



CITY COUNCIL AGENDA REPORT

MEETING DATE: April 4, 2006

ITEM NUMBER: VI-13

SUBJECT: 2005 JUSTICE ASSISTANCE GRANT (JAG) REIMBURSEMENT AND 2006 JUSTICE ASSISTANCE GRANT (JAG) ALLOCATION

DATE: MARCH 7, 2006

FROM: POLICE DEPARTMENT – ADMINISTRATION

PRESENTATION BY: JOHN D. HENSLEY, CHIEF OF POLICE

FOR FURTHER INFORMATION CONTACT: JOHN D. HENSLEY, CHIEF OF POLICE (714) 754-5117

RECOMMENDATION:

1. Authorize the City Manager or his designee to execute the Agreement to Transfer Funds for the 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.
2. Adopt Resolution _____ that authorizes the City Manager or his designee to accept the 2006 Justice Assistance Grant (JAG) in the amount of \$21,280 for the Edward Byrne Memorial Program.
3. Approve the recommendation of the Police Department to allocate 100% of their 2006 Edward Byrne Memorial Program JAG proceeds for the following item:
 - Orange County ProActive Methamphetamine Laboratory Task Force in the amount of \$21,280.

BACKGROUND:

2005 Justice Assistance Grant

In November 2004, Congress consolidated two long-standing local law enforcement grant programs: The Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program and the Local Law Enforcement Block Grant (LLEBG). The new program, the Byrne Justice Assistance Grant (JAG) program is administered at the federal level through the Bureau of Justice Assistance (BJA) within the Justice Department.

The Edward Byrne Memorial Justice Assistance Grant Program (Byrne/JAG Program) is a partnership among federal, state, and local governments to create safer communities. The Program is providing funding to local governments to support a broad range of activities to prevent and control crime. JAG funds are to be utilized for local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support and information systems for criminal justice for the following purpose areas: law enforcement, prosecution and court, prevention and education, corrections and community corrections, drug treatment and planning, evaluation and technology improvement.

As result of the combined justice programs outlined above, City Council, on April 19, 2005, adopted a resolution authorizing the use of the 2005 Justice Assistance Grant (JAG) Funds for the following items:

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| 1. Orange County ProActive Methamphetamine Laboratory Task Force | \$14,000 |
| 2. Computer Monitors | \$ 5,180 |
| 3. Tactical Hearing/Communications Headsets | \$10,765 |
| 4. Police Patrol Vehicle Light Bars | \$ 4,663 |

2006 Justice Assistance Grant

The 2006 JAG funds have been awarded to the County in the amount of \$437,051 to be allocated to all Orange County Agencies. Each agency's funding allocation is based upon the level of Part 1 violent crimes reported to the Federal Bureau of Investigation (FBI) over a 3-year period. It has been determined that Costa Mesa will be allocated \$21,280.

ANALYSIS:

The 2005 JAG Award Program requires that a single unit of county government function as the applicant/fiscal agency to apply to, receive and administer funds on behalf of all sub-grantees eligible to receive funds. The County of Orange designated its Sheriff's Department to act as the applicant/fiscal agent for the 2005 JAG funds. In order to satisfy another JAG program requirement, a Memorandum of Understanding (MOU) was signed by all eligible sub-grantees acknowledging the Sheriff's Department as the single applicant/fiscal agent for the JAG funds.

The 2005 JAG funds have been received by the Orange County Sheriff's Department and are currently being held in a trust account as required by law. In order to legally distribute these federal funds, the County of Orange is required by law to utilize a formal distribution method to reimburse the local agencies for their expenditures outlined in the grant application.

In order to begin the reimbursement of our 2005 JAG funding, City Council must approve the "Agreement to Transfer Funds for 2005 Edward Byrne Memorial Assistance Grant (JAG) Program". In addition, the 2006 JAG application has been completed allocating \$21,280 to the City of Costa Mesa.

In a collaborative effort to benefit the County of Orange, the twenty units of local government involved in this grant application have agreed to use 100% of their 2006 JAG Award allocation to supplement the Orange County Pro-Active Methamphetamine Laboratory Investigative Team, referred to as PROACT.

The goal of the PROACT is to pro-actively seek out and eradicate methamphetamine labs in Orange County, thus providing a safer community for the residents, employees and visitors within the County.

The State of California is plagued with hundreds of clandestine laboratories that manufacture methamphetamine. Orange County is one of the primary distribution hubs used to ship methamphetamine to other parts of the United States.

A bi-product of these organized methamphetamine laboratory manufactures and distributors are the small-scale "stove-top" meth labs being operated within Southern California, and specifically in the urban areas of Orange County. Methamphetamine labs can be set up virtually anywhere and are often found in private residences, motel and hotel rooms, apartments, house trailers, houseboats, and commercial establishments.

PROACT supports and enhances the existing efforts of the Bureau of Narcotic Enforcement's (BNE) Clandestine Laboratory Program with interdiction and eradication of the small to medium size

“stove-top” methamphetamine labs. The eradication of these methamphetamine labs can range from the small “stove-top” labs to the large “super labs” capable of multi-pound quantities of finished product.

ALTERNATIVES CONSIDERED:

In order to receive reimbursement for the 2005 JAG funds, City Council must approve the Agreement to Transfer Funds for the 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. If Council elects not to authorize the agreement, the decision made by Council on April 19, 2005, to allocate JAG funds for the four (4) items listed above, no reimbursement for this allocation would be received by the City.

City Council may also elect not to adopt the resolution to receive 2006 JAG funds in the amount of \$21,280.00.

City Council could also adopt the resolution to receive 2006 JAG funds but not authorize the funds in support of PROACT. This decision would mean that the City of Costa Mesa would not be participating in the County’s collaborative effort to support PROACT. Cities’ failure to support PROACT could result in the termination of the PROACT program due to lack of available funding.

FISCAL REVIEW:

The approval of the Agreement to Transfer Funds for the 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) Program will authorize the transfer of \$14,000 to PROACT and the reimbursement of \$20,608 to Costa Mesa for the purchase of computer monitors, patrol vehicle light bars and tactical hearing/communications headsets from the 2005 JAG funds.

LEGAL REVIEW:

The City Attorney’s Office has reviewed and approved the attached Resolution and the Agreement to Transfer Funds as to form.

CONCLUSION:

Based upon the Justice Assistance Grant requirements for funding reimbursement, it is recommended that the Agreement to Transfer Funds for 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) Program be accepted and approved. It is also recommended that Council approve the recommendation that 2006 JAG funds in the amount of \$21,280 be allocated to the continuing effort to support PROACT.

JOHN D. HENSLEY
Chief of Police

MARC R. PUCKETT
Director of Finance

KIMBERLY HALL BARLOW
City Attorney

DISTRIBUTION: City Manager
City Clerk
Finance Director

ATTACHMENTS: 1 [Council Resolution](#)
[Grant Application Documents](#)
[Memorandum of Understanding](#)

File Name

Date

Time