

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Christopher M. Moore  
Jennifer A. Maguire

**SUBJECT:** SEE BELOW

**DATE:** August 1, 2011

Approved

Date

8/11/11

**COUNCIL DISTRICT:** City-Wide

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

## RECOMMENDATION

It is recommended the City Council:

1. Approve the proposed 2011 JAG Spending Plan for the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG).
2. Approve changes to the 2010 JAG Spending Plan.
3. Adopt a resolution accepting the 2011 Justice Assistance Grant in the amount of \$354,370 and authorize the City Manager to negotiate and execute any documents required to effectuate the grant, including the Grant Agreement and the necessary Memorandum of Understanding (MOU) with the County of Santa Clara.
4. 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 \$262,442; and
  - b) Establish an appropriation to the Police Department for the 2011 Justice Assistance Grant in the amount of \$262,442.

August 1, 2011

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

Page 2

## **OUTCOME**

Approval of the proposed 2011 JAG Spending Plan would allow the Police Department to use the 2011 JAG grant funds to further 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 José and the County of Santa Clara have been certified as disparate jurisdictions by the U.S. Department of Justice. Certified disparate jurisdictions are given funding amounts and expected to come to an understanding regarding sharing of the grant funds. Disparate jurisdictions are eligible to submit a joint application for funding.

The City of San José will function as Fiscal Agent for the 2011 JAG grant. A MOU has been developed by the City of San José regarding the 2011 JAG program, which identifies the City of San José as the lead Fiscal Agent for the grant and outlines the allocations for the City of San Jose and the County of Santa Clara. The 2011 JAG grant application was submitted by the City of San José on July 14, 2011 on behalf of the City and the County as participating agencies.

## **ANALYSIS**

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

<b>Purpose Area</b>	<b>Amount</b>
City of San Jose: Law Enforcement Programs (\$200,005), Prevention and Education Programs (\$27,000) and Police Grant Administration (\$35,437)	\$262,442
County of Santa Clara: Corrections and Community Corrections Programs	\$91,928
<b>Total</b>	<b>\$354,370</b>

City of San José Law Enforcement Programs: Funding is being set aside to purchase law enforcement equipment such as tasers and weaponry which may include handguns and/or rifles.

City of San José Prevention and Education Programs: Funding will be used for Officer overtime for the nationally recognized program called "Parent Project." The Parent Project is designed to enhance the overall development of at-risk adolescents by teaching behavior modification techniques to their parents. It is anticipated that the addition of this funding will allow Police Department participation in this program through December 2012.

August 1, 2011

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

Page 3

Administration: The City of San José will act as lead Fiscal Agent for the 2011 JAG grant. The City will provide overall administration of the grant including managing the grant, coordinating with the County, and submitting all required grant reports. The JAG grant allows ten percent of the grant to be utilized for grant administration. This funding will be used to reimburse the City a portion of salary and benefits costs as allowed under the grant guidelines for one Grants Analyst position authorized for the San José Police Department.

The remaining \$91,928 for the 2011 JAG will be disbursed by the City as a lump sum payment to the County of Santa Clara in accordance with the MOU. The County will utilize their portion of the funding to coordinate a re-entry initiative for Santa Clara County with a focus on helping ex-offenders (in-custody and post-custody) connect with resources and services to support their reintegration into the community.

Change to 2010 JAG Spending Plan: The 2010 JAG Spending Plan included funding in the amount of \$276,482 for the Automated Field Reporting/Records Management System (AFR/RMS) project. In order to continue participation in the Parent Project, the amount for the AFR/RMS project has been reduced to \$261,700 with \$14,782 reallocated to the Parent Project. It is anticipated that there will be sufficient grant funding from other grant sources to complete the AFR/RMS project.

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

Expenditures will be made according to the spending plan approved by the Council, and all funding must be expended before September 30, 2014. No additional follow up actions 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 August 23, 2011, Council agenda.

August 1, 2011

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

Page 4

**COORDINATION**

This memorandum has been coordinated with the Office of the City Attorney.

**COST SUMMARY/IMPLICATIONS**

The rifles and handguns may have minor ongoing maintenance and repair expenses. These expenses will be absorbed in the Police Department's existing non-personal appropriation. The taser purchase will include a five-year warranty, and the manufacturer states their useful life should be around five years. The Police Department will apply for grant funding to replace the tasers when it becomes necessary.

**BUDGET REFERENCE**

Fund #	Appn #	Appn. Name	Total Appn.	2011-2012 Proposed Budget Page*	Last Budget Action (Date, Ord. No.)
474	3855	2010 Justice Assistance Grant	\$315,385	XI - 30	6/25/2011 Ord. No. 28928

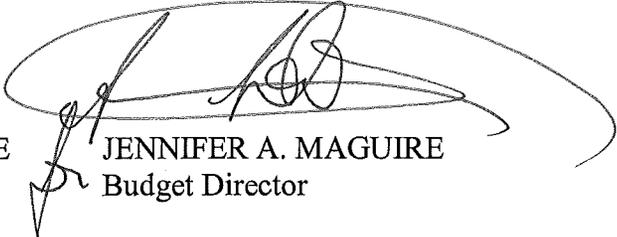
\* The 2011-2012 Proposed Budget was adopted by the City Council on June 21, 2011.

**CEQA**

Not a Project, File No. PP10-066 (g.), Grant Agreements and MOUs.

/s/

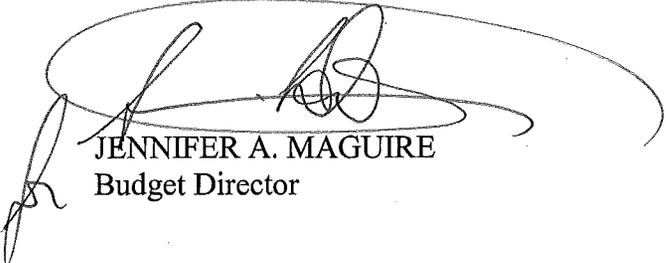
CHRISTOPHER M. MOORE  
Chief of Police



JENNIFER A. MAGUIRE  
Budget Director

For questions please contact Sharon Barbaccia, Senior Analyst, at 408.537.1623.

I hereby certify that there will be available for appropriation in the Edward Byrne Memorial Justice Assistance Grant Trust Fund in the Fiscal Year 2011-2012 monies in excess of those heretofore appropriated therefrom, said excess being at least \$262,442.



JENNIFER A. MAGUIRE  
Budget Director

CMM:JDS:ak