



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: January 9, 2023

Approved

Date

1/18/23

SUBJECT: APPROVAL OF THE PROPOSED 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT SPENDING PLAN AND ADOPTION OF 2022-2023 APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TRUST

RECOMMENDATION

- (a) Approve the proposed Spending Plan for the 2022 Edward Byrne Memorial Justice Assistance Grant in the amount of \$367,516.
- (b) Adopt a resolution accepting the 2022 Edward Byrne Memorial Justice Assistance Grant in the amount of \$367,516 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 2022-2023 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 \$367,516; and
 - (2) Establish the 2022 Justice Assistance Grant appropriation to the Police Department in the amount of \$367,516.

SUMMARY AND OUTCOME

Approval of the proposed 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Spending Plan allows the San José Police Department to use the 2022 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 JAG program since 2005. The City 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 are 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 2022 JAG application on August 5, 2022. The County of Santa Clara, acting as the sub-grantee, will receive \$94,582 of the \$367,516 grant award. On August 4, 2022, a Memorandum of Understanding was developed by the City of San José regarding the 2022 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 2022-2023, and the City will fully expend the three-year grant funding by the grant deadline of September 30, 2025.

ANALYSIS

In order for the San José Police Department to use the 2022 JAG funds, approval of the proposed spending plan and related appropriation actions are required. The San José Police Department proposed the following 2022 JAG spending plan:

2022 JAG Spending Plan		
Project #	Item	Amount
1	Crime Prevention and Education Programs TEAM KIDS	\$100,000
2	Crime Prevention and Education Programs STAR Camp	\$30,000
3	Air Purifying Respirators	\$10,000
4	Less Lethal Qualification Training	\$96,182
5	County of Santa Clara	\$94,582
6	Grant Administration	\$36,752
	Total	\$367,516

Project 1: Crime Prevention and Education Programs: TEAM KIDS (\$100,000): The San José Police Department will use \$100,000 of the funding for sworn officers, crime prevention specialists, and community service officers' overtime to continue the Teaching, Empowering, and Mentoring (TEAM) Kids program, a comprehensive crime prevention community education program.

Project 2: Crime Prevention and Education Programs: STAR Camp (\$30,000): The San José Police Department will use \$30,000 of the funding to purchase camping supplies such as sleeping bags, pillows, pillowcases, shirts, activity supplies, and school bus transport for the department's Strength, Truth, Achievement, and Respect (STAR) Camp program held during the school year. The purpose of the STAR Camp is to build community relationships between the San José Police Department and disadvantaged youth through a two-day and one night series of excursions that include outdoor activities supporting the camp's underlying themes of teamwork, anti-bullying, and making positive choices.

Project 3: Air Purifying Respirators (\$10,000): The San José Police Department will use \$10,000 of the funding to purchase air purifying respirators and corresponding accessories in compliance with the California Code of Regulations Title 8, Sections 5144 and 5199 that require all employers issue respiratory protection when employees could/are exposed to hazardous atmospheres in the course of their duties. The air purifying respirators and corresponding accessories provide necessary protection to the Bomb Squad Unit to safely, clearly, and confidently navigate while performing operations that involve potential exposure to hazardous chemicals.

Project 4: Less Lethal Qualification Training (\$96,182): The San José Police Department will use \$96,182 of the funding to purchase less lethal supplies for the implementation of an annual less-lethal qualification training course for all sworn officers. The implementation of the less-lethal qualification course ensures sworn officers maintain a level of proficiency with less lethal systems, which are vital to both the safety of the public and officers.

Project 5: County of Santa Clara (\$94,582): The County of Santa Clara will use its funding of \$94,582 to support the Office of Women's Policy in an effort 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 its technical assistance offering more limited monitoring, guidance, partnership, and implementation support. There is a need to build upon the remarkable successes and foundation.

Project 6: Grant Administration (\$36,752): The San José Police Department set aside \$36,752 (10% cap on administrative costs) to fund a portion of a full-time analyst position. Administrative duties of this grant analyst position include distribute the funds, prepare and submit financial status reports and programmatic progress reports, prepare grant modifications, track grant related expenditures, and facilitate procurement.

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, 2025. No additional follow up actions are expected at this time.

COST SUMMARY/IMPLICATIONS

The recommendations in this memorandum will recognize and appropriate the 2022 JAG grant in the amount of \$367,516. The City will receive the entire grant award in 2022-2023 and is required to fully expend the grant award by September 30, 2025. 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	2022-2023 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
474	R110	Revenue from Federal Government	1,183,826	\$367,516	984	10/18/2022; Ord. No. 80717
474	NEW	2022 Justice Assistance Grant	N/A	\$367,516	N/A	N/A

COORDINATION

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

PUBLIC OUTREACH

- ☒ This memorandum will be posted on the City's Council Agenda website for the January 31, 2023 City Council meeting.
- ☐ Outreach was undertaken for this item in addition to the agenda posting described above. These outreach efforts are described below.

COMMISSION RECOMMENDATION AND INPUT

- ☒ No commission recommendation or input is associated with this action.
- ☐ A commission has taken action on this item. The action is described below.

January 9, 2023

Subject: Actions Related to the 2022 Edward Byrne Memorial Justice Assistance Grant Spending Plan and Appropriation Amendments

Page 5

CEQA

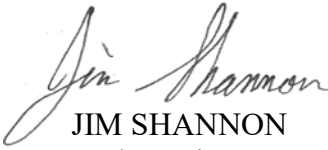
Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.

PUBLIC SUBSIDY REPORTING

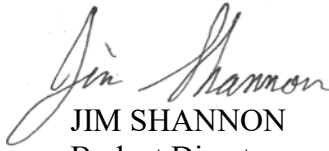
- ☒ This item does not include a public subsidy.
- ☐ This item includes a public subsidy of \$100,000 or more as defined in California Government Code section 53083. The Director of the Office of Economic Development and Cultural Affairs has been informed of this subsidy to ensure that it is tracked appropriately. Required information is provided below.
- ☐ This item includes a public subsidy of \$100,000 or more to a warehouse distribution center as defined in California Government Code section 53083.1. The Director of the Office of Economic Development and Cultural Affairs has been informed of this subsidy to ensure that it is tracked appropriately. Required information is provided below.
- ☐ This item includes a public subsidy as defined in the City's Sunshine Resolution section 2.2.10 and is in the amount of \$1 million or more. An Informational Memorandum as described in Sunshine Resolution section 2.3.2.6.C was/will be released at least 28 calendar days prior to the City Council meeting at which the subsidy will be considered. The Director of the Office of Economic Development and Cultural Affairs has been informed of this subsidy to ensure that it is tracked appropriately.

/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 2022-2023 monies in excess of those heretofore appropriated therefrom, said excess being at least \$367,516.


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.