

**INTERLOCAL AGREEMENT BETWEEN CLARK COUNTY AND THE CITY
OF LAS VEGAS , REGARDING THE DESIGNATION OF CLARK COUNTY AS
THE APPLICANT/FISCAL AGENT, PURSUANT TO THE EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY2014
AWARD**

This Interlocal Agreement is made and entered into this ____ day of _____, 2014, by and between Clark County ("County"), acting by and through its governing body, and the City of Las Vegas ("City"), acting by and through its governing body. The County and City may hereinafter be referred to individually as a "Party" collectively as the "Parties."

RECITALS

WHEREAS, The County and City are each lawful political subdivisions of the State of Nevada.

WHEREAS, There are grant funds available to the Parties under the FY2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program ("JAG Program") in the combined amount of \$1,004,322 ("Grant Funds") for "the support of all components of the criminal justice system, from multi-jurisdictional drug and task forces to crime prevention and domestic violence programs, courts, corrections, treatment and justice information sharing initiatives. JAG funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes and procedures," (*quoting*, Overview of Edward Byrne Memorial Justice Assistance Grant, (JAG) Program: Local Solicitation CFDA #16.738).

WHEREAS, The Parties have communicated and expressed a collective desire to apply for the Grant Funds through the JAG Program.

WHEREAS, The Parties were certified by the Director of the Bureau of Justice Assistance as a JAG Disparate Jurisdiction, and because of this certification, the Parties must identify an applicant/fiscal agent that will submit a joint application to the

Department of Justice, Office of Justice Program's Bureau of Justice Assistance ("BJA") for joint funds.

WHEREAS, The Parties intend for this Agreement to identify the applicant/fiscal agent of Grant Funds, as well as to determine the proper administration for the Grant Funds, including the procedure for the distribution and monitoring of the Grant Funds, mandates regarding the permitted and prohibited use of Grant Funds pursuant to the FY2014 JAG Program, timetables for the submission of relative reports pursuant to the rules of the FY2014 JAG Program, and general oversight of the Grant Funds.

AGREEMENT

I. Identification of the Applicant/Fiscal Agent for the Grant Funds.

The Parties hereby agree that **Clark County** is the Applicant/Fiscal Agent of the Grant Funds for purposes of the FY2014 Edward Byrne Memorial Justice Assistance Grant Formula Program.

II. Allocation of JAG Funds for Each Required Party

The Parties hereby acknowledge and agree to allocate funds to recipients and sub recipients in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: FY2014 Local Solicitation (attached hereto at Exhibit 1) and any other rules and regulations promulgated by the Department of Justice following approval of the joint application by execution of grants and agreements in accordance with the terms hereof. Funding listed below shall be in accordance with the budget narrative from the final Edward Byrne Memorial JAG FY2014 Local Solicitation grant application submission to the Department of Justice:

A. City of Las Vegas Project and Recommended Allocation:

1. The City of Las Vegas Municipal Court - \$120,000 to fund the Las Vegas Adult Drug Court Programs, which will provide, for its nonviolent offenders, residential and outpatient treatment services for substance abuse and mental health issues; housing in sober living environments; drug and alcohol testing supplies and equipment; and vocational and educational activities.

The total recommended funding allocation for the City of Las Vegas applications and administration is: \$120,000.

B. Clark County Projects and Recommended Allocations:

1. Clark County District Attorney - \$240,000 for costs associated with compensating two existing gang crime prosecutors for the Clark County District Attorney's Gang Unit.
2. Southern Nevada Police Athletic League - \$25,870 to fund operations of a Neighborhood Tennis Academy, through which at-risk youth will be able to participate in a tennis program, which offers not only tennis instruction, but Leadership and Resiliency training, anti-gang and other self-development skills and academic tutoring.
3. Project REAL (Play by the Rules) - \$20,082 for personnel costs, teacher/law enforcement training for Clark County, promotional events and contractual costs for program publications. Play by the Rules is primarily a Nevada middle school program taught by law enforcement/teacher teams to teach youth how to gain practical 'daily life' knowledge about state-specific laws,

possible sanctions for breaking state laws and how to acquire important life skills that can help youth refrain from participating in gang and other criminal activities.

4. Project REAL (Your Day in Court) - \$23,000 to sustain compensation for transportation for participants to the US District Courthouse and Regional Justice Center, student guidebooks and relative postage costs. The Your Day in Court program offers students of all ages the opportunity to tour local, state, and federal courthouses, so that the students can learn preventative tools to help them refrain from gang and other criminal behavior.
5. Las Vegas Metropolitan Police Department - \$95,000 to fund body worn cameras (BWCs) to two (2) additional area commands. Citizens are concerned about police misconduct, misuse of authority, and offensive behaviors. By installing BWC the number of citizens' complaints against police officers will decrease.
6. Family and Child Treatment- \$40,000 to fund program operations to support its Teen Crisis Intervention Program which provides victims services and support services to children and teens who are victims of child prostitution and/or sex trafficking in Las Vegas/Clark County area.
7. Clark County Department of Juvenile Justice Services - \$70,000 to fund the Probation Division who is responsible for the supervision and treatment of youth adjudicated as delinquent. The majority of these offenders are court ordered to complete community service as a restorative justice component of their case plan.

8. Boys & Girls Clubs of Las Vegas - \$65,000 to fund personnel and operations for the SMART Moves program, which provides youth referred by law enforcement agencies and intervention organizations, with gang awareness and resistance, conflict resolution and positive peer training.
9. The Embracing Project - \$65,000 to fund operations for the FREE to Choose program which provides support services to identify or unidentified commercially sexually exploited children and youth between the ages of 12-21.
10. Clark County Eighth Judicial District Court - \$80,000 to fund a specialty court coordinator who will: a.) screen and assess referred defendants for appropriateness and appropriate level of care; b.) provide case management services that include coordinating placement in treatment programs and referrals to ancillary services; and c.) provide the presiding Court Judge and team information necessary to make effective responses to participants' behavior.
11. Mesquite Police Department - \$9,000 to purchase body cameras for use by patrol officers. Camera footage will provide an objective record of incidences and provide irrefutable evidence in the courtroom.
12. Justice Court, Las Vegas Township - \$40,000 to provide inpatient substance abuse treatment services for its Drug Court program participants who require that level of care to become drug-free and remain crime-free.

13. Clark County Law Foundation - \$20,000 to fund program operations for the Trial By Peers Program. This program is used as an alternative for first and some second-time juvenile offenders. This program provides juveniles with hands-on experience within the legal system.
14. Clark County Department of Family Services - \$50,000 to operate the Parenting Project which will expand evidence-based parent education services in Clark County for court-referred agency referred parents and families.
15. Purple W.I.N.G.S. Organization- \$33,870 to operate the Project Angel program, which assists at-risk girls, particularly those facing the challenges of poverty, failing or dropping out of school, promiscuity, sex-trafficking, the sex-trade industry, violence and other negative influences.
16. Clark County - \$7,500 for administration of the FY2014 JAG grant, which also includes management and training activities.

The total recommended funding allocation for Clark County applications is: \$884,322.

III. Rules and Procedures for Administration of the JAG Program

It is the responsibility for every sub-recipient of this grant to become familiar and comply with the requirements from the Department of Justice. Failure by any recipient to so execute will preclude Clark County from submitting required reports to the Department of Justice, which may result in loss of all funds for all eligible entities. Clark County, as fiscal agent, has established the following rules and procedures for the administration of the JAG Program in order to ensure compliance with United States Department of Justice, Bureau of Justice Assistance requirements:

1. City of Las Vegas and Sub-recipients shall use the funds from this grant solely for the purposes listed in the grant application for “state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and criminal justice information systems for criminal justice that will improve or enhance such areas: Law enforcement programs, Prosecution and court programs, including indigent defense, Prevention and education programs, Corrections and community corrections programs, Drug treatment and enforcement programs, Planning, evaluation, and technology improvement programs, Crime victim and witness programs (other than compensation),” (*quoting*, Program Areas of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2014 Local Solicitation).
2. City of Las Vegas and Sub-recipients shall agree that funds received from this grant “be tracked, accounted for, and reported on separately from all other funds. Additionally, federal funds cannot be used as match for other federal

awards.” Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of FY2014 Local JAG funds. The accounting systems of all recipients and sub-recipients must ensure that funds from any award under this solicitation are not commingled with funds from any other source. Misuse of grant 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 a grant, and civil and/or criminal penalties. Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose. “Supplanting is prohibited under JAG,” (*quoting*, Supplanting, Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2014 Local Solicitation).

3. City of Las Vegas and Sub-recipients agree that all funding recipients that propose to hold or sponsor conferences (including meetings, training and other similar events) shall minimize costs. This requires the Office of Justice Program (OJP) to review and provide prior written approval of most conference costs for cooperative agreement recipients (and certain costs for grant recipients). “OJP generally prohibits the use of funding to provide food and beverages at conferences,” (*quoting*, Minimization of Conference Costs, Edward Byrne Memorial Justice Assistance (JAG) Program FY2014 Local Solicitation).
4. City of Las Vegas and Sub-recipients agree to provide Clark County with programmatic and fiscal reports no later than **five calendar days after the**

end of each calendar quarter to comply with the grant guidelines. “In order to be eligible to receive funds under this solicitation, applicants must certify that they will satisfy the reporting requirements, which requires detailed reporting (including reporting on sub-awards) not later than ten calendar days after the end of each calendar quarter,” (*quoting*, Eligibility of Edward Byrne Memorial Justice Assistance Grant).

a. Recipient Reports- Not later than 10 days after the end of each calendar quarter, each recipient that received grant funds shall submit a report to that agency that contains--

- (1) the total amount of federal funds received from that agency;
- (2) the amount of federal funds received that were expended or obligated to projects or activities; and
- (3) a detailed list of all projects or activities for which federal funds were expended or obligated, *including--*

- (A) the name of the project or activity;
- (B) a description of the project or activity;
- (C) an evaluation of the completion status of the project or activity;
- (D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
- (E) for infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made

available under this Program, and name of the person to contact at the agency if there are concerns with the infrastructure investment.

(F) detailed information on any subcontracts or sub-grants awarded by the recipient shall include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting of awards \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any first-tier sub-awards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier sub-recipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding sub-awards will be made through the FFATA Sub-award Reporting System (FSRS), found at www.fsrs.gov/.

- b. Applicants should anticipate that no sub-award of an award made under this solicitation may be made to a sub-recipient (other than an individual) unless the potential sub-recipient acquires and provides a Data Universal Numbering System (DUNS) number.
- c. If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) the head of the

department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

- d. FY2014 Local Justice Assistance (JAG) grant recipients may expect that the information posted by Office of Justice Programs (OJP) will identify grantees that are delinquent in their reporting. In addition, in keeping with standard OJP practice, grant recipients who do not submit required reports by the due date will not be permitted to drawdown funds thereafter, during the pendency of the delinquency, and may be subject to other appropriate actions by OJP, including, but not limited to, restrictions on eligibility for future OJP awards, restrictions on draw-down on other OJP awards, and suspension or termination of the award. Funding recipients may expect that a standard form and/or reporting mechanism may be available. Additional instructions and guidance regarding the required reporting will be provided as they become available.

IV. Distribution of the Grant Funds

The distribution of the Grant Funds, in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: FY2014 Local Solicitation (attached hereto at Exhibit 1) and any other rules and regulations promulgated by the Department of Justice shall be as follows:

1. Prior to any disbursement of grant funds, each sub-recipient must provide written proof of a DUNS number and registration in the CCR database.

Failure to provide written proof will result in forfeiture of the grant funds allocated to the sub-recipient.

2. City of Las Vegas and Sub-recipients shall submit to Community Resources Management the requests for reimbursement for each month by the 20th day of the following month.
3. Report templates to be completed by City of Las Vegas and Sub-recipients, will be provided by Clark County. Reports and reimbursement requests may be submitted electronically to the fiscal agent.
4. Failure to submit programmatic and financial reports no later than **five calendar days after the end of each calendar quarter may result in the forfeiture of the grant allocation to City of Las Vegas and Sub-recipient.**
5. City of Las Vegas and Sub-recipients will allow a designated representative of the fiscal agent to monitor, at any time or place, the programmatic and fiscal activities as they relate to this grant. Failure to comply will result in the forfeiture of the grant allocation and will require that the parties come to a consensus of how the forfeited funds will be redistributed.
6. A quarterly meeting will be scheduled by the parties after the end of each calendar quarter to ensure that all City of Las Vegas and Sub-recipient reports have been submitted, provide updated reporting requirements, or to reallocate forfeited funds.
7. The fiscal agent will prepare a budget modification that will be submitted with the fiscal and programmatic reports, as required by the Byrne Memorial Justice Assistance Grant. Upon approval of the written budget modification

by the Department of Justice, the redistributed funds will be available.

8. The interest earned on the above project revenues will be split
as follows: Mesquite Police Department's application shall receive the first
\$9,375; thereafter City of Las Vegas-Adult Drug Court Program and the
Metropolitan Police Department will evenly split interest earned.

Failure by any Party to so execute will result in the forfeiture of the grant allocation to the sub-recipient.

V. Agreement Liability

Nothing in the performance of this Agreement shall impose any liability for claims against the City of Las Vegas other than claims for which liability may be imposed by the Tort Claims Act.

VI. Party Responsibilities

Each Party of this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other Party.

VII. Third Party

The Parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

VIII. Party Obligations

By entering into this Agreement, the Parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

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IN WITNESS WHEREOF, the recipients have set their hands the day and year last written below.

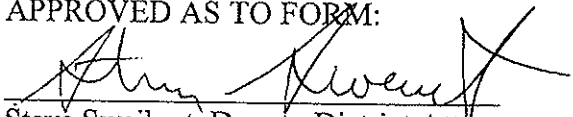
CLARK COUNTY

By: _____
Steve Sisolak, Commission Chair Date

ATTEST:

Diana Alba, County Clerk

APPROVED AS TO FORM:



Steve Sweikert, Deputy District Attorney

IN WITNESS WHEREOF, the Parties have set their hands the day and year last written below.

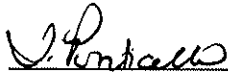
CITY OF LAS VEGAS

By: _____
Carolyn G. Goodman, Mayor Date

ATTEST:

Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:



Teresita L. Ponticello, Chief Deputy City Attorney

EXHIBIT 1**Edward Byrne Memorial Justice Assistance Grant**

2014 Justice Assistance Grant		
CFDA# 16.738		
Organization	Amount Requested	Amount Recommended
Mesquite Police Department	\$18,375	\$9,000
Justice Court-Las Vegas Township	\$108,000	\$40,000
Clark County Dept. of Family Services	\$117,846	\$50,000
Clark County District Attorney	\$373,522	\$240,000
Police Athletic League	\$32,525	\$25,870
Clark County Dept. of Juvenile Justice Services	\$80,870	\$70,000
Purple WINGS	\$65,520	\$33,870
Metropolitan Police Dept.	\$200,576	\$95,000
Family and Child Treatment	\$127,815	\$40,000
Boys & Girls Club LV	\$166,164	\$65,000
The Embracing Project	\$129,134	\$65,000
Clark County Law Foundation	\$34,996	\$20,000
Project REAL-Play By the Rules	\$42,225	\$20,082
Project REAL-Your Day in Court	\$55,713	\$23,000
City of Las Vegas-Detention and Enforcement	\$30,100	\$0
City of Las Vegas-Adult Drug Court Program	\$371,512	\$120,000
Clark County 8th Judicial Drug Court	\$165,660	\$80,000
Administration (10% allowed)	\$100,432	\$7,500
Amount Available for Allocation= \$1,004,322	\$2,220,985	\$1,004,322

The LLEAC voted to apply any interest earned on the above project revenues to be :

\$0

PAL and Play by Rules split funding if no financials from Purple WINGS and Embracing Project. Within the next 5 calendar days.

Interest: Mesquite Police Department \$9,375, City of Las Vegas Muni Court, and The Las Vegas Metropolitan Police Department will divide the remaining balance evenly.