

INTRODUCED: April 25, 2016

AN ORDINANCE No. 2016-128

To authorize the Chief Administrative Officer to accept funds in the amount of \$18,000 from the Supreme Court of Virginia and to appropriate the increase to the Fiscal Year 2015-2016 General Fund Budget by increasing estimated revenues and the amount appropriated to the Judiciary for the purpose of providing drug treatment services through the Richmond Adult Drug Treatment Court Program.

Patron – Mayor Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 9 2016 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer is authorized to accept funds in the amount of \$18,000 from the Supreme Court of Virginia for the purpose of providing drug treatment services through the Richmond Adult Drug Treatment Court Program.

§ 2. That the funds received are hereby appropriated to the General Fund Budget for the fiscal year commencing July 1, 2015, and ending June 30, 2016, by increasing estimated revenues by \$18,000, increasing the amount appropriated for expenditures by \$18,000 and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 9 2016 REJECTED: _____ STRICKEN: _____

allotting to the Judiciary the sum of \$18,000 for the purpose of providing drug treatment services through the Richmond Adult Drug Treatment Court Program.

§ 3. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

MAR 18 2016

Chief Administration Office
City of Richmond

4-4942

O&R REQUEST

DATE: March 22, 2016

EDITION: 1

TO: The Honorable Members of City Council

RECEIVED

THROUGH: Dwight C. Jones, Mayor

APR 06 2016

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

OFFICE OF CITY ATTORNEY

THROUGH: Lenora Reid, Deputy Chief Administrative Officer - Finance and Administration

THROUGH: Jay Brown, Director of Budget and Strategic Planning

FROM: Judge Clarence N. Jenkins, Circuit Court Judge

RE: Amend the General Fund Ordinance #2015-73-84 to increase the previous award amount of \$232,000 from the Supreme Court of Virginia to \$250,000 awarded to the City of Richmond Adult Drug Treatment Court

ORD. OR RES. No. General Fund Ordinance #2015-73-84

PURPOSE: To authorize the Chief Administrative Office to accept an increase of \$18,000 from the Supreme Court of Virginia to be appropriated to the Richmond Adult Drug Treatment Court Program General Funds Budget and Revenue for fiscal year 2016 for the purpose of providing drug treatment services.

REASON: The City of Richmond, Adult Drug Treatment Court (RADTC) seeks approval to accept an increase of funds in the amount of \$18,000 awarded by the Supreme Court of Virginia. The Official Statement to increase the subcontract has been received and all funds should be appropriated to the Richmond Adult Drug Treatment Court General Funds Budget for fiscal year 2016. This year's funding, as well as future funding will be based upon a formula grant. The program received additional funding based on our average number of program participants (50) for the previous year of FY15. The extra funding for fiscal year 2016 will provide needed support to the Richmond Adult Drug Treatment Court Program. The Richmond Adult Drug Court monitors non-violent drug-addicted offenders with pending cases in Richmond's Circuit Court. Offenders volunteer for the program, and participate only after approval of the Richmond Commonwealth's Attorney. They must meet all program requirements, which include maintaining

gainful employment and abstinence from drugs, alcohol and crime, to successfully complete the program.

RECOMMENDATION: It is recommended to accept the \$18,000 funding increase and appropriated to the Richmond Adult Drug Treatment Court general fund budgets for fiscal year 2016.

BACKGROUND: This project has been supported by funding from the Supreme Court of Virginia and the City of Richmond since 2000. The Richmond Adult Drug Treatment Court monitors non-violent drug-addicted offenders with pending cases in Richmond's Circuit Court. Offenders volunteer for the program, and participate only after approval of the Richmond Commonwealth's Attorney. They must meet all program requirements, which include maintaining gainful employment and abstinence from drugs, alcohol and crime, to successfully complete the program. Drug Court participants enter the program with long-term drug addictions to cocaine or heroin, and lengthy non-violent criminal histories. Moreover, over 98% of the participants are probation violators, and do not receive a reduced or dismissed charge upon graduation. Reducing or dismissing charged offenses is a standard practice in most drug courts. However, the program has been effective in decreasing drug use and crime, and is more cost-effective than incarceration due to low recidivism. The anticipated outcomes will include longer spans in treatment, lowered recidivism rates, and increased RADTC graduation rates for the program.

FISCAL IMPACT / COST: The total amount of the grant award after the increase is \$250,000. The Richmond Adult Drug Treatment Court will use the added \$18,000 awarded to provide additional support to the program. There will be no fiscal impact on the City's budget after these funds are expended. There are no matching funds required for the award. The acceptance of this one time increase to our annual award will allow the Richmond Adult Drug Treatment Court to increase service delivery for our program.

FISCAL IMPLICATIONS: There are no matching funds required for this increase to the current grant award.

BUDGET AMENDMENT NECESSARY: YES

REVENUE TO CITY: The City will receive a total of \$18,000 grant funds to be appropriated to the 2016 General Fund Budget.

DESIRED EFFECTIVE DATE: Upon Adoption

O&R Request

Page 3 of 3

REQUESTED INTRODUCTION DATE: April 11, 2016

CITY COUNCIL PUBLIC HEARING DATE: April 25, 2016

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Public Safety

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: NONE

AFFECTED AGENCIES: The Department of Finance, The Department of Budget and Strategic Planning, Richmond Adult Drug Treatment Court

RELATIONSHIP TO EXISTING ORD. OR RES.: Request for Amendment to Ordinance 2015-73-84

REQUIRED CHANGES TO WORK PROGRAM(S): NONE

ATTACHMENTS: Copy of Award Document

STAFF: Gloria A. Jones, Richmond Adult Drug Court, Coordinator, 646-3756

Supreme Court of Virginia
Office of the Executive Secretary
 100 North Ninth Street, Richmond, VA 23219

Statement of Grant Award/Acceptance

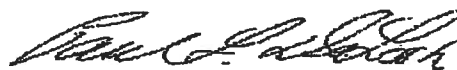
Subgrantee-- City of Richmond	Date: June 18, 2015
Grant Period-- From: 7/1/2015	Through: 6/30/2016

Project Director	Project Administrator	Finance Officer
Hon. C. N. Jenkins, Judge Richmond Circuit Court 501 N. Ninth Street, 2 nd Floor Richmond, VA 23219 Phone No: (804) 646-6512 Email: jenkinscn@ci.richmond.va.us	Ms. Selena Cuffee-Glenn Chief Administrative Officer City of Richmond 900 E. Broad Street, Rm 201 Richmond, VA 23219 Phone No: (804) 646-7978 Email: Selena.Cuffee-Glenn@richmondgov.com	Mr. Paul Jez Director of Finance City of Richmond 900 E. Broad Street Richmond, VA 23219 Phone No: (804) 646-5842 Email: Paul.Jez@richmondgov.com

GRANT AWARD BUDGET

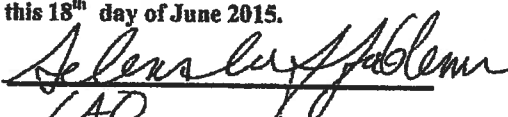
Budget Categories	Program Funds TOTALS
A. Personnel	\$ 170,700
B. Consultants	\$ 62,413
C. Travel	\$ -0-
D. Equipment	\$ -0-
E. Indirect Expenses	\$ -0-
F. Supplies & Other Expenses	\$ 16,887
TOTALS	\$ 250,000

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



Paul F. DeLosh, Director of Judicial Services

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 June 2015.

Signature: 
 Title: CAO

GENERAL GRANT CONDITIONS AND ASSURANCES

The applicant, for state funds administered by the Office of the Executive Secretary (OES), gives assurances and certifies with respect to the grant that it will comply with the following requirements:

1. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the OES shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this grant.
2. **REPORTS:** Each applicant shall submit such reports as the OES shall reasonably request. Financial and progress reports shall be submitted to the OES on the 12th working day following the close of each quarter. Late reports will be charged 10% of one quarter of the full grant award amount.
3. **INSPECTION AND AUDIT:** The applicant agrees to comply with the organizational audit requirements of OMB Circular A-128, "Audits of State and Local Governments." In conjunction with the beginning date of the award, the audit report period of the local government entity to be audited under the single audit requirement is the start-date of the project through the end-date of the project as noted on the Statement of Grant Award/Acceptance. The audit report shall be submitted no later than one (1) year from the end-date of the grant award as stated on the Statement of Grant Award/Acceptance, and for each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report. A copy of all audits must be forwarded to the OES.
4. *The applicant will comply, where applicable, with the following:*
 - The Fair Labor Standards Act, if applicable.
5. **POLITICAL ACTIVITY:** The restrictions of the Hatch Act, Pub. L. 93-433, 5 USC Chapter III, (as amended), concerning the political activity of government employees are applicable to applicant staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns except they may not be candidates for office.
6. **DISCRIMINATION PROHIBITED:** No person shall, on the grounds of race, religion, color, national origin, sex, or handicap be excluded from participation in, be denied the benefits or be otherwise subjected to discrimination under or denied employment in connection with, grants awarded pursuant to the Justice Assistance Act of 1984, and the implementing regulations 28 CFR Part 42, Subparts C, D, E, and G, or any project, program, activity, or subgrant supported or benefiting from the grant. The applicant must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulations 28 CFR 41.101 et. seq.. The applicant must further comply with Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations; the Age Discrimination Act of 1973, as amended, and its implementing regulations and Title IX of the Education Amendments of 1972; Title 11 of the Americans with Disabilities Act (ADA)(1990); (42 USC. 12131-12134 & 28 CFR 35)
7. **EQUAL EMPLOYMENT OPPORTUNITY PROGRAM:** Each applicant certifies, that it has executed and has on file, an Equal Employment Opportunity Program which

conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E, or that in conformity with the foregoing regulation, no Equal Employment Opportunity Program is required. For continuation grant funding that exceed \$500,000 in any fiscal year the applicant must submit a statistical update from the previous year's plan.

8. The applicant assures 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 or sex against a recipient of funds, the recipient will forward a copy of the finding to the OES.

9. **RELEASE OF INFORMATION:** All records, papers and other documents kept by recipients of OES funds, and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the OES. These records and other documents submitted to OES and its applicants pursuant to other provisions of the Act, including plans and application for funds, are required to be made available to OES under the terms and conditions of the Federal Freedom of Information Act, 5 USC 552.

10. **INFORMATION SYSTEMS:** With respect to programs related to criminal justice information systems, the applicant agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of the integrity and accuracy of data collection.

COV §18.2-154.1.N. requires the Office of the Executive Secretary to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local drug treatment courts. A report of these evaluations shall be submitted to the General Assembly by December 1 of each year. Each local drug treatment court advisory committee shall submit evaluative reports to the Office of the Executive Secretary as requested. To support this mandate the applicant further agrees:

- To comply with Drug Treatment Court Standard X, Practice 4, the drug treatment court must use and maintain current data in an information technology system as prescribed by the Office of the Executive Secretary.
- That all computer programs (software) developed with funds provided by this grant will be made available to the OES for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- To provide a complete copy of the computer programs and documentation, upon request, to the OES. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- That whenever possible all application programs will be written in standardized programming languages for use on general operating systems that can be utilized on at least three different manufacturers computers of similar size and configuration.
- To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Office of the Executive Secretary should be contacted to determine availability of software prior to any development effort.

11. CONFIDENTIALITY OF RESEARCH INFORMATION - Research information identifiable to an individual, which was obtained through a project funded wholly or in part with OES grant funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

12. CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES: The applicant agrees to be in compliance with all policies as expressed under the Code of Federal Regulations, 28 CFR 23, concerning the operation of criminal intelligence systems funded with OES funds.

13. COPYRIGHT: Except as otherwise provided in the conditions of the award, the author is free to arrange for copyright without approval when publication or similar materials are developed from work under a OES supported project. Any such copyright materials shall be subject to the OES's right to reproduce them, translate them, publish them, use and dispose of them, and to authorize others to do so for government purposes. In addition, communications in primary scientific or professional journals publishing initial reports or research or other activities and supported in whole or in part by the OES project funds may be copyrighted by the journal with the understanding that individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty, a single copy of any such article for their own use. State employees who develop copyrights during work hours, or within the scope of their employment, or when using state-owned or state-controlled facilities, the copyrights vest in the Commonwealth.

14. PATENTS: *If any discovery or invention arises or is developed in course of or as a result of work performed under this grant, the applicant shall refer the discovery or invention to OES. The applicant hereby agrees that determination of rights to inventions made under this grant shall be made by the OES or its duly authorized official representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title which may issue thereon. The determination of the OES, or its duly authorized representative shall be accepted as final. In addition, the applicant hereby agrees and otherwise recognizes that the OES shall acquire at least an irrevocable non-exclusive royalty-free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this grant. The grant shall include provisions appropriate of effectuating the purpose of this condition in all contract of employment, consultant's agreements, or contracts.*

15. The applicant assures that funds made available under this grant will not be used to supplant other state or local funds, but will be used to increase the amounts of such funds that would be, in the absence of these funds, made available for these activities.

16. Confidential expenditures for services, evidence and/or information must comply with the requirements stated in the Administrative Guide and Application Procedures Manual.

17. BIO MEDICAL EXPERIMENTATION: The applicant assures that no grant funds will be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.

18. The applicant must state the percentage of the total cost of this program supported by federal funds and the dollar amount of federal funds for this program. This statement shall be on all quarterly grant reports, requests for proposals, bid solicitation and other documents describing the program whether funded in-whole or in-part with state or federal funds.

20. The grantee agrees that any publication (written, visual, or sound, but excluding press releases newsletters, and issue analyses) issued by the grantee or by any Applicant describing programs or projects funded in-whole or in-part with these Funds, shall contain the following statement:

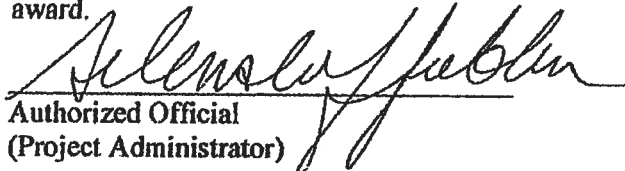
This project was supported by Office of the Executive Secretary (OES) with funds made available to Virginia Drug Treatment Court Programs from Virginia General Funds.

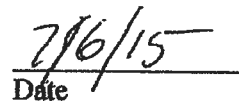
Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of OES or the Commonwealth of Virginia.

The applicant also agrees that one copy of any such publication will be submitted to the OES to be placed on file and distributed as appropriate to other potential applicants or interested parties. OES may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

CERTIFICATION

I certify that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of all other federal and state laws and rules and regulations that apply to this award.


Authorized Official
(Project Administrator)


Date