



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Edgardo Garcia
Jim Shannon

SUBJECT: SEE BELOW

DATE: April 9, 2020

Approved

Date

4/10/20

SUBJECT: APPROVAL OF THE PROPOSED 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT SPENDING PLAN; AND ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TRUST FUND IN 2019-2020

RECOMMENDATION

- (a) Approve the proposed Spending Plan for the 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of \$290,587.
- (b) Adopt a resolution accepting the 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of \$290,587 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 in the amount of \$290,587; and
 - (2) Establish an appropriation to the Police Department for the 2019 Justice Assistance Grant in the amount of \$290,587.

OUTCOME

Approval of the proposed 2019 Justice Assistance Grant (JAG) Spending Plan would allow the Police Department to use the 2019 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 adopt a multi-disciplinary approach to solving community problems.

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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 2019 JAG on August 23, 2019. The County of Santa Clara acting as the sub-grantee, has chosen not to accept the 2019 JAG funding. The U.S Department of Justice Bureau of Justice Assistance has advised that the City of San Jose may accept the full amount of the 2019 JAG award by written agreement with the County of Santa Clara. On August 23, 2019 a Memorandum of Understanding was executed between the City and County of Santa Clara agreeing that San José shall assume the full amount of the 2019 JAG award in the amount of \$290,587. The total grant funds will be disbursed to the City in 2019-2020, and the City will fully expend the grant funding by September 30, 2022. The proposed 2019 JAG Spending Plan was presented and approved by the Public, Safety, Finance, and Strategic Support (PSFSS) Committee on September 19, 2019¹.

ANALYSIS

In order for the San José Police Department to use the 2019 JAG funds, approval of the proposed Spending Plan and related appropriation actions are required. The Police Department proposed the following 2019 JAG Spending Plan:

2019 JAG Spending Plan		
Project #	Item	Amount
1	Policing High Definition (HD) Camera System	\$124,127
2	Interoperable Communications – P25 Radios	\$139,000
3	Training on NIBRS (National Incident Based Reporting System) Data Submission	\$8,889
4	Grant Administration	\$18,571
	Total	\$290,587

Project 1: Policing HD Camera System (\$124,127): The San José Police Department will use \$124,127 to reduce violent crimes by purchasing a Policing HD Camera System, an electronic monitoring system to enhance the Department's community policing efforts. The system will include portable high-definition cameras for intensive supervision of active shooter incidents, which will increase officer safety efforts and reduce violent crimes. Funds will be encumbered

¹ Link to PSFSS Report <http://sanjose.legistar.com/gateway.aspx?M=F&ID=1de4912a-7b9b-4e5a-a8c2-de3839cdeb54.pdf>

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in 2019-2020 and the City has up to three years to fully expend the funding. It is anticipated that there will be minor ongoing maintenance and repair expenditures related to the purchase of the system, which the Police Department will absorb within its existing non-personal/equipment budget.

Project 2: Interoperable Communications (\$139,000): The San José Police Department will use \$139,000 to purchase 25 P-25 handheld radios to support emergency communication activities allowing first responders to obtain more information quickly, enabling faster and better decisions, therefore, increasing officer safety-awareness situations in efforts of promoting proactive community policing. All preconditions of interoperable communications will be satisfied. Funds will be used to purchase these radios in 2019-2020.

Project 3: Training on National Incident Based Reporting System (NIBRS) Data Submission Compliance (\$8,889): The San José Police Department will use \$8,889 to provide overtime funding for a Police Sergeant to attend training. The training will allow the Police Sergeant to work towards achieving full compliance with the FBI's new NIBRS data submission requirements under the Uniform Crime Reporting Program. By January 1, 2021, the FBI intends for NIBRS to be the law enforcement crime data reporting standard for the nation replacing the Uniform Crime Reporting (UCR) system. This training will include training department personnel for the entry/collecting, processing, analyzing and data submission of NIBRS reporting.

Project 4: Administration (\$18,571): The San José Police Department will set aside \$18,571 of the grant to fund 10% of a full time Analyst. Administrative duties of the Analyst position will include distribution of the funds, preparation and submission of the financial status reports and programmatic progress reports, preparation of grant modifications, track grant related expenditures, and facilitate procurement.

CONCLUSION

The recommendations in this memorandum will accept the 2019 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 before September 30, 2022. No additional follow up actions are expected at this time.

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CLIMATE SMART SAN JOSE

The recommendations in this memo has 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 April 21, 2020, 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 2019 JAG in the amount of \$290,587. The City will receive the entire grant award in 2019-2020 and is required to fully expend the grant award by September 30, 2022. The funds will be expended according to the spending plan as recommended in this memorandum. As part of the grant, a Policing HD Camera System will be purchased and may have minor ongoing maintenance and repair expenses, which will be absorbed in the Police Department's existing non-personal/equipment budget.

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	2019-2020 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
474	R110	Revenue from Federal Government	\$551,610	\$290,587	X- 34	6/18/19; Ord. No. 79162

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474	NEW	2019 Justice Assistance Grant	N/A	\$290,587	N/A	N/A
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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/

EDGARDO GARCIA
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 2019-2020 monies in excess of those heretofore appropriated therefrom, said excess being at least \$290,587.



JIM SHANNON
Budget Director

For questions please contact Lisa Perez, Chief Administrative Officer, at (408)537-1624 or Heidi York, Assistant Administrative Officer, at (408)537-1625.