



*Dennis Graham
Chief of Police*

Date: September 14, 2009
To: Chief Dennis Graham
From: Lieutenant Henry Kwong
Subject: **2009 Edward Byrne Justice Assistance Grant (JAG)**

ISSUE:

How to spend the 2009 Edward Byrne Justice Assistance Grant (JAG) allocation of \$17,172.00?

BACKGROUND:

The United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance coordinates the annual Edward Byrne Justice Assistance Grant (JAG) authorized by 42 United States Code 3751(a).

On June 25, 2009, the San Jose Police Department agreed to coordinate a joint JAG application among several law enforcement agencies in the County, including the Milpitas Police Department, and the joint application was submitted to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance on July 8, 2009.

On September 1, 2009, the joint application was approved, and the grant was awarded (Award #2009-DJ-BX-0349). The portion of the grant allocated to the Milpitas Police Department is \$17,172.00, and a draft resolution to formally accept the grant has been prepared for the City Council Meeting on October 6, 2009.

DISCUSSION:

The grant does not require matching funds, but it does require strict adherence to timely reporting requirements and the establishment of a separate trust fund to track all expenditures. The grant is intended to enhance the front-line delivery of services through existing programs by obtaining the necessary equipment.

The proposed two (2) grant expenditures are as follows:

1. Portable Solar Message Sign Trailer	1 x \$15,500.20	\$15,500.20
2. Less Lethal Munitions	65 x \$25.72	\$ 1,671.80
	TOTAL:	\$17,172.00

(The costs are based on vendor quotes and include applicable sales taxes.)

1. Portable Solar Message Sign Trailer (\$15,500.20):

The Milpitas Police Department currently utilizes three portable solar message sign trailers on a regular basis and for special events & operations, such as sobriety checkpoints. (The Department previously had four such trailers, but one trailer has reached beyond its useable life span and is no longer repairable.) The trailers are deployed almost on a daily basis throughout the year in conjunction with special traffic enforcement campaigns, public education efforts, seasonal concerns, and especially crime prevention goals. If a possible crime trend in a particular area seems to be emerging, the portable solar message sign trailers can be readily placed in strategic locations to advise motorists & passersby of the incidents and to offer guidance on how to prevent such occurrences. The trailers have also been utilized as a means to solicit an area for witnesses in order to further investigations. The purchase of an additional portable solar message sign trailer with this grant will help bring the inventory of trailers back to a level where the Milpitas Police Department can continue to provide a high level of service to the City and its residents.

2. Less Lethal Munitions (\$1,671.80):

The Milpitas Police Department currently has three (3) Sage International less lethal impact projectile launching devices and two (2) Defense Technology gas launchers. The Defense Technology gas launchers can also be used to launch impact projectiles. By purchasing less lethal munitions designed for the Defense Technology gas launchers, the inventory of impact projectile launchers would increase to a total of five (5), thereby increasing the availability of this less lethal force option for officers in the field. These additional less lethal munitions are made of hard plastic covered with a foam tip.

RECOMMENDATION:

Approve the grant expenditures as described above.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS TO ACCEPT
THE 2009 EDWARD BYRNE JUSTICE ASSISTANCE GRANT ADMINISTERED BY
THE SAN JOSE POLICE DEPARTMENT**

WHEREAS, the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance coordinates the annual Edward Byrne Justice Assistance Grant (JAG) authorized by 42 United States Code 3751(a); and

WHEREAS, on June 25, 2009, the San Jose Police Department agreed to coordinate a joint JAG application among several law enforcement agencies in the County, including the Milpitas Police Department, and the joint application was submitted to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance on July 8, 2009; and

WHEREAS, on September 1, 2009, the joint application was approved and the grant was awarded (Award #2009-DJ-BX-0349). The portion of the grant allocated to the Milpitas Police Department is \$17,172.00, which is intended to enhance the front-line delivery of services through existing programs by obtaining necessary equipment, such as a portable solar-message sign trailer and less lethal munitions.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council accepts the 2009 Edward Byrne Justice Assistance Grant in the amount of \$17,172.00 administered by the San Jose Police Department.

PASSED AND ADOPTED this _____ day of _____ 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Robert Livengood, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

City of Milpitas, California

BUDGET CHANGE FORM

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one:				
<input checked="" type="checkbox"/> Budget Appropriation	267-3557	\$17,172	267-722-4851	\$15,500
<input type="checkbox"/> Budget Transfer			267-721-4921	1,672

Explain the reason for the budget change:

Background: The United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance coordinates the annual Edward Byrne Justice Assistance Grant (JAG) authorized by 42 US Code 3751(a).

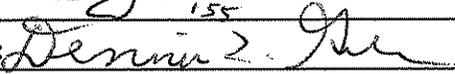
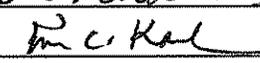
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Fiscal Impact: Appropriate the \$17,172 JAG grant to the Police Department operating budget to purchase necessary equipment.

Check if City Council Approval required.

Meeting Date: October 06, 2009

Itemization of funds, if needed:		Amount
Requested by:	Division Head: 	Date: 9-22-09
	Department Head: 	Date: 9-23-09
Reviewed by:	Finance Director: 	Date: 9/21/09
Approved by:	City Manager:	Date:
Date approved by City Council, if required:		Confirmed by: