

RESOLUTION NO. 136-09

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$573,395 IN FUNDS AWARDED THE CITY THROUGH THE RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (FORMULA) PROGRAM AWARD GRANT

WHEREAS, the Federal government has made funds available under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the “Recovery Act”), 42 U.S.C. 3751 (a) through the U.S. Department of Justice, Office of Justice Programs (OJP) Bureau of Justice Assistance (BJA) for law enforcement purposes; and

WHEREAS, Contra Costa County has been designated as a disparate jurisdiction, that status requiring the submittal by all the undersigned parties of a single joint application for the total eligible allocation pursuant to a Memorandum of Understanding between all parties; and

WHEREAS, the Contra Costa County Office of the Sheriff will serve as the applicant FISCAL AGENT, and GRANTEE, for the joint funds (hereafter, the “GRANTEE/FISCAL AGENT”) AND THE OTHER LOCAL GOVERNMENT SIGNATORIES SHALL BE SUBGRANTEES (HEREAFTER, EACH A “subgrantee, and collectively the “SUBGRANTEES”); and

WHEREAS, under the allocations, the City of Richmond is entitled to a maximum amount of \$573,395 of the \$2,203,718 awarded to the County of Contra Costa County.

WHEREAS, under the agreement, these “Recovery Act Funds” may only be expended for the following purposes:

- (a) state and local initiatives,
- (b) technical assistance,
- (c) training,
- (d) personnel
- (e) equipment
- (f) supplies,
- (g) contractual support,
- (h) information systems for criminal justice, and
- (i) criminal justice-related research and evaluation activities that will improve or enhance law enforcement programs, prosecution and court programs, prevention and education programs, corrections and community corrections programs, drug treatment and enforcement programs, planning, evaluation and technology improvement programs, crime victim and witness programs (other than compensation).

WHEREAS, under the agreement, these “Recovery Act Funds” may not be expended outside of the grant purpose areas as stated above, and may not be used directly or indirectly for security enhancements or equipment for non-governmental entities who are not engaged in criminal justice or public safety; and

WHEREAS, grant funds may not be used directly or indirectly to provide for any of the following matters unless BJA certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- (a) Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters);
- (b) Luxury items;
- (c) Real estate;
- (d) Construction projects (other than penal or correctional institutions);
- (e) Any similar matters.

WHEREAS, the Richmond Police Chief has submitted to the City Council a request that the funds, which the City will receive under the allocations, be used for funding Capital Improvement Projects within the Police Department.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL of the City of Richmond that:

1. The City of Richmond shall accept the allocation of \$ 573,395 from the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program Award Funds.
2. The City Manager, or his designee, shall establish an Organization/Object Code for the deposit of the funds which have been allocated to the City of Richmond from the Recovery Act: (JAG Formula Grant)
3. The Finance Director of the City of Richmond shall submit the necessary reports and summaries which are required by state law.

I certify that the foregoing resolution was passed and adopted by the members of the Richmond City Council at a regular meeting held on Tuesday, December 15, 2009, by the following vote:

AYES: Councilmembers Bates, Butt, Ritterman, Rogers, Viramontes, Vice Mayor Lopez, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 136-09**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 15, 2009.