

Jim Gibbons
Governor



Jearld Hafen
Director

Frank Siracusa
Chief

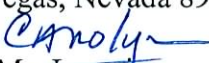
Division of Emergency Management

2478 Fairview Drive
Carson City, Nevada 89701

Telephone (775) 687-0300 • Fax (775) 687-0322 • <http://dem.state.nv.us/>

January 16, 2009

City of Las Vegas
Ms. Carolyn Levering, Emergency Manager
500 N. Casino Center Blvd
Las Vegas, Nevada 89101


Dear Ms. Levering,

The State of Nevada greatly appreciates the effort put forth by the City of Las Vegas in the Emergency Management Performance Grant (EMPG).

I am pleased to enclose a FFY09 EMPG grant award in the amount of \$222,738.00. Attached to your award is a copy of the approved budget and work plan by which you are obligated to abide by. Please be aware that any deviation from the approved budget and work plan will require advance approval from this Division through utilization of a "Project Change Request" form.

Please sign the original award, confirmation copy, federal, financial and program assurances and return the original grant award and the signed assurances to the Division of Emergency Management, 2478 Fairview Street, Carson City, Nevada, 89701. Please retain the confirmation copy, budget and a copy of the assurances for your records.

If we can be of any assistance to you in the performance of this grant or if you have any questions regarding this grant, please do not hesitate to contact the Division of Emergency Management at (775) 687-0300.

Cordially,


Frank Siracusa
Chief

enclosures

STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF EMERGENCY MANAGEMENT

Grant Award			
SUBGRANTEE:	CITY OF LAS VEGAS	PROJECT NO:	9704209
ADDRESS:	500 N. Casino Center Blvd. Las Vegas, Nevada 89101-2986		
PROJECT TITLE:	FY09 Emergency Management Performance Grant (EMPG)	FEDERAL GRANT FUNDS:	\$222,738.00
GRANT PERIOD:	10/01/08 09/30/09	MATCHING FUNDS:	\$222,738.00
		TOTAL:	\$445,476.00
		TOTAL FEDERAL AWARD:	\$222,738.00

APPROVED BUDGET FOR PROJECT		
CATEGORY	TOTAL PROJECT COSTS	
PERSONNEL		\$119,238.00
CONSULTANT/CONTRACT		\$25,500.00
TRAVEL		\$4,500.00
SUPPLIES/OPERATING		\$20,500.00
EQUIPMENT		\$32,500.00
TRAINING		\$20,500.00
PLANNING		
OTHER		
FEDERAL GRANT FUND TOTAL		\$222,738.00
SUB-GRANTEE MATCH - CASH/IN-KIND		\$222,738.00

This award is subject to the requirements (federal, program and financial assurances) established by the federal government and Division of Emergency Management, Nevada Department of Public Safety. This award is subject to availability of federal funding.

Special Conditions: (If Applicable) This project is approved subject to such conditions or limitations as set forth on the attached page(s).

AGENCY APPROVAL	SUBGRANTEE ACCEPTANCE
 Frank S. Siracusa, Chief Name and Title of Appointing Official	 Carolyn Levering, Emergency Manager Name and Title of Appointing Official
X X	X X
Signature of Approving Official Date: 1-16-09	Signature of Approving Official Date: 3/4/09

Form: OEM-001

Mayor OSCAR B. GOODMAN

APPROVED AS TO FORM

James B. Lewis
Deputy City Attorney

COPY

Attest: By
BEVERLY K. BRIDGES, CMC, City Clerk

FEDERAL ASSURANCES

The applicant hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars No. A-21, A-110, A-122, A-133, A-87; E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common rule, that govern the application, acceptance and use of federal funds for this federally-assisted project. Also the applicant assures and certifies that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information may be required.
2. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.
3. It will comply with provisions of federal law which limit certain political activities of employees of a state or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants. (5 USC 1501, et seq.)
4. It will comply with the minimum wage and maximum hour's provisions of the Federal Fair Labor Standards Act
5. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
6. It will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
7. It will comply with all requirements imposed by the federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
8. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
9. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

10. It will assist the federal/state grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 USC 569a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of Investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the federal/state grantor agency of the existence of any such properties and by (b) complying with all requirements established by the federal/state grantor agency to avoid or mitigate adverse effects upon such properties.

11. It will comply, and assure the compliance of all its sub-grantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1; and all other applicable federal laws, orders, circulars, or regulations.

12. It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.

13. It will comply, and all its contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C,D,E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39.

14. In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.

15. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.

16. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

FEDERAL CERTIFICATIONS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug- Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when determination is made to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;

(b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Department of Homeland Security. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above assurances and certifications.

NAME: OSCAR B. GOODMAN TITLE: MAYOR

SIGNATURE:  DATE: 3/4/09

*** Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate**

APPROVED AS TO FORM 2/18/09

James B. Lewis
Deputy City Attorney

Attest: By 
BEVERLY K. BRIDGES, CMC, City Clerk

DIVISION OF EMERGENCY MANAGEMENT FINANCIAL ASSURANCES

The applicant hereby assures compliance with the following conditions as part of the Notice of Grant Award:

1. A quarterly financial report with supporting documentation shall be submitted to the Division of Emergency Management (DEM) no later than 30 days following the close of each quarter of the grant period. All equipment requested must be on the approved equipment list (AEL). Late reports, unless approved by DEM, could delay reimbursement.

Reports consist of:

- A) Division of Emergency Management Quarterly Financial Report
- B) Quarterly Work Plan

All documents used for reporting are provided by DEM

2. The final Financial Report must be submitted to DEM no later than 60 days following the end of the grant period. Late reports, unless approved by DEM, could result in non-payment of the final claim.

3. Grantee/Sub-grantee understands that, except for extraordinary circumstances that will be handled on a case by case basis, requests to transfer funds between budget categories, or requests to purchase items not previously authorized will not be approved. Written approval must be obtained from the DEM prior to the transfer of funds between budget categories or the expenditure of funds for newly identified items. Requests must be made on the Project Change Request form. The Project Change Request form must be accompanied by a Revised Budget Detail/Expenditure Balance spreadsheet.

4. Grantee/Sub-Grantee understands that the Quarterly Progress Summary will be submitted with the Quarterly Financial Report at the end of each quarter.

5. Grant revenue and expenditure records must be maintained and made available to the DEM for audit.

6. DEM retains the right to terminate this grant, for cause, at any time before completion of the grant period when it has determined that the grantee/subgrantee has failed to comply with the conditions of this agreement.

7. Financial management must comply with the requirements of OMB Circulars A-102 or A-110, whichever is applicable to your organization, and which are incorporated into this agreement by reference.

8. All grant expenditures are to be reasonable and allowable in accordance with OMB Circular A-21, A-87, or A-122, whichever is applicable to your organization, and which are incorporated into this agreement by reference.

9. Grantee/Sub-grantee shall comply with the audit requirements of the Single Audit Act Amendment of 1986 and OMB Circular A-133, which is incorporated into this agreement by reference, to include the required submission of the most recent annual independent audit, as prescribed in sections 310 and 315 and section 320, paragraph f.

10. Required documentation for the performance of internal audits must be provided upon DEM request within 30 days. Grant closeout is contingent upon DEM audit and resolution of any discrepancies.

11. *Dedication of a Minimum of 25% of Funds towards Planning Activities*

In FY 2008, grantees are required to apply no less than 25 percent of their EMPG grant award toward planning activities. Examples of allowable planning costs for the individual EMPG activities can be found at <http://www.fema.gov/grants>.

12. NIMS compliance see attached appendix A

NAME: OSCAR B. GOODMAN TITLE: MAYOR

SIGNATURE: [Signature] DATE: 3/4/09

** Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate.*

APPROVED AS TO FORM
[Signature]
Date 2/18/09
Lewis
County Attorney

Attest: By [Signature]
BEVERLY K. BRIDGES, CMC, City Clerk

DIVISION OF EMERGENCY MANAGEMENT PROGRAM ASSURANCES

The applicant hereby assures compliance with the following conditions as part of the Notice of Grant Award:

1. A quarterly program report shall be submitted to the Division of Emergency Management (DEM) no later than 30 days following the close of each quarter of the grant period. Late reports, unless approved by DEM, could delay reimbursement.

Reports consist of:

- A) Division of Emergency Management Quarterly Financial Report
- B) Quarterly Work Plan

All documents used for reporting are provided by DEM

2. A completed Project Plan form shall be submitted to DEM prior to any grant funds being encumbered or expended, but in any event no later than 60 days following grant award. Late submission could result in delay of reimbursement, and failure to comply could result in non-payment of reimbursement claims.
3. The final Program Report must be submitted to DEM no later than 60 days following the end of the grant period. Late reports, unless approved by DEM, could result in non-payment of final claim.
4. DEM retains the right to terminate this grant, for cause, at any time before completion of the grant period when it has determined that the grantee has failed to comply with the conditions of this agreement.
5. Any publication, invention, patent, photograph, negative, book, drawing, record, document, or other material prepared by the grantee/sub-grantee in the performance of its obligations under this grant shall be the exclusive property of the State of Nevada and all such material shall be returned to the state upon completion or termination of this grant.
6. If this grant funds any form of written or visual material that identifies employees of DEM, prior approval must be obtained from the DEM before publishing or finalization.
7. The grantee/sub-grantee shall neither assign, transfer nor delegate any rights, obligations or duties under this Notice of Grant Award without prior approval of the DEM.
8. Grantee/sub-grantee agrees to indemnify, save and hold the state, its agents and employees harmless from any and all claims, causes of action or liability arising from the performance of this agreement by grantee/sub-grantee or its agents or employees.
9. **All training funded by DHS grants must be pre-approved by the State DEM Training Officer. All equipment purchased with DHS grant funding must be on the approved DHS authorized equipment list.**

10. In accordance with the Statewide Investment Justifications all funding granted from the State Administrative Agency (SAA) must be applied statewide with appropriate sub-grants memorialized with appropriate memorandum of understanding (MOU's).

NAME: OSCAR B. GOODMAN TITLE: Mayor
SIGNATURE:  DATE: 3/4/09

** Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate.*

APPROVED AS TO FORM


James B. Lewis
Deputy City Attorney

2/18/09
Date

Attest: By


BEVERLY K. BRIDGES, CMC, City Clerk

EMPG Federal Fiscal Year 2009 A

Emergency Manager: XXXXXXXXXXXXXXXX, Jurisdiction Name Here

State Project #	Emergency Management Function (EMF)	Required Activities	Start Date	Finish Date	Activity Mark all that Apply (x)					
					Personnel	Operating/Supplies	Travel	Planning	Equipment	Training
9	4.5.5	Continuity of operations plans (COOP) shall identify and describe how essential program functions will be continued and recovered in an emergency or disaster. The plan(s) shall identify essential positions and lines of succession, and provide for the protection or safeguarding of critical applications, communications resources, vital records/databases, process and functions that must be maintained during response activities and identify and prioritize applications, records, processes and functions to be recovered if lost. Plan(s) shall be developed for each organization performing essential program functions. The plans address alternate operating capability and facilities.	10/01/08	09/30/09						
10	4.7.3	The program shall ensure all personnel with an emergency response role receive training on its incident management system.								
11	4.8.1	The program has a resource management system that includes implementing procedures that address the identification, location, acquisition, storage, maintenance and testing, timely distribution and accounting for services and materials to address the hazards identified by the program.								
22	4.13.1	The program has a formal, documented training program composed of training needs assessment, curriculum, course evaluations and records of training. The training needs assessment shall address all personnel with responsibilities in the program, including key public officials.								
16	4.10.3	The program has developed and maintains a plan to initiate, receive and/or relay warnings to alert key decision makers and emergency personnel. This capacity has been designed for the specific hazards and requirements of the jurisdiction's potential operating environments, and includes redundancy to provide alternative means of notification in case of failure in primary system(s).								
21	4.12.1	The program has a primary and alternate facility capable of coordinating and supporting sustained response and recovery operations consistent with the program's risk assessment.								
19	4.11.2	Procedures shall reflect operational priorities including life, safety, health, property protection, environmental protection, restoration of essential utilities, restoration of essential functions and coordination among all levels of government.								
29	4.15.5	The program provides for information and education to the public concerning threats to life, safety and property. These activities include information about specific threats, appropriate preparedness measures and actions to mitigate the threats including protective actions. Public outreach activities are initiated to ensure that diverse populations are appropriately advised.								
8	4.5.1	The program shall have activities to identify, interdict and/or prevent incidents.								
** Total Amount of Planning Activities Must Equal 25% of Funding										