Resolution No. 2014-06-10-1607

STOCKTON CITY COUNCIL

RESOLUTION (1) APPROVING AMENDMENT NO. 3 TO THE INTERLOCAL MEMORANDUM OF UNDERSTANDING TO ACCEPT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS IN THE AMOUNT OF $414,923; (2) APPROVING THE RECOMMENDED USE OF THE GRANT FUNDS; (3) AUTHORIZING THE APPROPRIATION OF GRANT FUNDS; AND (4) AUTHORIZING THE CITY MANAGER TO EXECUTE ALL REQUIRED GRANT AWARD DOCUMENTS

The City of Stockton (City) has participated in the U.S. Department of Justice Assistance Grant Programs for the last 18 years and desires to participate in the 2014 Justice Assistance Grant Program; and

The City and San Joaquin County (County) are eligible to receive a combined allocation of $414,923 (the City’s allocation is $350,223) in Justice Assistance Grant funds based upon a federal formula established by Congress to local governments across the nation to enhance the level of public safety in the local community; and

The disparate allocation provision of the Justice Assistance Grant Program requires the City and County to participate in a joint planning process to determine how the anticipated award of $414,923 in grant funds is used; and

On March 14, 2014, members of the San Joaquin County Sheriff’s Department, Probation Department, and District Attorney’s Office, along with the Stockton Police Department recommended extending the Firearm Reduction Consortium for an additional three years; and

An Amendment to the Interlocal Memorandum of Understanding, attached as Exhibit 1, extends the term of the MOU by three years; and

The revised allocation for the 2014 Justice Assistance Grant funds is set forth in Attachment A to Exhibit 1, the “Edward Byrne Memorial Justice Assistance Grant Program 2013 Funding Recommendations”; and

In accordance with the Justice Assistance Grant Program requirements, the proposed use of funds for the 2014 Justice Assistance Grant was presented at a duly noticed public hearing held on June 10, 2014; now, therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City is hereby authorized to participate in and to accept the combined 2014 Justice Assistance Grant allocation in the amount of $414,923.

2. Amendment No. 3 to the Interlocal Memorandum of Understanding, as set forth in Exhibit 1, is approved.

3. The recommended use of 2014 grant funds, as set forth in Attachment A to Exhibit 1, is hereby approved and adopted.

4. The City Manager is hereby authorized to execute and submit all documents including, without limitation: agreements, amendments with the granting agency, and payment requests in compliance with Justice Assistance Grant Program requirements.

5. Upon receipt of the fully executed Justice Assistance Grant Agreement, the City Manager is hereby authorized to make any and all appropriations, transfers of funds, or expenditures as necessary to carry out the purpose and intent of this Resolution for the Police Grants and Special Programs 2014-15 Justice Assistance Grant.

6. The City recognizes any liability arising out of the performance of the Justice Assistance Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency whose actions gave rise to the liability.

7. Grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

8. Any personnel positions approved for the funding under this proposal shall be filled without unnecessary delay and shall not be subject to local hiring freezes.

PASSED, APPROVED, and ADOPTED ______________.

[Signature]

ANTHONY SILVA,
Mayor of the City of Stockton

ATTEST:

[Signature]

BONNIE PAIGE
City Clerk of the City of Stockton
This Amendment No. 3 to the above referenced Interlocal Memorandum of Understanding (MOU) is made and entered into on ________________, between the City of Stockton, California, a municipal corporation, (lead agency for funding distribution) acting by its governing body, the Stockton City Council (“STOCKTON”), and the County of San Joaquin, California, acting by its governing body, the San Joaquin County Board of Supervisors (“COUNTY”), and collectively referred to as RECIPIENTS.

RECITALS

WHEREAS, RECIPIENTS agreed that the intent of the MOU was to make every effort in creating and sustaining a Firearms Reduction Consortium program during federal fiscal years 2011, 2012, 2013 in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) program award; and

WHEREAS, RECIPIENTS desire to extend the Firearms Reduction Consortium program during the additional federal fiscal years of 2014, 2015, and 2016 in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) program award; and

WHEREAS, for fiscal year 2014, STOCKTON will distribute the proceeds of the JAG award for the Recipient Programs as identified in Attachment A;
NOW THEREFORE, RECIPIENTS agree as follows:

1. The term of the MOU will be extended for federal fiscal years 2014, 2015, and 2016.

2. The allocation of JAG funds for fiscal year 2014 shall be distributed as set forth in Attachment A.

3. All other provisions of the MOU remain the same.

CITY OF STOCKTON

KURT O. WILSON
CITY MANAGER

APPROVED AS TO FORM

ASSISTANT CITY ATTORNEY
CITY OF STOCKTON

COUNTY OF SAN JOAQUIN

MONICA NINO
COUNTY ADMINISTRATOR

APPROVED AS TO FORM

COUNTY COUNSEL
Edward Byrne Memorial – Justice Assistance Grant Program
2014 Funding Recommendations

Firearms Reduction Consortium

ATTACHMENT A

<table>
<thead>
<tr>
<th>Agency</th>
<th>Proposed JAG Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of San Joaquin</td>
<td></td>
</tr>
<tr>
<td>Probation Department</td>
<td></td>
</tr>
<tr>
<td>Gun enforcement program overtime cost</td>
<td>$ 44,000</td>
</tr>
<tr>
<td>District Attorney’s Office</td>
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<tr>
<td>Gun Prosecution Program</td>
<td>$ 104,000</td>
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<tr>
<td>Sheriff’s Office</td>
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<tr>
<td>Gun enforcement program overtime cost</td>
<td>$ 54,000</td>
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<tr>
<td>Sub-Total County</td>
<td><strong>$ 202,000</strong></td>
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<tr>
<td>City of Stockton</td>
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</tr>
<tr>
<td>Police Department</td>
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</tr>
<tr>
<td>Firearms Examiner position</td>
<td>$ 134,000</td>
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<tr>
<td>IBIS/Gun Ops Service Contract</td>
<td>$ 20,000</td>
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<td>Gun enforcement program overtime cost</td>
<td>$ 58,923</td>
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<tr>
<td>Sub-Total Stockton</td>
<td><strong>$ 212,923</strong></td>
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</tbody>
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Total Recommended Funding **$ 414,923**

2014 JAG Allocation (formula based)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Eligible JAG Allocation</th>
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<tbody>
<tr>
<td>County of San Joaquin</td>
<td>$ 64,700</td>
</tr>
<tr>
<td>City of Stockton</td>
<td>$ 350,223</td>
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</tbody>
</table>

Total Eligible Allocation **$ 414,923**