

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 FY-2020 AWARD

This Interlocal Agreement is made and entered into this ____ day of _____, 2020, 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" or 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 FY-2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program ("JAG Program") (2019-DJ-BX-0831) in the combined amount of \$922,213 ("Grant Funds"), in which the grant timeline is from October 1, 2018 to September 30, 2022, 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, and mental health programs. 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, 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

FY-2020 CLV ALLOCATIONS CC LEAD JAG 0831

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 FY2020 JAG Program, timetables for the submission of relative reports pursuant to the rules of the FY2020 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 and lead of the Grant Funds for purposes of the FY2020 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 subrecipients in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: FY2020 Local Solicitation (attached hereto at Attachment 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 FY2020 Local Solicitation grant application submission to the Department of Justice.

A. City of Las Vegas Projects and Recommended Allocations:

1. The City of Las Vegas Municipal Court - \$132,240 to fund the Specialty Court Program, which will provide for a six-step specialty court program to reduce crime and recidivism and increase public safety in the identified target population. This target population consists of: veterans, homeless, prostitutes, DUI offenders, mentally ill, and 18-24 year old offenders with propensity to be involved in crime-based risky behavior.
2. The City of Las Vegas (West Las Vegas Arts Center) - \$24,795 to fund the Performance and Visual Arts Camp for Kids Program for “at risk” youth ages 10-15 years old. The program eliminates idle time for students who are vulnerable and might participate in gang activity, drug use, and crime.
3. The City of Las Vegas - \$3,500 for administration of the FY2020 JAG grant, which also includes management and training activities.

The total recommended funding allocation for the City of Las Vegas applications and administration is: \$160,535.

B. Clark County Projects and Recommended Allocations:

1. Clark County District Attorney - \$132,240 for costs associated with compensating two existing gang crime prosecutors for the Clark County District Attorney’s Gang Unit. The attorneys of the Clark County DA’s Gang Unit provide police agencies with primary contact for dealing with the majority of gang-related cases. Their specialization in these crimes and victims is an asset to both the office and its law enforcement partners, as the unit has enabled the office to obtain a multitude of felony

convictions and provided specific points of contact for information on gang-related questions for law enforcement and the community

2. Southern Nevada Police Athletic League - \$20,663 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 Inc. – (Project REAL) \$49,590 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 and 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. Clark County Department of Juvenile Justice Services - \$28,928 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.
5. Boys & Girls Clubs of Las Vegas - \$41,325 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.

6. The Embrace Project - \$78,518 to fund operations for the FREE to Choose program which provides support services to commercially sexually exploited children and youth between the ages of 12-21.
7. Clark County 8th Judicial District Court - \$59,872 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.
8. Hookers for Jesus - \$20,663 to provide crisis counseling, individual and group therapy, job skills training, mentoring, educational seminars and workshops, and access to wide variety of community resources intended to promote healing and restoration for sexual assault victims ages 18 to 50.
9. Clark County Law Foundation - \$15,322 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.
10. Clark County Department of Family Services - \$27,901 to operate the Parenting Project which will expand evidence-based parent education services in Clark County for court-referred agency referred parents and families.
11. Family and Child Treatment of So. Nevada, Inc. - \$49,745 to provide professional mental health outpatient counseling, intervention, advocacy services, victims' services,

and support services to children and teens who are victims of child prostitution and/or sex trafficking in Las Vegas/Clark County.

12. Nevada Child Seekers - \$42,183 to operate the Case Management Services Program which plays an integral role in assisting to rescue children from child trafficking, abduction, gangs, and drugs. Nevada is one of the nation's most transient states.
13. Vision Theatrical Foundation, Inc. - \$43,423 to fund a program which presents real life and death situations that children ages 8 to 18 years old face daily, such as: school violence, drug abuse, teen pregnancy, gang and domestic violence, and teen suicide.
14. Mesquite Police Department - \$12,398 to purchase a box camera and cradle point finder to assist with solving crimes and identifying crimes that are not being reported such as drug deals, graffiti, thefts, vehicles burglaries, vandalism, property drug deals, gang related activities, and sexual assault.
15. Boys Town Nevada - \$20,663 to provide support services focusing on safety of the youth/family and community, reducing youth delinquent behaviors, and replacing with positive behaviors.
16. Awareness Is Prevention - \$20,663 to develop and provide formal education programs custom made for various audiences, such as law enforcement agencies, teachers, social workers, counselors, principals, students, and their parents/caregivers, as well as homeless youth.
17. National Incident-Base Reporting System (NIBRS) - \$27,666 to achieve the FBI's goal that by January 1, 2021, the FBI intends for NIBRS to be the law enforcement crime data reporting standard for the nation.

18. Clark County Administration - \$69,915 for administration of the FY2020 JAG grant, which also includes management and training activities.

The total recommended funding allocation for Clark County applications and administration is: \$761,678.

III. Rules and Procedures for Administration of the JAG Program

It is the responsibility for every Subrecipient 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 Subrecipients 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, and mental health programs (other than compensation)”, (*quoting*, Program areas of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2020 Local Solicitation).

2. City of Las Vegas and Subrecipients 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 FY2020 Local JAG funds. The accounting systems of all recipients and subrecipients 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 FY2020 Local Solicitation).
3. City of Las Vegas and Subrecipients 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 FY2020 Local Solicitation). Due to Covid-19 all in-person meetings, training, and other similar events have been placed on hold.

4. City of Las Vegas and Subrecipients agree to provide Clark County with programmatic, quarterly time-sheets, 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 require detailed reporting (including reporting on sub-awards) no later than ten calendar days after the end of each calendar quarter”, (*quoting*, Eligibility of Edward Byrne Memorial Justice Assistance Grant).

a. Recipient Reports - No 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) 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 subrecipients. 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/.

(F) Subrecipient shall comply with the requirements of the 2 CFR Chapter II, Part 200, entitled “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” and its relevant sub parts as they are related to the use of the JAG Funds by Subrecipient, and is subject to the current federal regulations as may be amended.

- b. Applicants should anticipate that no sub-award of an award made under this solicitation may be made to a Subrecipient (other than an individual) unless the potential Subrecipient 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. FY2020 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: FY2020 Local Solicitation (attached hereto at Attachment 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 Subrecipient 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 Subrecipient.

2. City of Las Vegas and Subrecipients shall submit to Community Resources Management the requests for reimbursement for each month, by the 20th day after the end of each calendar quarter.
3. Report templates to be completed by City of Las Vegas and Subrecipients, will be provided by Clark County. Reports and reimbursement requests may be submitted electronically to the fiscal agent via ZoomGrants.
4. Failure to submit programmatic, quarterly time-sheets, 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 Subrecipients 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 WebEx meeting may be scheduled by the parties after the end of each calendar quarter to ensure that all City of Las Vegas and Subrecipient 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 allocated as follows: Vision Theatrical Foundation and Boys Town Nevada and shall receive interest earned evenly.

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 Parties have set their hands the day and year last written below.

CITY OF LAS VEGAS

CLARK COUNTY

Carolyn G. Goodman, Mayor Date

Marylin Kirkpatrick, Chair Date

ATTEST:

ATTEST:

LuAnn D. Holmes, City Clerk Date

Lynn Goya, County Clerk Date

APPROVED AS TO FORM:

APPROVED AS TO FORM:

John S. Ridilla 11/23/2020
Deputy City Attorney Date

Steven Sweikert 10-21-20
Steven Sweikert, Date
Deputy District Attorney

John S. Ridilla
Deputy City Attorney

ATTACHMENT 1

Local JAG FY-2019		DOJ allocation= \$922,213	
AGENCY NAME	LLEAC FY2019 ALLOCATIONS	17.35% Reduction (-)	DOJ FY2019 Allocation
Clark County District Attorney (Gang Unit)	\$160,000	(\$27,760)	\$132,240
City of Las Vegas Municipal Court (Specialty Substance Reduction)	\$160,000	(\$27,760)	\$132,240
Project REAL (Youth Delinquency)	\$60,000	(\$10,410)	\$49,590
Boys and Girls Clubs of Southern Nevada (Bullying)	\$50,000	(\$8,675)	\$41,325
Clark County Dept. of Family Services (Parenting Project)	\$33,758	(\$5,857)	\$27,901
8th Judicial District Court (Felony DUI)	\$72,440	(\$12,568)	\$59,872
The Police Athletic League, Inc. (Juvenile Crime Reduction)	\$25,000	(\$4,338)	\$20,663
Clark County Law Foundation (Trial by Peers)	\$18,538	(\$3,216)	\$15,322
Hookers for Jesus (Human Trafficking Victims)	\$25,000	(\$4,338)	\$20,663
Family and Child Treatment of So. NV, Inc. (Teen & Child Trafficking)	\$60,188	(\$10,443)	\$49,745
Mesquite Police Department (Surveillance Equipment)	\$15,000	(\$2,603)	\$12,398
Clark County Dept. of Juvenile Justice Services (Youth Public Service Program)	\$35,000	(\$6,073)	\$28,928
Nevada Child Seekers (Endangered Children)	\$51,038	(\$8,855)	\$42,183
Boys Town Nevada (Youth Support Services)	\$25,000	(\$4,338)	\$20,663
Awareness is Prevention (Human Trafficking)	\$25,000	(\$4,338)	\$20,663
The Embracing Project (Services to Youth Victims)	\$95,000	(\$16,483)	\$78,518
City of Las Vegas -West Las Vegas Arts Center	\$30,000	(\$5,205)	\$24,795
Vision Theatrical Foundation	\$52,538	(\$9,115)	\$43,423
Subtotal	\$993,500	(\$172,372)	\$821,128
CC Admin Costs (10% Allowed)	\$70,000	(\$81)	\$69,919
CLV Admin Costs (10% Allowed)	\$3,500	-	\$3,500
NIBRS 3%	\$33,000	(\$5,334)	\$27,666
Subtotal	\$106,500	(\$5,415)	\$101,085
TOTAL	\$1,100,000	(\$177,787)	\$922,213

The LLEAC voted to apply any interest earned evenly on the below two projects: Vision Theatrical and Boys Town NV