

City of Alexandria, Virginia

16
9-15-01 PH

MEMORANDUM

DATE: SEPTEMBER 12, 2001

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: SUBMISSION OF A RENEWAL GRANT APPLICATION AND PUBLIC HEARING ON THE LAW ENFORCEMENT BLOCK GRANT PROGRAM FOR FY 2002

ISSUE: Consideration of a renewal grant application to the U.S. Department of Justice for the Local Law Enforcement Block Grant (LEBG) Program, in the amount of \$145,135 in federal funds and \$16,126 in local matching funds (Attachment 1).

RECOMMENDATIONS: That City Council receive comments on the grant at its September 15, 2001 public hearing as required by the U.S. Department of Justice; and following the public hearing:

- 1) Approve the submission of the City's on-line grant application, in the amount of \$161,261, of which 90 percent, or \$145,135, will be federal funds, and 10 percent, or \$16,126, will be provided from the FY 2002 Police Department operating budget for the local match; and
- 2) Authorize the City Manager to execute any documents that may be required to receive the grant and release the grant funds to the City for expenditure.

DISCUSSION: On June 15, 2001, Police staff received an email notification that the federal FY 2001 grant application process was available on-line through the U.S. Department of Justice's web site. Staff completed the application, and the renewal grant was awarded on June 30, 2001, contingent upon City Council's approval of the grant submission within 90 days.

The federal grant application requires that a local advisory board review the proposed grant program. The Alexandria Community Criminal Justice Services Board has reviewed and endorsed previous LEBG grant applications, and we anticipate similar support this year. Police Chief Samarra has forwarded a copy of this docket item to the Board seeking its review and approval of the renewal grant.

Federal rules also require that a public hearing be held on the proposed use of grant funds prior to the obligation of the funds. To comply with this requirement, the grant submission will be set for public hearing on September 15, 2001.

The federal Local Law Enforcement Block Grant (LEBG) program was first funded in FY 1997. This grant, if awarded, will be the City's sixth grant under the LEBG program, and will enable the continuation of the Police Department's Grand Larceny Auto Task Force, which has significantly lowered the rate of auto thefts in Alexandria since its inception in March 1996. In 1995 a total of 1,183 auto thefts occurred in Alexandria. In 2000, total auto thefts were 733, a reduction of 38 percent over 6 years.

Police staff propose to obtain a renewal grant for FY 2002 that will pay for overtime costs for the Grand Larceny Auto Task Force or other Part I crime task forces for about 5 months during the year. A typical task force consists of 5 officers working 5 days per week in flexible 8-hour shifts. The estimated overtime cost for the operation is \$149,600 (5 officers x 40 hours per week x \$34 x 22 weeks). Staff will ensure that total costs attributed to grant funds do not exceed the authorized grant amount.

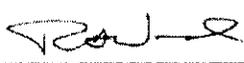
The City share of the grant is used to lease undercover vehicles for the task force officers under an existing rental vehicle agreement. Without the LEBG grant, the Police Department would be unable to fund targeted enforcement efforts of this magnitude.

FISCAL IMPACT: The total proposed grant is \$161,261 and will be used to fund police officer overtime for Part I crime task forces in an amount not to exceed \$145,135 (the federal share of 90 percent). Undercover rental vehicles for task force members to use for surveillance will cost approximately \$16,126 (the required local share of 10 percent, funded from budgeted Police operating funds in FY 2002).

In addition, the City is responsible for the normal administrative costs associated with the grant. These costs include financial and reporting oversight provided by the administering agency, the Office of Management and Budget and the Finance Department.

ATTACHMENTS: Attachment 1 – Application to Renew the Local Law Enforcement Block Grant Program for federal FY 2001 (printed from the Internet application site).

STAFF: Charles Samarra, Chief of Police
Michele Evans, Assistant City Manager
Amy Flenniken, Division Chief, Police
Joseph Hilleary, Deputy Chief, Police

 <p>U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS</p> <p> <input type="checkbox"/> OJP <input checked="" type="checkbox"/> BJA <input type="checkbox"/> OJJDP <input type="checkbox"/> BJS <input type="checkbox"/> NIJ <input type="checkbox"/> OVC </p> <p>CHECK APPROPRIATE BOX</p>		<p>AWARD</p> <p> <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT </p>		<p>PAGE 1 OF 5</p>														
<p>1. GRANTEE NAME AND ADDRESS (Including Zip Code)</p> <p>Alexandria City Alexandria City Hall 301 King Street Alexandria, VA 22314-3211</p>		<p>4. AWARD NUMBER: 2001-LB-BX-1030</p>																
		<p>5. PROJECT PERIOD: FROM 10/01/2000 TO 09/30/2002</p> <p>BUDGET PERIOD: FROM 10/01/2000 TO 09/30/2002</p>																
<p>1A. GRANTEE IRS/VENDOR NO. 546001105</p>	<p>2. SUBGRANTEE NAME AND ADDRESS (Including Zip Code)</p>	<p>6. AWARD DATE 06/30/2001</p>	<p>7. ACTION</p> <p> <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Supplemental </p>															
<p>2A. SUBGRANTEE IRS/VENDOR NO.</p>	<p>3. PROJECT TITLE</p> <p>FY 2001 Local Law Enforcement Block Grants</p>	<p>8. SUPPLEMENT NUMBER</p>	<p>9. PREVIOUS AWARD AMOUNT</p> <p style="text-align: right;">\$0.00</p>															
		<p>10. AMOUNT OF THIS AWARD</p> <p style="text-align: right;">\$145,135</p>																
		<p>11. TOTAL AWARD</p> <p style="text-align: right;">\$145,135</p>																
<p>12. SPECIAL CONDITIONS (Check, if applicable)</p> <p><input checked="" type="checkbox"/> THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED 4 PAGES</p>																		
<p>13. STATUTORY AUTHORITY FOR GRANT</p> <p> <input type="checkbox"/> TITLE 1 OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968, 42 U.S.C. 3701, ET. SEQ., AS AMENDED <input type="checkbox"/> TITLE 2 OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974, 42 U.S.C. 5601, ET. SEQ., AS AMENDED <input type="checkbox"/> VICTIMS OF CRIME ACT OF 1984, 42 U.S.C. 10601, ET. SEQ., PUBLIC LAW 98-473, AS AMENDED <input checked="" type="checkbox"/> OTHER (Specify): Fiscal Year 2001, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act (Pub. L. No. 106-553) </p>																		
<p>14. FUTURE FISCAL YEAR(S) SUPPORT:</p> <p>SECOND YEAR'S BUDGET PERIOD: _____ N/A _____</p> <p>AMOUNT OF FUNDS: _____ N/A _____ TYPE OF FUNDS: _____</p> <p>THIRD YEAR'S BUDGET PERIOD: _____ N/A _____</p> <p>AMOUNT OF FUNDS: _____ N/A _____ TYPE OF FUNDS: _____</p>																		
<p>15. METHOD OF PAYMENT</p> <p>THE GRANTEE WILL RECEIVE CASH VIA A LETTER OF CREDIT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>																		
<p>AGENCY APPROVAL</p>		<p>GRANTEE ACCEPTANCE</p>																
<p>16. TYPED NAME AND TITLE OF APPROVING OJP OFFICIAL</p> <p>Richard H. Ward, III Acting Director Bureau of Justice Assistance</p>		<p>18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL</p> <p>Philip Sunderland City Manager</p>																
<p>17. SIGNATURE OF APPROVING OJP OFFICIAL</p> 		<p>19. SIGNATURE OF AUTHORIZED GRANTEE</p>	<p>19A. DATE</p>															
<p>AGENCY USE ONLY</p>																		
<p>20. ACCOUNTING CLASSIFICATION CODES</p> <table border="1"> <thead> <tr> <th>FISCAL YEAR</th> <th>FUND CODE</th> <th>BUD. ACT.</th> <th>OFC.</th> <th>DIV. REG.</th> <th>SUB.</th> <th>POMS</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>B</td> <td>LI</td> <td>80</td> <td>00</td> <td>00</td> <td></td> </tr> </tbody> </table>		FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	X	B	LI	80	00	00		<p>21. L18M14</p> <p>L101U01030</p>		
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X	B	LI	80	00	00													



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

OJP BJA OJJDP
 BJS NIJ OVC

CHECK APPROPRIATE BOX

AWARD CONTINUATION SHEET

GRANT
 COOPERATIVE AGREEMENT

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PROJECT NUMBER: 2001-LB-BX-1030

AWARD DATE 06/30/2001

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient agrees to comply with the organizational audit requirements of OMB Circular, A-133, Audits of States, Local Governments and Non-Profit Organizations, as further described in OJP's Financial Guide, Chapter 19.
3. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 CFR 42.302), that is approved by the Office of Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
4. The recipient agrees that federal funds under this award will be used to supplement but not supplant state or local funds, pursuant to section 101(g) of H.R. 728, 104th Cong. (1995).
5. The recipient shall submit one copy of all reports and proposed publications resulting from this agreement twenty (20) days prior to public release. Any publications (written, visual, or sound), whether published at the recipient's or government's expense, shall contain the following statement: (NOTE: This excludes press releases, newsletters, and issue analysis.)

"This project was supported by Grant No. 2001-LB-BX-1030 awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."

6. The recipient agrees to provide information required for any national evaluation conducted by the U.S. Department of Justice.
7. The recipient agrees, if the funds are used for the hiring and employing of new, additional law enforcement officers and/or support personnel, as described in the applicable purpose area of Subpart A section 101(a)(2) of H.R. 728, 104th Cong. (1995), that the recipient unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public safety service. If the funds are used for the hiring and employing of new, additional law enforcement officers and/or support personnel, the unit of local government will establish procedures to give members of the Armed Forces who, on or after October 1, 1990, were or are selected for involuntary separation (as described in section 1141 of Title 10, United States Code), approved for separation under section 1174a or 1175 of such title, or retired pursuant to the authority provided under section 4403 of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 10 U.S.C. 1923 note), a suitable preference in the employment of persons as additional law enforcement officers or support personnel.

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SPECIAL CONDITIONS CONTINUED

8. The recipient agrees this award document constitutes the obligation of federal funds for use by the recipient in execution of the program or project covered by the award. Such obligation may be terminated without further cause if the recipient fails to affirm its timely utilization of the award by accepting the award and special conditions within 45 calendar days from the date of award.
9. The recipient agrees to submit the Request for Drawdown via the Internet system within 90 calendar days from the date of award, or to have all funds deobligated for redistribution during the next funding cycle.
10. The recipient agrees to one 24 month obligation and expenditure period, as established at the approval of the Request for Drawdown. All funds must be expended by the end of this 24 month period with no exceptions.
11. The recipient is required to establish a trust fund account. This fund may not be used to pay debts incurred by other activities beyond the scope of the Local Law Enforcement Block Grants Program. The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the 24 month period. Grant funds (including any interest earned) not expended by the end of the 24 month period must be returned to the Bureau of Justice Assistance (BJA) by the end of the 27th month, along with the final submission of the Financial Status Report (SF-269A).
12. The recipient agrees to submit one final progress report via the Internet system at the end of the 24 month obligation and expenditure period.
13. The recipient agrees, if funds are used by the recipient or subrecipient for enhancing security, that the recipient or subrecipient - -
 - (a) has an adequate process to assess the impact of any enhancement of a school security measure that is undertaken under subparagraph (B) of section 101(a)(2), on the incidence of crime in the geographic area where the enhancement is undertaken;
 - (b) will conduct such an assessment with respect to each such enhancement; and,
 - (c) will submit to the Bureau of Justice Assistance (BJA) an annual assessment report via the Internet system.

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SPECIAL CONDITIONS CONTINUED

14. The recipient agrees to comply with 28 CFR Part 23 if federal funds are used to support Criminal Intelligence Systems.
15. The recipient agrees to assist BJA in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the recipient or by a subrecipient. Accordingly, prior to obligating grant funds, the recipient agrees to first determine if any of the following activities will be related to the use of the grant funds. The recipient understands that this special condition applies to its following new activities, whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:
1. New construction;
 2. Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
 3. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
 4. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments.
- Application of This Special Condition to Recipient's Existing Programs or Activities:
For any of the recipient's or its subrecipient's existing programs or activities that will be funded with these grant funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.
16. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.ojp.usdoj.gov/ec/states.htm>
17. The recipient agrees to provide and expend a 10 percent cash match (calculated as 1/9 of the federal award amount) before the end of the 24 month obligation and expenditure period. The recipient is reminded that the matching funds are auditable under Special Condition #2 and will be binding to the recipient.



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SPECIAL CONDITIONS CONTINUED

18. The recipient agrees that prior to the obligation or expenditure of any LLEBG funds, at least one (1) public hearing will be held regarding the proposed use(s) of the grant funds. The recipient must also provide verification to BJA, via the Internet system, of the public hearing. At the hearing, persons shall be given an opportunity to provide written and oral views to the recipient on the proposed use(s) of the grant funds. The recipient will hold the public hearing at a time and place that allows and encourages public attendance and participation. The recipient may not request a drawdown of funds until these requirements are met and the formal budget allocations are adopted by the recipient.
19. The recipient agrees that prior to the obligation or expenditure of any LLEBG funds, a previously designated or newly established advisory board will meet to discuss the proposed use(s) of the grant funds. The recipient will designate the advisory board to make nonbinding recommendations on the use(s) of funds under the LLEBG Program. Membership on the advisory board must include a representative from the following, though it may be broader:
- a) the local police department or sheriff's department;
 - b) the local prosecutor's office;
 - c) the local court system;
 - d) the local school system; and,
 - e) a local nonprofit, educational, religious, or community group active in crime prevention or drug use prevention or treatment.
- The recipient may not request a drawdown of funds until these requirements are met and the formal budget allocations are adopted by the recipient.
20. The recipient has certified it is in compliance with the Public Safety Officers' Health Benefits Provision of the Fiscal Year 2001, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act (Pub. L. No. 106-553) and agrees to remain in compliance during the life of the grant. This provision requires that the unit of local government which employs a public safety officer (as defined by section 1204 of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended) to afford such public safety officer who retires or is separated from service due to injury suffered as a direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as the officer received while on duty. If the recipient demonstrates noncompliance during the life of the grant, 10 percent of the award amount must be returned to BJA.
21. The recipient agrees that funds provided under this award may not be used to operate a "pay-to-stay" program in any local jail. The recipient further agrees not to subaward funds to local jails which operate "pay-to-stay" programs.