



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G20

#2008-272 - Approving 2008 Victim's Of Crime Act (VOCA) Grant Award

Staff Contact: Steve Lamken

Council Agenda Memo

From: Captain Peter Kortum, Police Department
Meeting: September 23, 2008
Subject: 2008 VOCA Grant Award
Item #'s: G-20
Presenter(s): Steve Lamken, Chief of Police

Background

The Grand Island Police Department has been awarded a 2008 Victim's Of Crime Act (VOCA) Grant in the amount of \$27,907 from the Nebraska Commission on Law Enforcement and Criminal Justice. The city and county share the match (cash and in-kind) for this grant in the amount of \$6,977, which the city share of the cash amount was an expense approved in the 2008-2009 FY Budget. The program period for this grant is from 10-1-08 through 9-30-09.

Discussion

A requirement for acceptance of the grant is that the grant award be signed by the Mayor and the special conditions page be agreed to and signed by the Mayor. The Grand Island Police Department is requesting that the listed grant award be signed for acceptance of the award.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the award and accept the VOCA grant funds.
2. Send to committee for further discussion.
3. Table for more discussion.
4. Take no action.

Recommendation

City Administration recommends that the Council approve the award and accept the 2008 VOCA grant funding in the amount of \$27,907.

Sample Motion

Move to approve the award and accept the 2008 VOCA grant funding.

**Nebraska Commission
on Law Enforcement
and Criminal Justice**

Grant Award

| | | | |
|--|---|--------------------------------|------------------|
| Subgrantee City of Grand Island | Grant Number 08-VA-225 | Date of Award July 25, 2008 | CFDA # 16.575 |
| Project Title Grand Island/Hall Co VA Program | Grant Amount Federal <u>\$27,907</u> Match <u>\$ 6,977</u> Total <u>\$34,884</u> | | |

Approved Budget For Project

| CATEGORY | FEDERAL SHARE | MATCH SHARE | TOTAL PROJECT COST |
|-------------------------------|---------------|-------------|--------------------|
| Personnel | \$27,907.00 | \$6,977.00 | \$34,884.00 |
| Consultants/Contracts | | | |
| Travel | | | |
| Supplies/Operating/Expenses | | | |
| Construction/Equipment Rental | | | |
| Equipment | | | |
| Other | | | |
| Total Amount | \$27,907.00 | \$6,977.00 | \$34,884.00 |
| % Contribution | 80% | 20% | 100% |

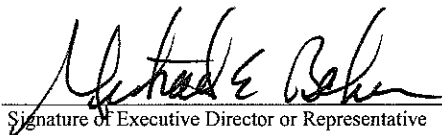
This award is subject to the General and Fiscal Conditions established by the Nebraska Commission on Law Enforcement and Criminal Justice and to the and Criminal Justice and to the special conditions enclosed with this award is indicated below.

The grant period will be from October 1, 2008 to September 30, 2009 except as authorized by the Commission. To be a valid grant, this Grant Award must be signed and returned to the Commission within 30 days of receipt. Subgrantees will retain the Pink copy.

The subgrantee hereby attests and affirms that the required cash match will be designated, appropriated, and expended for the project within the duration of the Grant period.



This award is subject to special conditions (enclosed).


Signature of Executive Director or Representative

Michael E. Behm, Executive Director

Typed Name and Title

9/15/08
Date


Signature of Project Director

Peter Kortum, Captain

Typed Name and Title

9-18-2008
Date

Signature of Authorized Official
(Mayor, County Board Chairman, Chair of non-profit Board etc.)

Margaret Hornady, Mayor

Typed Name and Title

Date


Signature of Financial Officer
(County Treasurer, City Clerk, etc.)

Romona Kelly, Office Manager

Typed Name and Title

Date

9-18-2008

Subgrant Special Conditions

Distribution:

Original to Commission
One copy to Subgrantee

| | |
|--|--|
| Subgrantee: City of Grand Island | Subgrant Number: 08-VA-225 |
| | Subgrant Title: Grand Island/Hall Co VA Program |

This contract is subject to the standard conditions agreed to in the original application and the signed Certified Assurances. In addition, the subgrantee must comply with the Office of Justice Programs "Financial and Administrative Guide for Grants" (OJP M 7100.1C), Federal Program Guidelines and the Commission on Law Enforcement and Criminal Justice (Crime Commission) Guidelines and the following special conditions:

1. The Commission shall have access to all project related materials for the purposes of audit and examinations. All records shall be retained for five (5) years from the date of the final fiscal report unless an audit is in progress or the findings of a completed audit have not been resolved satisfactorily;
2. Audits – All audits will comply with the Single Audit Act of 1984, as amended. Audits for private non-profit agencies shall comply with Circular A-133;

Agencies and organizations receiving federal funds from various sources totaling \$500,000 or more during their Fiscal Year are required to have an annual audit. Total cost of the audit must be prorated among funding sources. Agencies and organizations receiving federal funds from various sources totaling less than \$500,000 during their Fiscal Year are not required to have an annual audit. However, a complete agency audit complying with the Single Audit Act of 1984, as amended, is highly recommended once every three years for private non-profit agencies receiving funding from the Crime Commission.

One copy of the audit along with the "Letter of Management" and the Findings of the audit are required to be submitted to the Crime Commission, if they are not part of the audit.

3. Accounting Procedures – Awarded applicants shall implement and maintain an accounting system which accurately reflects income received, expenditures, and documentation of expenditures. Each source of income must be accounted for separately and a clear audit trail for each source of funding must be maintained. Matching funds need not be applied at the exact time or in the required proportion to the obligation of Federal funds. However, the full matching share must be obligated by the end of the project period. Accounting records are to be available for monitors and audits;

If at any time an impropriety is found in the accounting or use of any funds received by the subgrantee, the Crime Commission must be notified immediately and informed about how the agency will address the problem.

All subgrantee's receiving payments from the Crime Commission are required to receive payments via the Automated Clearing House (ACH) payment.

4. Acceptance of Grant Award and Special Conditions

– **Grant Award** must be accepted; signed by the subgrantee's authorized official, the director of the project and the fiscal officer; and, returned to the Crime Commission within thirty (30) days from the date the Grant Award is mailed to the subgrantee;

– **Special Conditions** must be accepted, signed by the subgrantee's authorized official, director of the project, and the fiscal officer, and returned to the Crime Commission within thirty (30) days from the date the Special Conditions are mailed to the subgrantee;

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5. Reporting Requirements

- **Grant Activity Summary Reports** are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter during the grant period;
- **Cash Report/Cash Requests** are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter during the grant period as well as the final "Cash Report" reflecting the total grant expenditures at the end of the grant period.
- **Statistical Reports** are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter. Statistics are to be provided electronically unless the Crime Commission has approved another method to submit statistics.
- **Regardless of the start date of the grant project**, quarterly reports are due for normal quarters as listed below.

| | |
|--------------|--------------|
| Jan. - March | July - Sept. |
| April - June | Oct. - Dec. |

6. Use of Federal Grant Funds

- Federal grant funds will not be used to supplant State, local or any other funds that would otherwise be available. The agency's budget cannot decrease as a result of grant dollars. If an existing employee is assigned to this project and their salary is paid with grant funds, his or her position must be backfilled. The agency's personnel cannot decrease as a result of this grant project;
- No Federal grant funds shall be used for costs existing prior to the grant period;
- No indirect costs shall be allowed. Indirect cost is defined as payment for grant management services, accounting services, grant securing services, or any other costs of an organization that are not readily assignable to a particular project;
- Federal and matching funds are to be used for the purpose stated in the approved grant application. Any changes must be approved by the Nebraska Crime Commission prior to the change taking place;
- Federal funds cannot be used for lobbying. If matching funds are used for lobbying, a disclosure report shall be submitted to the Crime Commission;
- No other Federal funds shall be used to meet the match requirement;
- Crime Commission funding cannot be placed in interest bearing accounts by private non-profit agencies;

6a. Victim Witness Programs - Use of Federal VOCA Funds

- VOCA grant funds **are to be used** to provide direct services to individual crime victims and at no cost to the victim.
- VOCA guidelines define a victim as a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime. The primary purpose of VOCA grant funds is to support the provision of services to victims. Services are those efforts that respond to the emotional and physical needs of crime victims; assist primary and secondary victims of crime to stabilize their lives after a victimization; assist victims to understand and participate in the criminal justice system; and, provide victims of crime with a measure of safety and security.
- The purpose of a victim witness program is to advocate for victims and provide timely assistance to individual victims of crime. Advocacy should begin within 72 hours or the next business day after the incident for all serious crimes (homicide, sexual assault, assaults) and most crimes against the elderly. Victim Witness Units located in County Attorney offices are to have a process in place to receive law enforcement incident reports for victims of serious crimes and crimes against the elderly so that advocacy can begin within 72 hours or sooner.

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- VOCA funds are **not** for the purpose of providing services to businesses **unless** an individual or individuals within the business is a victim of a crime.
 - Policies and procedures are required that include when and how victim contact will be made and when and how follow up contact will be made.
 - VOCA funds **cannot be used** for any of the following:
 - ✓ Any activity or expense that is the responsibility of the prosecutor or the law enforcement agency and including any activities directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency; gathering evidence; witness management and notification (VOCA funds may **only** be used to notify witnesses who are also a victim of the crime); expert testimony at trials; victim witness protection costs and subsequent lodging and meal expenses;
 - ✓ Capital expenditures;
 - ✓ Community education;
 - ✓ Crime prevention activities;
 - ✓ Development of protocols, interagency agreements and other working agreements;
 - ✓ Fund-raising activities;
 - ✓ Indirect organizational costs;
 - ✓ Individual membership dues;
 - ✓ Land acquisition;
 - ✓ Legislative and administrative duties of staff;
 - ✓ Lobbying and administrative advocacy;
 - ✓ Needs assessments, surveys, evaluations or studies;
 - ✓ Perpetrator rehabilitation and counseling or any other activities involving or relating to perpetrators;
 - ✓ Professional services of doctors and lawyers;
 - ✓ Purchasing or leasing vehicles;
 - ✓ Reimbursement to crime victims for expenses incurred as a result of a crime, including property loss;
 - ✓ Relocation expenses for the victim.
 - VOCA funding will be in jeopardy if all victims of serious crimes and most crimes against the elderly are not provided advocacy services in a timely manner and if funds are used for any activities or expenses that are the responsibility of the prosecutor or law enforcement agency.
7. The Subgrantee must insure any required match is met and that match is documented before the end of the project period. Match, both cash or in-kind, must be documented in the agency's accounting system.
 8. The subgrantee Project Director and/or Fiscal Officer or a designated representative shall attend the Grant Management Training sponsored by the Crime Commission, if required. At least one Board member of a Private Non-profit agency receiving grant funds from the Crime Commission shall also attend Grant Management Training.
 9. Any publicity of this project will include an acknowledgement of funding by the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission). A copy of such publicity shall be sent to the Crime Commission. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal or State money, all grantees receiving funds, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal or State money, and (2) the dollar amount of Federal or State funds for the project or program.
 10. The subgrantee agrees that any publication (written, visual or sound, excluding press releases, newsletters and issue analysis) issued by the subgrantee describing programs or projects funded in whole or in part with Federal funds, shall contain the following statement: "This project was supported by Grant #}«Grant_Number»awarded by the Nebraska Crime Commission.

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Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the Commission.” Two copies of any such publication are to be submitted to the Crime Commission.

11. The Subgrantee assures it and all its contractors will comply with all applicable nondiscrimination requirements as set forth by federal and state laws. No person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or be denied employment in connection with any activities receiving funds under the Act on the basis of race, color, religion, age, sex, national origin or handicap.

In the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing the recipient of funds will forward a copy of the finding to the Office of Civil Rights Compliance of the Office of Justice Programs in Washington, D.C. Additionally, a copy of the findings are to also be sent to the Crime Commission. If required, the subgrantee will formulate an Equal Employment Opportunity Program (EEO) in accordance with 28 CFR 42.301 et. seq.

12. The subgrantee must comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Subgrantees receiving Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). Information on the civil right responsibilities, please see <http://www.lep.gov>.

Grantees whose projects, personnel or subgrantees become involved in any litigation, whether civil or criminal, shall immediately notify the Crime Commission and forward a copy of any demand notices, lawsuits, or indictments to the Commission.

13. The subgrantee will address required contingencies to the award as stated on the Summary Comment Sheet. Grant funds will not be released until all contingencies are addressed.
14. If at any time during the grant period the subgrantee is barred from doing business with the Federal Government, the Crime Commission shall be notified by the subgrantee in writing.
15. All agencies who are participants in the awarded project shall establish and maintain a drug free work-place policy.
16. Time sheets must be maintained for grant funded positions and include the signature of the employee and their supervisor. Volunteer positions used as match are to be documented and, to the extent feasible, supported by the same methods used for employees.
17. Private Non-profit Agency Board Responsibilities – Two board members of private non-profit agencies awarded funds shall review, on a quarterly basis, all expenditures for the agency. This review shall include, but is not limited to, checks written for the period, deposits, assurance of a balanced checkbook, review of the entries in the agency's ledgers and review of the income received from funding agencies and donations.
18. Volunteers are to be utilized by the subgrantee throughout the duration of the project. Volunteer services must be documented, and to the extent feasible, by the same methods used by the subgrantee for its paid employees;
19. At no time shall a victim's name, address, phone number or other identifying information be divulged to another individual or agency unless they are part of the criminal justice or health and human services system unless the victim has given prior voluntary written consent for such release of information.
20. Office of Justice Program Financial Guidelines and VOCA Guidelines must be followed for the purchase and property management of computers and/or equipment, including the disposal of computers and/or equipment purchased with VOCA funds. Computers purchased with federal VOCA grant funds must be compatible with the case management program and be able to electronically submit statistics to the Crime Commission. Minimum specifications, as determined by the Crime Commission, are required for any computer purchased with VOCA funds.
21. The subgrantee shall cooperate, coordinate and have the active participation and support of law enforcement and criminal justice agencies within the jurisdiction of the assisting agency and will cooperate and coordinate with any coordinated response efforts;

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22. Subgrantee must provide services to victims of federal crimes on the same basis as victims of state/local crimes;
23. Subgrantee is required to help victims apply for Crime Victims' Reparations (CVR) benefits, i.e., identifying and notifying crime victims of the availability of compensation, assisting victim with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. Victim is responsible for mailing CVR claims to the Crime Commission but subgrantee may provide the envelope and stamp;
24. Subgrantee is required to provide information to victims about Victim Information and Notification Everyday (VINE), assist victims in registering with the VINE system and promote public awareness about VINE.
25. Subgrantee is required to participate in the victims' assistance case management system when it is operational and provide electronic submission of statistics to the Crime Commission via the software or link determined by the Crime Commission.

I have read the above Special Conditions and understand they are part of the binding Grant Award.

Signature of Authorized Official _____ Date _____
(Mayor, Chair of County Board or City Council, Board Chair of Private Non-profit Agency).
NOTE: The Director of the Agency is NOT considered the authorized official for the signing of these Special Conditions.

Signature of Agency Director _____ Date 9/18/08
Signature of Project Director _____ Date 9-18-2008
Signature of Fiscal Officer Romona K. Kelly Date 9-18-2008

R E S O L U T I O N 2008-272

WHEREAS, the Police Department of the City of Grand Island received notification that it will receive a 2008 Victim's of Crime Act (VOCA) grant in the amount of \$27,907.00 from the Nebraska Commission on Law Enforcement and Criminal Justice; and

WHEREAS, in acceptance of the grant, the City of Grand Island and Hall County share the match for this grant in the amount of \$6,977.00; and

WHEREAS, the City's match of this grant in the amount of \$6,977.00 has been approved for the 2008-2009 fiscal year; and

WHEREAS, the amount awarded is to be used by the Grand Island Police Department in accordance with criteria established by the grant program; and

WHEREAS, the Mayor of the City of Grand Island is required to sign the grant in acceptance of the same.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the grant funds awarded to the Police Department of the City of Grand Island in the amount of \$27,907.00 through the Nebraska Commission on Law Enforcement and Criminal Justice is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such grant on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

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|---|
| Approved as to Form <input type="checkbox"/> _____ September 19, 2008 <input type="checkbox"/> City Attorney |
|---|