



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: February 15, 2022

Approved

Date

2/17/2022

SUBJECT: APPROVAL OF THE PROPOSED 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) SPENDING PLAN; AND ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TRUST FUND IN 2021-2022

RECOMMENDATION

- (a) Approve the proposed Spending Plan for the 2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$356,965.
- (b) Adopt a resolution accepting the 2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$356,965 and authorize the City Manager to negotiate and execute the Grant Agreement and all related documents for the grant award received from the U.S. Department of Justice without further City Council action.
- (c) Adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Edward Byrne Memorial Justice Assistance Grant Trust Fund:
 - (1) Increase the estimate for Revenue from Federal Government by \$356,965; and
 - (2) Establish an appropriation to the Police Department for the 2021 Justice Assistance Grant (JAG) in the amount of \$356,965.

OUTCOME

Approval of the proposed 2021 JAG Spending Plan would allow the Police Department to use the 2021 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 eligible to submit a joint application for funding and expected to come to an understanding regarding sharing of the grant funds.

The City of San José acting as the Fiscal Agent applied for the 2021 JAG application on August 12, 2021. The County of Santa Clara acting as the sub-grantee, will receive \$92,557 of the \$356,965 grant award. On August 2, 2021, a Memorandum of Understanding was developed by the City of San José regarding the 2021 JAG program, which identifies the City of San José as the Fiscal Agent for the grant and outlines the allocations for the City of San José and the County of Santa Clara. The total grant funds will be disbursed to the City in 2021-2022, and the City will fully expend the grant funding by September 30, 2024.

ANALYSIS

In order for the San José Police Department to use the 2021 JAG funds, approval of the proposed Spending Plan and related appropriation actions are required. The Police Department proposed the following 2021 JAG Spending Plan:

2021 JAG Spending Plan		
Project #	Item	Amount
1	Crime Prevention and Education Programs	\$47,425
2	Training on NIBRS (National Incident Based Reporting System) Data Submission	\$10,709
3	Night Optical Devices – MERGE operations	\$95,000
4	Bomb Squad Chemical Suits	\$18,000
5	Bomb Range Security Cameras	\$40,000
6	Less Lethal Launchers	\$10,000
7	Visible/Infrared Lighting	\$25,000
8	County of Santa Clara	\$92,557
9	Grant Administration	\$18,274
	Total	\$356,965

Project 1: Crime Prevention and Education Programs (\$47,425): The San José Police Department will use \$47,425 of the funding for sworn officers, crime prevention specialists, and community service officers’ overtime to continue TEAM Kids program (teaching, empowering and mentoring kids), a comprehensive crime prevention community education program.

Project 2: National Incident Based Reporting System (NIBRS) Data Submission Compliance (\$10,709): The San José Police Department will use \$10,709 to provide overtime funding for Police Sergeants to attend training. The training Sergeant will work towards achieving full compliance with the FBI's NIBRS data submission requirements under the Uniform Crime Reporting Program. Duties will include training department personnel for the entry/collecting, processing, analyzing and data submission of NIBRS reporting.

Project 3: Night Optical Device (\$95,000): The San José Police Department will use \$95,000 to purchase nine Night Optical Devices and the mounting pieces to attach them to the ballistic helmet enabling the Mobile Emergency Response Group and Equipment (MERGE) Unit and the Bomb Squad to safely, clearly, and confidently navigate around interior or exterior of a structure while conducting their duties such as surveillance and apprehension, high-risk search warrants, barricaded suspect(s), and hostage rescue situations.

Project 4: Bomb Squad Chemical Suits (\$18,000): The San José Police Department will use \$18,000 of the funds to purchase Bomb Squad Chemical Suits to allow the Bomb Squad Unit to safely render and process both explosive and incendiary devices in any condition.

Project 5: Bomb Range Security Cameras (\$40,000): The San José Police Department will use \$40,000 towards the purchase of two cameras that will be stationed at the San José Police Bomb Disposal Range. The purchase of these cameras will help prevent intrusions to this area in order to ensure public safety.

Project 6: Less Lethal Launchers (\$10,000): The San José Police Department will use \$10,000 of the funds to purchase nine less lethal launchers for the MERGE Unit. The less lethal launchers will help the MERGE Unit to more effectively de-escalate critical situations and reduce the number of officer involved shootings.

Project 7: Visible/Infrared Lighting (\$25,000): The San José Police Department will use \$25,000 to purchase nine visible/infrared lighting systems for the San José MERGE Unit. This purchase will help ensure officer safety during the execution of critical operations during low-light or no-light hours.

Project 8: County of Santa Clara (\$92,557): The County of Santa Clara will use its funding of \$92,557 to support the Office of Women's Policy in its efforts to strengthen and implement an Initiative to End Girls Incarceration, through the Juvenile Justice Gender Responsive Task Force. Following two years of intensive, no-cost technical assistance provided by the Vera Institute of Justice, an independent nonprofit national research and policy organization, Vera will begin to shift their technical assistance, offering more limited monitoring, guidance, partnership, and implementation support. There is a need to build upon the remarkable successes and foundation.

Project 9: Administration (\$18,274): The San José Police Department set aside **\$18,274** to fund 10% of a full time Analyst. Administrative duties of this grant analyst position include distributing the funds, preparation and submission of the financial status reports and programmatic progress reports, preparation of grant modifications, track grant related expenditure; and facilitate procurement.

CONCLUSION

The recommendations in this memorandum will accept the 2021 JAG award, approve the spending plan for the grant, and recognize and appropriate the grant funding. The grant award provides funding 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.

EVALUATION AND FOLLOW-UP

Expenditures will be made according to the spending plan approved by the City Council, and all funding must be expended by September 30, 2024. No additional follow up actions are expected at this time.

CLIMATE SMART SAN JOSE

The recommendations in this memo have no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the March 1, 2022, City Council Agenda.

COORDINATION

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

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

COST SUMMARY/IMPLICATIONS

The recommendations in this memorandum will recognize and appropriate the 2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$356,965. The City will receive the entire grant award in 2021-2022 and is required to fully expend the grant award by September 30, 2024. The funds will be expended according to the spending plan as recommended in this memorandum.

BUDGET REFERENCE


The table below identifies the fund and appropriations recommended to be amended as part of this memorandum.

Fund #	Appn. #	Appn. Name	Current Appn.	Recommended Budget Action	2021-2022 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
474	R110	Revenue from Federal Government	\$893,941	\$356,965	960	10/19/21; Ord. No. 80261
474	NEW	2021 Justice Assistance Grant	N/A	\$356,965	N/A	N/A


CEQA

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.

/s/
ANTHONY MATA
Chief of Police


JIM SHANNON
Budget Director

I hereby certify that there will be available for appropriation in the Edward Byrne Memorial Justice Assistance Grant Trust Fund in the Fiscal Year 2021-2022 monies in excess of those heretofore appropriated therefrom, said excess being at least \$356,965.


JIM SHANNON
Budget Director

For questions, please contact Lisa Perez, Division Manager, at (408)537-1624 or Jennifer Otani, Administrative Officer, at (408) 537-1618.