending concurrence from the federal grant officer, the board **should ask to have this item removed from the Consent Agenda not approve** this grant award until it is determined the county has complied with the terms and conditions as stipulated in the federal granting officer's letter (included in your packet), and a copy of the federal grant officer's concurrence communique is included in the final packet presented to the BOS for acceptance and approval.

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Furthermore, I find the last paragraph of page 1 of the agenda item report very interesting. The claim is made that if the BOS does not approve this “retroactive” grant award to September 24, 2021 a problem will exist and “more general fund money will be required to help pay for the new CMS.” If the grant award revised scope of work is not approved by the federal granting officer, why would we be required to use “general funds” to replace these non-approved federal funds? Why not use a portion of the \$200 million COVID funding recently received from the federal government to replace these unapproved funds? The Notice of Award clearly states the target focus is “...to address workforce impacts resulting from the COVID-19 pandemic....” (see, grant award notice included in your packet). Thus, even if the revised Scope of Work does not receive concurrence from the federal grant officer, the expenses would in all likelihood be eligible for federal reimbursement from the county’s COVID-19 funds. And, this is one reason why I support Supervisor Heinz’s earlier request to the board to have some strategy to review in advance how the county was planning on spending the \$200+ million in COVID-19 funds received by the county (see, Board of Supervisor meeting summary for Supervisor Heinz’s exact wording of his request).

To approve this grant award without the attached concurrence of the federal grant officer pertaining to the revised Scope of Work lacks accountability to the taxpayers and puts into question your ability to properly review agenda item packets for thoroughness before approving. Please get this corrected before approving to ensure the public record is thorough, complete, and accurate. If this has been corrected since the posting of the Consent Agenda, please properly notice this at the supervisors’ meeting and include the information as part of the public record. Thank you.

JoAnn di Filippo, PhD