



Board Agenda Item 24

DATE: April 11, 2023

TO: Board of Supervisors

SUBMITTED BY: John Zaroni, Sheriff-Coroner-Public Administrator

SUBJECT: Retroactive Memorandum of Understanding with the City of Fresno

RECOMMENDED ACTION(S):

- 1. Approve and authorize Chairman to execute a retroactive Memorandum of Understanding (MOU) with the City of Fresno, which provides that the City will act as a Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2022 Local Solicitation from the U.S. Department of Justice (U.S. DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), (\$95,930);**
- 2. Approve and authorize Chairman to execute the Certifications and Assurances as Chief Executive of the Applicant Unit of Local Government; and**
- 3. Authorize the Sheriff-Coroner-Public Administrator or his designee to sign claims for reimbursement and programmatic reports that are necessary to stay in compliance with this grant.**

There is no additional Net County Cost associated with the recommended actions. The City of Fresno submitted the joint application before the August 8, 2022 deadline. The U.S. DOJ Edward Byrne Memorial JAG Program awarded the County \$95,930 with no required County match on September 26, 2022 for front line law enforcement, including the purchase of equipment, with no required County match. The City of Fresno is the lead agency for the grant application. The award period for this grant is from October 1, 2021 through September 30, 2025. The Sheriff-Coroner-Public Administrator's Office is recommending utilizing these funds to purchase a crime scene preservation system, jail cellphone mitigation system, testing computers for law enforcement training, law enforcement security upgrades, small tools and equipment for the Explosive Ordnance Disposal (EOD) Unit, and for the Video Infrastructure Protection Program (VIPPP). This item is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended actions, the grant funds would be denied.

RETROACTIVE AGREEMENT:

The recommended joint application/agreement was announced by U.S. DOJ/OJP/BJA on June 22, 2022, and is retroactive to October 1, 2021, to be in line with the Federal Fiscal Year, as mandated by DOJ/OJP/BJA. However, the funds will not be expended until after Board approval. The City of Fresno submitted the joint application before the August 8, 2022 deadline and received the award on September 26, 2022. The Sheriff's Office received the MOU from the City on February 15, 2023. Subsequent time for processing of the application/agreement and MOU delayed this item from being placed on an earlier Board date.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The recommended MOU with the City will complete the process for the County to receive its portion of the joint grant in the amount of \$95,930 with no required County match. The Special Revenue Fund for JAG Org 1456 has a balance of \$163,718. The appropriations and estimated revenues for the recommended agreement will be included in the Sheriff-Coroner-Public Administrator's FY 2023-24 Requested Budget for Org 3111. This fund was established to account for monies received from the U.S. DOJ, BJA Grant. The monies are drawn down in advance and transferred into the General Fund as JAG grant funds are expended.

DISCUSSION:

The Edward Byrne Memorial JAG program, administered by the BJA, blends the previous Byrne Formula and Local Law Enforcement Block grant programs, and provides States, tribes and local governments with critical funding necessary to support law enforcement programs, including the purchase of equipment. The City of Fresno and the County must submit a joint application specifying the funding distribution to each disparate unit of local government, and the purposes for which the funds will be used. The City has agreed to be the fiscal agent since 2005 to submit the application and administer the joint grant and required the County to sign the MOU first since the City of Fresno is the Fiscal Agent for this grant.

The County has received funding through this program since 1999. The County's FY 2022 JAG allocation of \$16,000 will enable the Sheriff's Office to purchase an OSCR360 crime scene preservation system for the Crime Scene Unit that will be used to improve the quality, timeliness, and credibility of forensic science services, for criminal justice purposes. \$2,000 of the funding will be used to procure a jail cell phone mitigation technology and access system as permitted by applicable law that will support the prevention, detecting, seizing and/or stopping the presence of illegal cell phone(s) that are being brought into the Fresno County Jail facilities. \$24,000 of the allocation will be used to purchase testing computers for law enforcement training that will be directly used in the Sheriff-Coroner-Public Administrator's new hiring program and training module that will attract, hire, and retain a diverse mix of college educated law enforcement professionals. \$19,930 of the funds will be utilized for law enforcement security upgrades to enhance the security of the Sheriff-Coroner-Public Administrator Office's headquarters to allow for a safer environment for all who use the building. \$10,000 of the allocation will be used to fund supplies to support the EOD unit's Federal Bureau of Investigations (FBI) certified bomb technicians to respond immediately to an active EOD incident, in which lives are in danger and time is limited. None of the funds will be expended for explosives. \$24,000 of the allocation will be used to augment the ongoing VIPP to expand video protection to high-risk facilities and resources that are determined to be critical infrastructure.

To complete the JAG application and access award funds, the chief executive of the applicant unit of local government must execute the Certification and Assurances that the unit of local government will comply with all provisions of the JAG Program statute and all other applicable Federal laws, including that no federal funds will be used to supplant local funds.

The recommended MOU contains a mutual indemnification provision, which is typical in the County's agreements with other governmental agencies.

REFERENCE MATERIAL:

BAI #26, May 3, 2022

BAI#22, April 5, 2005

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - MOU with the City of Fresno

CAO ANALYST:

Samantha Buck