

**ORDINANCE #69074**  
**Board Bill No. 201**

An Ordinance authorizing and directing the Director of Public Safety, on behalf of the Mayor and the City of St. Louis, to enter into and execute a Grant Agreement with the U. S. Department of Justice, Bureau of Justice Assistance, to fund the 2011 Justice Assistance Grant Program, upon approval of the Board of Estimate and Apportionment, and to expend funds by entering into contracts or otherwise for grant purposes and containing an emergency clause.

**BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

**SECTION ONE.** The Mayor and the Director of Public Safety, are hereby authorized and directed, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with U. S. Department of Justice, Bureau of Justice Assistance, to fund the 2011 Justice Assistance Program.

**SECTION TWO.** The Director of Public Safety is hereby authorized and directed, upon approval of the Board of Estimate and Apportionment, to expend the funds, which are hereby appropriated for said purpose, by entering into contracts or otherwise received pursuant to the 2011 Grant Agreement, totaling \$737,581.00, in a manner that is consistent with the provisions of said Agreement, a copy of which is attached hereto and shall become part of the ordinance.

**SECTION 3.** Emergency Clause. This being an Ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an immediate measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

|  <p>Department of Justice<br/>Office of Justice Programs<br/>Bureau of Justice Assistance</p>   |           | <p><b>Grant</b></p>  |           | <p>PAGE 1 OF 6</p>           |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
|--|-----------|--|-----------|------------------------------|-----------|----------|--------|------|--------|---|---|----|----|----|----|--|--------|--|--|--|
| <p>1. RECIPIENT NAME AND ADDRESS (Including Zip Code)<br/>City of Saint Louis<br/>City Hall Rooms 200 1200 Market Street<br/>St. Louis, MO 63103</p>   |           | <p>4. AWARD NUMBER: 2011-DJ-BX-2942</p>  |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
|  |           | <p>5. PROJECT PERIOD: FROM 10/01/2010 TO 09/30/2014<br/>BUDGET PERIOD: FROM 10/01/2010 TO 09/30/2014</p> |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>1A. GRANTEE IRS/VENDOR NO.<br/>436003233</p>  |           | <p>6. AWARD DATE 08/29/2011</p>  |           | <p>7. ACTION<br/>Initial</p> |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>3. PROJECT TITLE<br/>St. Louis City Justice Assistance Grant Program</p>  |           | <p>8. SUPPLEMENT NUMBER<br/>00</p>   |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
|  |           | <p>9. PREVIOUS AWARD AMOUNT<br/>\$ 0</p>   |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
|  |           | <p>10. AMOUNT OF THIS AWARD<br/>\$ 737,581</p>   |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
|  |           | <p>11. TOTAL AWARD<br/>\$ 737,581</p>  |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>12. SPECIAL CONDITIONS<br/>THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).</p>  |           |  |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>13. STATUTORY AUTHORITY FOR GRANT<br/>This project is supported under FY11(BJA - JAG) 42 USC 3750, et seq.</p>  |           |  |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>15. METHOD OF PAYMENT<br/>GPRS</p>  |           |  |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>AGENCY APPROVAL</p>   |           | <p>GRANTEE ACCEPTANCE</p>  |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>16. TYPED NAME AND TITLE OF APPROVING OFFICIAL<br/>Denise O'Donnell<br/>Director</p>  |           | <p>18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL<br/>Francis G. Slay<br/>Mayor</p>             |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>17. SIGNATURE OF APPROVING OFFICIAL<br/><i>[Signature]</i></p>  |           | <p>19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL<br/><i>[Signature]</i></p>                             |           | <p>19A. DATE<br/>9/1/11</p>  |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>AGENCY USE ONLY</p>   |           | <p>21. KDJUGT1048</p>  |           |                              |           |          |        |      |        |   |   |    |    |    |    |  |        |  |  |  |
| <p>20. ACCOUNTING CLASSIFICATION CODES</p> <table border="1"> <thead> <tr> <th>FISCAL YEAR</th> <th>FUND CODE</th> <th>BUD. ACT.</th> <th>DIV. OFC.</th> <th>DIV. REG</th> <th>SUB.</th> <th>POMS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>B</td> <td>DJ</td> <td>80</td> <td>00</td> <td>00</td> <td></td> <td>737581</td> </tr> </tbody> </table> |           | FISCAL YEAR  | FUND CODE | BUD. ACT.                    | DIV. OFC. | DIV. REG | SUB.   | POMS | AMOUNT | X | B | DJ | 80 | 00 | 00 |  | 737581 |  |  |  |
| FISCAL YEAR  | FUND CODE | BUD. ACT.  | DIV. OFC. | DIV. REG                     | SUB.      | POMS     | AMOUNT |      |        |   |   |    |    |    |    |  |        |  |  |  |
| X  | B         | DJ   | 80        | 00                           | 00        |          | 737581 |      |        |   |   |    |    |    |    |  |        |  |  |  |

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

|  |   |   |             |
|--|---|---|-------------|
|   | Department of Justice<br>Office of Justice Programs<br>Bureau of Justice Assistance | <b>AWARD CONTINUATION<br/>SHEET<br/>Grant</b> | PAGE 2 OF 6 |
| PROJECT NUMBER 2011-DJ-BX-2942   |   | AWARD DATE 08/29/2011                         |             |
| <i>SPECIAL CONDITIONS</i>  |   |   |             |
| <ol style="list-style-type: none"> <li>1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.</li> <li>2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.</li> <li>3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide.</li> <li>4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.</li> <li>5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -<br/>mail:<br/><br/>Office of the Inspector General<br/>U.S. Department of Justice<br/>Investigations Division<br/>950 Pennsylvania Avenue, N.W.<br/>Room 4706<br/>Washington, DC 20530<br/><br/>e-mail: oig.hotline@usdoj.gov<br/><br/>hotline: (contact information in English and Spanish): (800) 869-4499<br/><br/>or hotline fax: (202) 616-9881<br/><br/>Additional information is available from the DOJ OIG website at <a href="http://www.usdoj.gov/oig">www.usdoj.gov/oig</a>.</li> <li>6. 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 OJP.</li> <li>7. 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.</li> </ol> |   |   |             |



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

AWARD CONTINUATION  
SHEET  
Grant

PAGE 3 OF 6

PROJECT NUMBER 2011-DJ-BX-2942

AWARD DATE 08/29/2011

*SPECIAL CONDITIONS*

8. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
9. The recipient agrees to comply with applicable requirements regarding Central Contractor Registration (CCR) and applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ccr.htm> (Award condition: Central Contractor Registration and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
10. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own operate in his or her name).
11. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Federal Financial Report (SF-425).
12. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
13. To support public safety and justice information sharing, OJP requires the grantee to use the National Information Exchange Model (NIEM) specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas generated as a result of this grant to the component registry as specified in the guidelines. For more information on compliance with this special condition, visit <http://www.niem.gov/implementationguide.php>.

FSA



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

AWARD CONTINUATION  
SHEET  
Grant

PAGE 4 OF 6

PROJECT NUMBER 2011-DJ-BX-2942

AWARD DATE 08/29/2011

*SPECIAL CONDITIONS*

14. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

15. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
16. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046>.

FAS



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 5 OF 6

PROJECT NUMBER 2011-DJ-BX-2942

AWARD DATE 08/29/2011

*SPECIAL CONDITIONS*

17. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See [http://www.ojp.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.gov/about/ocr/equal_fbo.htm).
18. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
19. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtaining of Institutional Review Board approval, if appropriate, and subject informed consent.
20. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
21. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
22. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (<https://grants.ojp.usdoj.gov>). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website ([www.bjaperformancetools.org](http://www.bjaperformancetools.org)). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.
23. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
24. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.

FJA



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 6 OF 6

PROJECT NUMBER 2011-DJ-BX-2942

AWARD DATE 08/29/2011

*SPECIAL CONDITIONS*

- 25. The grantee agrees that within 120 days of award acceptance, each member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)). All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)).
- 26. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

*FRL*

Approved: January 20, 2012