



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Robert L. Davis  
Jennifer A. Maguire

**SUBJECT:** SEE BELOW

**DATE:** December 15, 2008

Approved

*Deanna Jutra*

Date

*12/16/08*

**COUNCIL DISTRICT:** City-Wide

**SUBJECT: APPROVAL OF THE PROPOSED 2008-2011 SPENDING PLAN FOR THE FY 2008 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUND AND ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TRUST FUND**

## RECOMMENDATION

1. It is recommended the City Council approve the proposed 2008-2011 Spending Plan for the 2008 Edward Byrne Memorial Justice Assistance Grant Trust (JAG) Fund.
2. It is also recommended the City Council adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Edward Byrne Memorial Justice Assistance Grant Trust Fund:
  - a) Increase the estimate for Earned Revenue in the amount of \$98,166; and
  - b) Establish an appropriation to the Police Department for the JAG 2008-2011 Grant in the amount of \$98,166.

## OUTCOME

Approval of the proposed JAG 2008-2011 Spending Plan would allow for the Police Department to use the JAG 2008-2011 grant funds; thus, furthering the Department's mission to promote public safety; prevent, suppress, and investigate crimes; provide emergency and non-emergency services; and adapt a multi-disciplinary approach to solving community problems.

**BACKGROUND**

The City has been participating in the Edward Byrne Memorial Justice Assistance Grant (JAG) program since 2005. The City of San Jose and the County of Santa Clara have been certified as disparate jurisdictions by the U.S. Department of Justice. Certified disparate jurisdictions are eligible to submit a joint application for funding.

On June 6, 2008, the Police Department was contacted by the County regarding the 2008 JAG program in order to begin the grant application process. The Police Department indicated that it would expend its funding in the "Law Enforcement Programs" purpose area. In June 2008, a MOU was signed by the City and County of Santa Clara regarding the 2008 JAG program. The County will be acting as the Fiscal Agent for the City of San José. On June 24, 2008, the 2008 JAG application was approved by the County Board of Supervisors after a public review period beginning June 12, 2008. The 2008 JAG application was submitted by the County on July 7, 2008.

**ANALYSIS**

In order for the Police Department to utilize JAG 2008-2011 funds, Council approval of the spending plan and adoption of related budget appropriation actions are required. The following JAG 2008-2011 Spending Plan is proposed for Council approval:

<b>Purpose Area</b>	<b>Amount</b>
Law Enforcement Programs	\$98,166
<b>Total</b>	<b>\$98,166</b>

Law Enforcement Programs: The Police Department plans to purchase Motorola handpack radios and handguns with nightsights. The Motorola XTS-5000 handpack radios will provide additional interoperable communication for sworn personnel during an emergency event. This purchase will provide approximately 35 radios.

Sworn personnel in the Police Department are currently utilizing Sig-Sauer P226 handguns. 260 upgraded handguns with a mount for lighting were purchased with funding from the JAG 2007-2009 grant. The Department wishes to purchase additional upgraded handguns with funding from the JAG 2008-2011 grant. This purchase will provide approximately 105 handguns with mounting rails for lighting.

Per grant requirements, any interest earned from this grant funding will also be utilized to purchase equipment for law enforcement programs.

### **EVALUATION AND FOLLOW-UP**

Expenditures will be made according to the spending plan, once approved by the Council. All funding must be expended before September 30, 2011. No additional follow up actions with the Council are expected at this time.

### **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This memorandum does not meet any of the above criteria, but it is posted on the City's website for the January 27, 2009 Council agenda.

### **COORDINATION**

This memorandum has been coordinated with the Departments of Planning, General Services and the Office of the City Attorney.

### **COST SUMMARY/IMPLICATIONS**

The electronic and mechanical equipment may have minor ongoing maintenance and repair expenses. Since the radios are in constant use, the batteries have an average lifespan of about two years, after which time replacement batteries will need to be purchased. Each radio requires two batteries at any given time; one in use in the radio and one being charged. Replacement cost for 70 batteries is approximately \$8,200. The Department will need to allocate or identify funding for the replacement costs by fiscal year 2010-2011.

HONORABLE MAYOR AND CITY COUNCIL

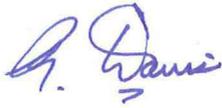
December 15, 2008

**Subject: Approval of the 2008-2011 JAG Spending Plan and Adoption of Related Appropriation Actions**

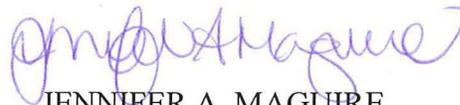
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**CEQA**

Not a project.



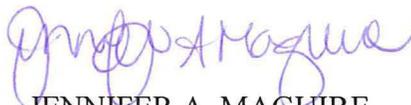
ROBERT L. DAVIS  
Chief of Police



JENNIFER A. MAGUIRE  
Budget Director

For questions please contact Sharon Barbaccia, Senior Analyst, at 408.277.3037.

I hereby certify that there will be available for appropriation in the Edward Byrne Memorial Justice Assistance Grant Trust Fund in the Fiscal Year 2008-2011 monies in excess of those heretofore appropriated therefrom, said excess being at least \$98,166.



JENNIFER A. MAGUIRE  
Budget Director