

County of Santa Clara Office of the Sheriff




SO01 052510

Prepared by: Michelle L. Sandoval
Senior Management Analyst

DATE: May 25, 2010

TO: Board of Supervisors

FROM: 
Laurie Smith
Sheriff

SUBJECT: American Recovery and Reinvestment Act Edward Byrne Memorial Justice Assistance Local Program

RECOMMENDED ACTION

Consider recommendations relating to American Recovery and Reinvestment Act Edward Byrne Memorial Justice Assistance Local Program

Possible action:

- a. Approve Request for Appropriation Modification No. 209 - \$100,895 transferring funds within the Sheriff's Office budget. (Roll Call Vote)
- b. Approve delegation of authority to the Sheriff, or designee, to negotiate, execute, amend, terminate, and take any and all necessary or advisable actions relating to a service agreement with Debra Nathan to provide crime analysis services for the Sheriff's Investigative Bureau in an amount not to exceed \$100,895 for period June 1, 2010 through September 30, 2011 following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 30, 2011.

FISCAL IMPLICATIONS

There are no fiscal implications related to this action. The unclassified management analyst position assigned to the Cold Case and Gang Investigation Units is funded from a one-time grant, appropriated from the American Recovery and Reinvestment Act Edward Byrne Memorial Justice Assistance Grant (Recovery Act JAG) Local Program. The Board approved the revenue and expenditure on April 21, 2009. The Sheriff's Office is now requesting a transfer of a portion of the funding (\$100,895) from Salaries and Benefits to the Services and Supplies budget for a professional services agreement, which is within the grant guidelines. Since the transfer amount exceeds \$100,000, we are requesting Board approval of this action.

CONTRACT HISTORY

Due to the required urgency in spending down the Stimulus funds, the Office of the Sheriff extended a conditional offer pending the successful completion of a background investigation. The contractor is tentatively scheduled to begin working in June 2010. The length of the contract will be 16 months, from June 2010 to September 2011.

REASONS FOR RECOMMENDATION

On April 21, 2009, the Board of Supervisors approved an allocation to the Office of the Sheriff of \$161,755 in one-time federal grant dollars under the 2009 Recovery Act JAG Program to support the creation of an unclassified position assigned to work in the Cold Case and Gang Investigation Units. The project was approved for an 18-month implementation, from July 1, 2009, through December 31, 2010. Work began on this grant project on November 23, 2009.

Due to the late start of the grant and recent employee turnover in mid-March, the Sheriff's Office immediately sought out other resources in order to continue meeting the goals and critical deadlines of the grant. The grant assignment requires crime analysis background or prior criminal justice work experience/education. There is not a crime analyst job specification within the County job classification plan.

There is \$121,075 in grant funding remaining for the Sheriff's Office to utilize for the management analyst position. In order to fund a professional service agreement with the contractor, the Sheriff's Office must transfer \$100,895, the cost of the contract, from its Salaries and Benefits to the Services and Supplies budget. The remainder of the grant, \$20,180, will remain in Salaries and Benefits to fund tax withholding and benefit costs. Because the service agreement will exceed \$100,000, the Sheriff's Office is requesting delegation of authority and the transfer of funds within the department's budget.

BACKGROUND

In March 2009, the Sheriff's Office submitted a concept paper to the County Executive's Office for consideration of funding one management analyst with Recovery Act Local JAG funding. The proposed management analyst would be assigned to perform crime analysis in the Investigative Bureau. On April 21, 2009, the Board of Supervisors approved an allocation to the Office of the Sheriff of \$161,755 in one-time federal grant dollars under the 2009 Recovery Act JAG Program.

The Office of the Sheriff's grant proposal was created with three main purpose areas, or goals: 1) Implement long-term crime prevention strategies within target areas (South County, Western Santa Clara County, and unincorporated areas); 2) Improve the operational effectiveness of law enforcement through the use of crime analysis techniques and increase communication between local law enforcement agencies; and 3) Increase the number of cold cases solved annually from 2 -3 to 3 -4.

The JAG Program, authorized by the 42 U.S.C. 3751(a), is the primary provider of federal criminal justice funding to state and local jurisdictions and it is managed by the Bureau of Justice Assistance. Funding to the JAG program is one-time and subject to the annual approval of the appropriations bill by the Congress.

After enactment of appropriations, the BJA calculates allocation using a statutorily-based formula comprised of population and violent crime statistics. Once an allocation to a certain state is calculated, the BJA awards a 60/40 split between a State Administering Agency (SAA) and local governments.

When a State JAG allocation is awarded to a SAA or the California Emergency Management Agency (formerly the Office of Emergency Services), it may only retain 35.1% of its allocation and is statutorily required to grant 64.90% to local jurisdictions. This amount is referred to as "Pass-through JAG" of which the Legislature makes the final determination on the state's funding strategies, including which programs would be funded and the level of funding each program would receive.

Due to the availability of stimulus funds, in June 2009, the County and 12 eligible local cities received \$2,565,061 in one-time funding from the BJA in accordance with JAG guidelines. Of this amount, \$572,318 was distributed to the Sheriff's Office, Superior Court, and other County departments to implement various projects. This program is referred to as "Recovery Act JAG." Significant differences exist between Recovery Act JAG and Regular JAG funds, including an emphasis on job creation and retention, time specific quarterly reports, and increased federal grant oversight.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve the recommended action will result in the inability of the Sheriff's Office to negotiate the agreement and transfer funding within the Sheriff's Office to further the goals and deadlines of the grant.

STEPS FOLLOWING APPROVAL

The Clerk of the Board of Supervisors will notify Michelle Sandoval, Senior Management Analyst once Keyboard processing of this transmittal is completed.

ATTACHMENTS

- Appropriation Modification

(Forward original to The Controller-Treasurer Department)

For
 Controller's
 Office
 Use
 Only

Agency/Department Name: OFFICE OF THE SHERIFF

Line #	Description	Fund	Superior Fd Cntr	Cost Center	G.L. Account	Project Definition/ Employee Class	Amount (in Dollars)	
							Revenue	Expenditure
1	Professional Services	0001	0230	3903	5255100	FC230RVJAG		100,895.00
2	Salaries w/o Benefits	0001	0230	3903	5102000	FC230RVJAG		(100,895.00)
3								
4								
5								
6								
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23	Transfer from trust fund (Fund # _____)							
24	Transfer from fund balance (Fund # _____)							
25	Others - Describe:							
26								
27	Total forwarded from other pages (Page ___ to ___)							
TOTAL							-	-

- Recognize new expenditure/revenue (ongoing)
- Recognize new expenditure/revenue (one-time)
- Re-appropriate prior year unspent expenditures (one-time)
- Others

Brief Description: The Sheriff's Office has \$121,075 of ARRA JAG grant funding allocated to Obj I. This F85 is to transfer \$100,895 of the grant funding to Obj II for contractual services in order to fund a dependent contractor

SAP Document numbers		Prepared By :	
FM _____		Name (print):Michelle Sandoval	
Entered to SAP by: _____		Telephone: 808-4901	
Date entered : _____		Clerk of the Board	
Transmittal F85 #209		Approved by the Board of Supervisors	
		Clerk of the Board By: _____ Date _____	