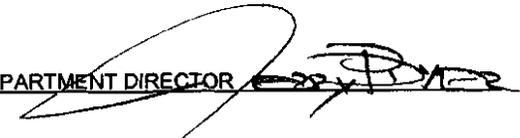




AGENDA ITEM NO.	1 J
COUNCIL MEETING	04/23/09
APPROVED BY	



DEPARTMENT DIRECTOR

CITY MANAGER

April 23, 2009

FROM: JERRY P. DYER, Chief of Police
Police Department

BY: JUDY GARCIA, Grant Manager
Police Department

SUBJECT: REQUEST APPROVAL FOR SUBMITTAL OF THE APPLICATION FOR THE 2009 RECOVERY ACT, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FORMULA PROGRAM, FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE, FOR GRANT FUNDING OF \$2,333,675 TO BE ALLOCATED AS IDENTIFIED IN THE BUREAU OF JUSTICE ADMINISTRATION DISPARATE JURISDICTION LISTING

KEY RESULT AREA

Public Safety

RECOMMENDATIONS

It is recommended that Council approve the submittal of the application for the 2009 Recovery Act, Byrne Justice Assistance Grant Program, for Federal funding of \$2,333,675, from the 2009 Recovery Act, Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program. Grant requirements are for governing boards to be notified of the grant funds prior to the submission of the grant application.

EXECUTIVE SUMMARY

This program is the result of the American Recovery and Reinvestment Act of 2009. The application process for this program is a joint application, with one agency to be named as the fiscal/reporting agent. The City of Fresno agrees to act as the administrator of these funds to be approved by all parties within the Memorandum of Understanding, now under development. The JAG formula consists of a minimum base allocation, with the remaining amount determined on population and Part 1 violent crime statistics, and a direct allocation to units of local government. The City of Fresno's allocation is \$1,658,276. The remaining funds are allocated to the cities in Fresno County and Fresno County for a total grant allocation of \$2,333,675. The funds allocated to the City of Fresno are included in the FY 2010 City of Fresno budget.

KEY OBJECTIVE BALANCE

Participation in this program will address our three Key Objectives of Customer Satisfaction, Employee Satisfaction, and Prudent Financial Management. Utilizing grant funding resources provides prudent fiscal management by minimizing the impact to the General Fund. The Recovery Act initiatives are to preserve and create jobs, and promote economic recovery. It will affect customer satisfaction by minimizing reductions to essential services. It will promote employee satisfaction by avoiding reductions to essential law enforcement services.

BACKGROUND

Funded through the American Recovery and Reinvestment Act of 2009, the JAG formula consists of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics, and a direct allocation to unit of local government. A disparate allocation occurs when a city or municipality is scheduled to receive one and one-half times (150 percent) more than a county with concurrent jurisdiction, while that county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crime. Multiple disparate allocations occur when multiple cities or municipalities are collectively eligible to receive four times (400 percent) more than the county. Jurisdictions certified as disparate must identify a fiscal agent that will submit a **joint application** for the total eligible allocation. The City of Fresno agrees to act as the fiscal agent for the JAG Recovery funding. The joint application specifies the award distribution to each unit of local government and the purpose for which the funds will be used. A Memorandum of Understanding (MOU) is being drafted to identify each agency's allocations and the fiscal agent for administration of joint funds. The MOU will be signed by the Authorized Representative for each participating jurisdiction. JAG disparate jurisdictions are certified by the Director of the Bureau of Justice Assistance (BJA), based in part on input from the State's Attorney General. Staff is working on the spending plan and with other jurisdictions to complete the required MOU and will return to Council for approval at a later date.

The 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program has allocated \$2,333,675 for the Fresno County area. Based on this formula, the City of Fresno receives \$1,658,376, Fresno County \$333,133, the cities of Clovis \$68,465, Coalinga \$26,625, Huron \$25,991, Kerman \$14,897, Parlier \$46,119, Reedley \$66,088, Sanger \$48,972, and Selma \$45,009. The stated purpose of the recovery act is to preserve and create jobs and promote economic recovery and assist those impacted by the recession. Counties identified as ineligible for a direct FY 09 Recovery Act - Edward Byrne Memorial Justice Assistance Grant (JAG) award from BJA remain a partner with the jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU).

The applicant agency (fiscal agent) must make the grant application available for review by its governing body not fewer than 30 days before the application is submitted to BJA. The application submission must include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and neighborhood or community organizations. To meet this requirement, a copy of the Application for Federal Assistance, Form 424, for the entire allocation, is made available to the Council and to the City Clerk for review. Each jurisdiction will provide its plan, in accordance with its jurisdictional requirements, to its governing board for public comment and/or review. Additional requirements of this one-time funding include specific reporting requirements on the use of funds. Applicants, including all parties, must certify they will satisfy the reporting requirements, in accordance with the "Accountability and Transparency under the Recovery Act", and will be outlined in the MOU.

FISCAL IMPACT

There is no fiscal impact to the General Fund.

JPD:JG:pgh
04/14/09

Attachment: Request for Federal Assistance Form 424

APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION		3. DATE RECEIVED BY STATE	State Application Identifier
Application Non-Construction		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name		Organizational Unit	
City of Fresno		City of Fresno	
Address		Name and telephone number of the person to be contacted on matters involving this application	
2600 Fresno Street Fresno, California 93721-3620		Garcia, Judy (559) 621-2053	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)		7. TYPE OF APPLICANT	
94-6000338		Municipal	
8. TYPE OF APPLICATION		9. NAME OF FEDERAL AGENCY	
New		Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT	
NUMBER: 16.804 CFDA TITLE: 16.804 - Recovery Act - Justice Assistance Grants - Localities		JAG 09 Recovery Law Enforcement Program	
12. AREAS AFFECTED BY PROJECT			
City of Fresno			
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF	
Start Date:	July 01, 2009	a. Applicant	
End Date:	June 30, 2013	b. Project	CA20
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal	\$1,991,509	Program is not covered by E.O. 12372	
Applicant	\$0		
State	\$0		
Local	\$0		
Other	\$0		
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
TOTAL	\$1,991,509	N	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.			

Case Manager