

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Robert L. Davis

SUBJECT: SEE BELOW

DATE: April 20, 2009

Approved

Date

4/23/09

COUNCIL DISTRICT: City-Wide

**SUBJECT: ADOPTION OF A RESOLUTION FOR ACTIONS RELATED TO THE
U.S. DEPARTMENT OF JUSTICE 2009 RECOVERY ACT EDWARD
BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

REASON FOR ADDENDUM

All grants related to the 2009 Recovery Act have short timelines for submission. In order to meet the grant application deadline and to meet the requirement of having a signed agreement prior to submission of this grant application, Council approval for the City Manager to negotiate and execute the agreement and approval of the spending plan is necessary. The addition of this item on the April 28 Council Agenda is consistent with Sunshine requirements as grant applications are exempt from those requirements.

RECOMMENDATION

It is recommended that Council adopt a resolution to:

1. Join with the County of Santa Clara and eleven cities in the County in applying for the U.S. Department of Justice 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) to partially fund the Police Department's Automated Field Reporting/Records Management System;
2. Accept the grant if it is awarded;
3. Authorize the City Manager to negotiate and execute any documents necessary to effectuate the grant, including an agreement with the County of Santa Clara and eleven participating jurisdictions including City of Campbell, City of Cupertino, City of Gilroy, Town of Los Gatos, City of Milpitas, City of Morgan Hill, City of Mountain View, City of Palo Alto, City of Santa Clara, City of Sunnyvale, and City of Saratoga in the amount not to exceed a total of \$1,353,687 for the City of San Jose, and any amendments to the agreement; and
4. Approve the spending plan for the grant.

April 20, 2009

Subject: Adoption of Actions Related to the 2009 Recovery Act JAG Grant through County of Santa Clara

Page 2

OUTCOME

This action will allow the City Manager to negotiate and execute an agreement with the County of Santa Clara and eleven other cities to apply for Recovery Act JAG 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 and will approve the spending plan, funding a portion of the Police Department's Automated Field Reporting/Records Management System (AFR/RMS).

BACKGROUND

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009. As an element of the Recovery Act, the U.S. Department of Justice provides funding for grants to assist law enforcement agencies in an effort to create and preserve jobs and to increase their community policing capacity and crime prevention efforts.

The City of San Jose, County of Santa Clara and eleven other local jurisdictions have been invited to file a joint application for the U.S. Department of Justice 2009 Recovery JAG grant in the amount of \$2,565,061, of which the City of San Jose's portion is \$1,353,687. The City has been participating in the JAG Grant program since 2005. The City of San Jose, the County of Santa Clara, and eleven other local jurisdictions 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.

ANALYSIS

The 2009 Recovery Act JAG Grant funding is restricted to law enforcement programs, prevention and education programs, and planning, evaluation, and technology improvement programs related to front line law enforcement and should supplement, not supplant, current front-line law enforcement services.

An additional part of the grant's application process requires a Memorandum of Understanding (MOU) from all participating jurisdictions indicating the approval of the County of Santa Clara as the applicant/fiscal agent and the funding amount for each jurisdiction. All participating jurisdictions including City of Campbell, City of Cupertino, City of Gilroy, Town of Los Gatos, City of Milpitas, City of Morgan Hill, City of Mountain View, City of Palo Alto, City of Santa Clara, City of Sunnyvale, and City of Saratoga will be parties to this MOU.

The Police Department's spending plan is to utilize the 2009 Recovery Act JAG Grant funds to begin Phase I of the Automated Field Reporting/Records Management System (AFR/RMS). JAG funds will be used to provide a project manager, phasing in of laptops for the marked fleet, and the RMS application interface.

April 20, 2009

Subject: Adoption of Actions Related to the 2009 Recovery Act JAG Grant through County of Santa Clara
Page 3

The funding period is three years. All grant reporting criteria, award monitoring criteria and performance measures criteria will be followed.

EVALUATION AND FOLLOW-UP

The appropriation of the Recovery Act JAG funding will be brought forward for City Council consideration during the 2009-2010 budget process. Appropriation action would be expected to be effective beginning in fiscal year 2009-2010.

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 action meets Criterion 1, and has been posted on the City's website for the April 28, 2009 Council Agenda.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney, City Manager's Budget Office and the Planning, Building and Code Enforcement Department.

COST SUMMARY/IMPLICATIONS

The Recovery Act grant requires no matching funds. The cost for the AFR/RMS system is estimated between \$8 to \$8.5 million. Grant funding in the amount of \$3.6 million has been identified, including the Recovery Act JAG grant. The Police Department is currently applying for additional grant funding to complete the project. Ongoing costs are estimated to be \$1 million plus additional staff will be necessary to maintain the system beginning in FY 2010-2011.

HONORABLE MAYOR AND CITY COUNCIL

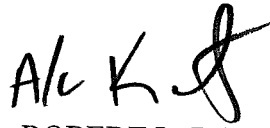
April 20, 2009

Subject: Adoption of Actions Related to the 2009 Recovery Act JAG Grant through County of Santa Clara

Page 4

CEQA

Not a project.


ROBERT L. DAVIS
Chief of Police

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