C: Commonwealth's Attorney

City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

April 8, 2014

From: Gregory D. Underwood, Commonwealth's Attorney

Subject: Ordinance approving and accepting Violence Against Women V-STOP Program funds from the Virginia Department of Criminal Justice Services

Reviewed: Joseph Howell, Assistant to the City Manager

Ward/Superward: Citywide

Approved: Marcus D. Jones, City Manager

Item Number: **R-12**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Norfolk Commonwealth's Attorney office

III. **Description**

This agenda item is an Ordinance appropriating and authorizing the expenditure of grant funds in the amount of $46,392 and $89,153 in local matching funds from the Department of Criminal Justice Services.

IV. **Analysis**

Funds support the employment of an attorney for the prosecution of persons committing violent crimes against women. An advocate provides services to victims of violent crimes against women.

V. **Financial Impact**

This grant award application is for $135,545. $46,392 is funding from DCJS. $51,113 is the local cash match from the FY14 General Fund Operating Budget of the Office of the Commonwealth's Attorney. $38,040 is an in-kind match in the form of services by the Office of the Commonwealth's Attorney.

810 Union Street #1101 ▪ Norfolk, Virginia 23510
Phone: 757-664-4242 ▪ Fax: 757-664-4239

VI. Environmental:

N/A

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action:

N/A

IX. Coordination/Outreach

This letter has been coordinated with the Office of the City Attorney and the Office of Grants Management.

Supporting Material from the Office of the Commonwealth's Attorney:

- Ordinance
- Statement of Grant Award

3/3/14 - bjl

Form and Correctness Approved: RAW

By _____
Office of the City Attorney

Contents Approved:

By Gregory L Underwood
DEPT. Commonwealth Attorney's Office

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

$ 135,545 2275-120-8028-8910
Account

_____ 3/14/14
Director of Finance Date

NORFOLK, VIRGINIA

KMP 3/11/14

SA 3/14

ORDINANCE No.

AN ORDINANCE APPROVING A GRANT APPLICATION IN THE AMOUNT OF $135,545.00 TO THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF CRIMINAL JUSTICE SERVICES, TO SUPPORT THE CONTINUATION OF THE VIOLENCE AGAINST WOMEN V-STOP PROGRAM AND APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF $46,392.00 IN GRANT FUNDS AND $89,153.00 IN LOCAL MATCHING FUNDS FOR THE PROGRAM.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a grant application in the amount of $135,545.00 to the Commonwealth of Virginia, Virginia Department of Criminal Justice Services, for the continuation of the Violence Against Women V-STOP Program is hereby approved.

Section 2:- That $46,392.00 in grant funds are hereby appropriated and authorized to be expended for the V-STOP Program, if and when the funds are made available by the Virginia Department of Criminal Justice Services.

Section 3:- That local matching funds of $89,153.00 for the V-Stop Program are hereby appropriated and authorized to be expended for the V-STOP Program, if and when the funds are made available from the Norfolk's Commonwealth's Attorney's FY-14 budget.

Section 4:- That this ordinance shall be in effect from and after its adoption.

COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Garth L. Wheeler
Director

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
TDD (804) 386-8732

January 7, 2014

Mr. Marcus D. Jones
City Manager
City of Norfolk
810 Union Street, Ste. 1101
Norfolk, VA 23510

Title: - **Violence Against Women's Act (V-STOP)**

Dear Mr. Jones:

I am pleased to advise you that grant number **14-S9223VA13** for the above-referenced grant program has been approved for a total of $46,392 in Federal Funds and $89,153 in Matching Funds for a total award of $135,545.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Janice Waddy, Grants Administrator, at the Department of Criminal Justice Services (DCJS). Please review the conditions carefully; as some require action on your part before we will disburse grant funds.

Also, enclosed are the Post Award Instructions and Reporting Requirements. Please refer to and read this information carefully as it contains details on processing financial and progress reports, as well as requesting awarded funds. ***Remember all financial and progress reports, budget amendment requests and request for funds must be processed through our online Grants Management Information System (GMIS).***

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Patricia Foster at (804) 371-8634.

Sincerely,

Garth L. Wheeler

Enclosures

cc: The Hon. Gregory D. Underwood, Commonwealth's Attorney
Ms. Alice M. Kelly, Director of Finance
Ms. Patricia Foster, DCJS Monitor

Department of Criminal Justice Services

1100 Bank Street, 12th Floor, Richmond, VA 23219

Statement of Grant Award/Acceptance

Subgrantee: Norfolk City

Date: January 07, 2014

Grant Period:
From: 01/01/2014 **Through:** 12/31/2014

Grant Number: 14-S9223VA13

Project Director	Project Administrator	Finance Officer
The Hon. Gregory D. Underwood	Mr. Marcus D. Jones	Ms. Alice M. Kelly
Commonwealth's Attorney	City Manager	Director of Finance
City of Norfolk	City of Norfolk	City of Norfolk
800 E. City Hall Avenue, Ste. 600	810 Union Street, Ste. 1101	810 Union Street, Ste 600
Norfolk, VA 23510	Norfolk, VA 23510	Norfolk, VA 23510
Phone: (757) 664-4835	**Phone:** (757) 664-4242	**Phone:** (757) 664-4346
Email: gregory.underwood@norfolk.gov	**Email:** rmarcus.jones@norfolk.gov	**Email:** alice.kelly@norfolk.gov

Grant Award Budget

Budget Categories	DCJS Funds Federal	General	Special	Local	TOTALS
Travel	$0	$0	$0	$0	$0
Supplies/Other	$0	$0	$0	$0	$0
Personnel	$46,392	$0	$0	$89,153	$135,545
Indirect Cost	$0	$0	$0	$0	$0
Equipment	$0	$0	$0	$0	$0
Consultant	$0	$0	$0	$0	$0
Totals	$46,392	$0	$0	$89,153	$135,545

This grant is subject to all rules, regulations, and criteria included in the grant guidelines and the special conditions attached thereto.

Garth L. Wheeler

Garth L. Wheeler, Director

The undersigned, having received the Statement of Grant Award/Acceptance and the Conditions attached thereto, does hereby accept this grant and agree to the conditions pertaining thereto, this 18th **day of** FEB **, 20**14.

Signature: Marcus D. Jones

Title: CITY MANAGER

Department of Criminal Justice Services
1100 Bank Street, 12th floor
Richmond, Virginia 23219

For the V-STOP Grant Program -- Local Agencies		
Subgrantee: Norfolk City		**Grant Number: 14-S9223VA13**
	Federal Catalog Number: 16.588	
Title: VAWA Prosecution		**Date: January 7, 2014**

The following conditions are attached to and made a part of this grant award:

1. V-STOP funds may not be used to pay more than 75% of the costs of proposed projects. The remaining 25% or designated match must be provided by the applicant, in cash or in-kind. **All funds designated as match are restricted to the same uses as the V-STOP Program funds and must be reported and expended in the same period.** In-kind match must be documented in the same manner as grant funded activities. **All funds designated as match are restricted to the same uses as the V-STOP Program funds and must be expended in the same period.**

2. By signing the Statement of Grant Award/Acceptance, the grant recipient agrees:
   - To use the grant funds only to carry out the activities described in the grant application, as modified by the terms and conditions attached to this award or by subsequent amendments approved by DCJS;
   - To adhere to the approved budget contained in this award and amendments made to it in accordance with these terms and conditions;
   - And to comply with all terms, conditions and assurances either attached to this award or submitted with the grant application.

3. Grant funds, including matching funds, may only be expended and/or obligated during the grant period. All legal obligations must be fulfilled no later than 90 days after the end of the grant period.

4. The Subgrantee agrees that it and all its contractors will comply with the following federal civil rights laws as applicable:
   - Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in the delivery of services (42 USC § 2000d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C;
   - The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
   - Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
   - Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
   - Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54;
   - The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I; and
   - The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding for inherently religious activities (28 C.F.R. Part 38).
   - The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which prohibits discrimination in both employment and the delivery of services or benefits based on race, color, national origin, religion, and sex in JJDPA-funded programs or activities (42 U.S.C. § 5672(b)).
   - Section 1407 of the Victims of Crime Act (VOCA), as amended, which prohibits discrimination in both employment and the delivery of services or benefits on the basis of race, color, national origin, religion, sex, and disability in VOCA-funded programs or activities. (42 U.S.C. § 10604).

Statement of Grant Award Special Conditions (Continued)

Grant No: 14-S9223VA13

5. The Subgrantee agrees that 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.

6. By accepting this grant, the recipient assures that funds made available through it will not be used to replace state or local funds that would, in the absence of this grant, be made available for the same purposes.

7. The Subgrantee agrees to submit, by the specified deadlines, quarterly financial and bi-annual progress reports as well as any other necessary reports requested by DCJS on forms provided by DCJS. DCJS may withhold disbursement of grant funds if reports are not submitted as required. In addition to a project's implementation and performance, and the availability of funds, a key factor in determining eligibility for continuation funding will be compliance with grant financial and progress reporting requirements. **No current recipient of funding through this grant program will be considered for continuation funding if, as of the continuation application due date, any of the required financial and progress reports for the current grant are more than 30 days overdue.** For good cause, submitted in writing, DCJS will waive the provision.

8. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

9. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OVW.

10. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at http://www.ovw.usdoj.gov/grantees.html.

11. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/ or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at http://www.ovw.usdoj.gov/grantees.html.

12. The grantee agrees that grant funds will not support activities that compromise victim safety and recovery.

13. The grantee agrees that grant funds will not be used to support the development or presentation of a domestic violence, sexual assault, dating violence and/or stalking curriculum for primary or secondary schools. The grantee further agrees that grant funds will not be used to teach primary or secondary school students from an already existing curriculum.

14. The grantee agrees that grant funds will not be used to conduct public awareness or community education campaigns or related activities. Grant funds may be used to support, inform, and outreach to victims about available services.

15. Subgrantee may follow their own established travel rates if they have an established travel policy. If Subgrantee does not have an established policy, then they must adhere to state travel policy. The state allows reimbursement for actual reasonable expenses. Please refer to the following IRS website for the most current mileage rate: **http://www.irs.gov/taxpros/article/0,,id=156624,00.html**: Transportation costs for air and rail must be at coach rates.

16. Within 60 days of the starting date of the project, the Subgrantee must initiate the program funded. If not started during this period, **the Subgrantee must report to the DCJS**, by letter, the steps taken to initiate the project and the reasons for the delay, and the expected starting date. If the project is not operational within 90 days of the start date, the Subgrantee must receive approval in writing from DCJS for a new implementation date or DCJS may cancel and terminate the project and redistribute the funds to another program.

17. No amendment to the approved grant budget may be made without the prior written approval of DCJS. No more than two (2) budget amendments will be permitted during the grant period. Budget amendments must be requested through Grants Management Information System (GMIS). No budget amendments will be allowed after October 31st.

Statement of Grant Award Special Conditions (Continued)

Grant No: 14-S9223VA13

18. The recipient agrees to notify DCJS in writing within thirty (30) days of any hiring of or change in grant-funded personnel, or any change in the Project Administrator, Project Director or Finance Officer from the persons listed in the Grant Application. To provide the required notification to DCJS, the recipient agrees to complete and submit the DCJS Program Change/Update form available on the DCJS website at http://www.dcjs.virginia.gov/forms/sectionForms.cfm?code=9&program=victims

19. The Subgrantee agrees to forward a copy to DCJS of the scheduled audit of this grant award.

20. Acceptance of this grant award by a local government applicant constitutes its agreement that it assumes full responsibility for the management of all aspects of the grant and the activities funded by the grant, including assuring proper fiscal management of and accounting for grant funds; assuring that personnel paid with grant funds are hired, supervised and evaluated in accordance with the local government's established employment and personnel policies; and assuring that all terms, conditions and assurances—those submitted with the grant application, and those issued with this award—are complied with.

21. Any delegation of responsibility for carrying out grant-funded activities to an office or department not a part of the local government must be pursuant to a written memorandum of understanding by which the implementing office or department agrees to comply with all applicable grant terms, conditions and assurances. Any such delegation notwithstanding, the applicant acknowledges by its acceptance of the award its ultimate responsibility for compliance with all terms, conditions and assurances of the grant award.

22. All purchases for goods and services must comply with the Virginia Public Procurement Act. Procurement transactions, whether negotiated or advertised and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. An exemption to this regulation requires the prior approval of DCJS and is only given in unusual circumstances. Any request for exemption must be submitted in writing to DCJS.

23. PROJECT INCOME: Any funds generated as a direct result of DCJS grant funded projects are deemed project income. Project income must be reported on forms provided by DCJS. The following are examples of project income: Service fees; Client fees; Usage or Rental fees; sales of materials; income received from sale of seized and forfeited assets (cash, personal or real property included).

24. Subgrantee must submit a final report outlining the progress and accomplishments of the program on forms provided by DCJS.

25. DCJS will not disburse funds from this grant if any of the required Financial or Progress reports are overdue by more than 30 days unless you can show good cause for missing the reporting deadline.

26. DCJS will perform on-site monitoring as required. DCJS staff will notify Subgrantee in advance of the visit and forward a copy of the monitoring checklist in the notification.

27. The Subgrantee agrees that grant funds will not be used to conduct public awareness or community education campaigns or related activities. Grant funds may be used to support, inform and outreach to victims about available services.

28. Prior to DCJS disbursing funds, the Subgrantee must comply with the following special conditions:

COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Garth L. Wheeler
Director

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
TDD (804) 386-8732

NOTICE

To: Grants Project Administrator

From: Janice Waddy, DCJS Grants Administrator

Re: Post Award Instructions and Reporting Requirements
PLEASE READ VERY CAREFULLY.

☐ ***GRANT AWARD AND SPECIAL CONDITIONS***:
Please review your Award and Special Conditions very carefully. ***Pay attention to the last Special Condition listed. This Special Condition may require additional documentation from you before grant funds can be released.*** Sign and date the grant award acceptance and submit any Special Condition documentation to:

Grants Administration
Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, Virginia 23219

☐ ***REPORTING REQUIREMENTS***
By accepting the accompanying grant award, you are agreeing to submit on-line quarterly progress and financial reports for this grant throughout the grant period, as well as final reports to close the grant. **No eligible current recipient of funding will be considered for continuation funding if, as of the continuation application due date, any of the required Financial and Progress reports for the current grant are more than thirty (30) days overdue.** For good cause, submitted in writing by the grant recipient, DCJS may waive this provision.

Financial reports and ***progress reports**** are due no later than the close of business on the 12th working day after the end of the quarter ***(*except Offender Reentry and Transitional Services** *(formerly papis)* ***reports which are due by the last working day of the end of the following month). Also, V-STOP and Sexual Assault Grant Programs' progress reports are submitted on semi-annual basis 12th working day after 6/30 and 12/31 quarters.*** Reports are required even if no expenditures have occurred during the quarter.

Requests for Funds will not be honored from grant recipients who do not fulfill this reporting obligation. A schedule of due dates is also attached for your reference.

- ***PROGRESS REPORTS***
  Refer to our website: **http://www.dcjs.virginia.gov/** for submitting progress reports through the Grants Management Online Information System. In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by DCJS Grants Administration. You are required to use the on-line system to submit your progress reports. ***Paper copies of progress reports will no longer be accepted !***

- ***FINANCIAL REPORTS***
  Refer to our website for submitting financial reports through the Grants Management Online Information System. In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by DCJS Grants Administration. The address is http://www.dcjs.virginia.gov/grantsAdministration/gmis/index.cfm?menuLevel=4. ***Paper copies of the financial reports will no longer be accepted ! You are required to use the online system in reporting your expenditures.***

- ***REQUESTING GRANT FUNDS***
  Refer to our website for requesting funds through the Grants Management Online Information System. In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by DCJS Grants Administration. *Please note, you can access this system using the same password assigned for the on-line financial reporting system. The address is:
  http://www.dcjs.virginia.gov/grantsAdministration/gmis/index.cfm?menuLevel=4.
  You are required to use the online system for requesting funds.

- ***BUDGET AMENDMENTS***
  Budgets can be amended in most DCJS grant programs with prior approval. Please review your special conditions carefully to determine the requirements and procedures for amending budgets. Refer to our website for the Grants Management Online Information System.
  *Please note again that you can access this system using the same password assigned for the on-line financial reporting system. The address is:
  http://www.dcjs.virginia.gov/grantsAdministration/gmis/index.cfm?menuLevel=4. ***Paper copies of the Budget Amendments will no longer be accepted. You are required to use the on-line system for submitting budget amendments.***

If you have any questions, please contact Virginia Sneed (804) 786-5491 or by e-mail at virginia.sneed@dcjs.virginia.gov.

genpgms.

PROJECTED DUE DATES
FINANCIAL & PROGRESS REPORTS

*Reports are due by the 12th **working day** following the close of the period covered in the report. Financial and Progress Reports are required, even if no expenditures or progress has occurred.*

- ***All Financial reports** are required **quarterly***

- ***All Progress reports** are required as follows:*
  *Victim/Witness and VSDVVF- **Quarterly** (Period Ending 9/30, 12/31, 3/31, and 6/30).*
  *V-STOP- **Semi-Annual** (Period Ending 6/30 and 12/31) **and** CY **Annual** (Due 1/30)*
  *SAGP- **Semi-Annual** (Period Ending 6/30 and 12/31)*
  *SASP- CY **Annual** (Due 1/30)*

QUARTER ENDING	*DUE DATE*
3/31/2014	4/16/2014
6/30/2014	7/17/2014
9/30/2014	10/17/2014
12/31/2014	1/22/2015

Please contact the appropriate DCJS staff person if you need assistance with the following:

- Financial Reports and Requests for Funds- DCJS Fiscal Services Manager Bill Dodd at 804-371-0638 or bill.dodd@dcjs.virginia.gov
- GMIS- Complete and send an email to grantsweb@dcjs.virginia.gov citing the error message received, to request assistance from the GMIS Program Coordinator DeAndrea Williams
- CIMS or VSDVVF Reporting Software- IT Specialist Darwin Webb at 804-786-4576 or Darwin.webb@dcjs.virginia.gov
- Progress Reports and Other Requests- Your Assigned DCJS Grant Program Monitor