

April 8, 2009

TO: Safety Committee

FROM: Chief Taylor

REF: April Safety Committee

1. Edward Byrne (JAG) Grant – The police department was notified that the Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant (JAG) is soliciting requests for grants that have been authorized under the Recovery Act. Roeland Park is listed in the grant awards to potentially receive \$14, 335.00 in stimulus money. This grant is specific to law enforcement to improve the delivery of service in several categories. Roeland Park Police Department has a need to improve the department emergency warning devices to reduce maintenance costs and increase visibility.

Specifics of the grant include the requirement that one grant requests is submitted from Johnson County, the City Council be notified 30 days prior to submission and the public is allowed time to comment on the grant. The Johnson County Sheriff has agreed to be the administering agency and the grant will be submitted by them. The council has been notified by way of the Safety Committee agenda and we offer time for citizen comments at every council meeting. All requirements of the grant have been or will be met. The county has supplied a Memorandum of Understanding for participating agencies and this form has been reviewed by the City Attorney.

Currently the police department has mechanical lightbars that require individual motors to turn the lights. The bars are getting older and it costs around \$100.00 to replace one set of lights. The new lightbars would be electronic with no moving parts. The lights would be the new LED style which requires much less amps to run. The reduction in amps should also reduce the need to replace car batteries at a faster than normal rate.

The JAG grant is the best means of improving the police department's emergency lighting without spending a large sum of local funds. The grant requires no match and is expected to be spent as soon as possible to aid in recovery efforts.

The final purchase of emergency equipment will come back to the City Council for approval as with any purchase.

2. Homeland Security Grant – Chief Wilson from Mission is the Johnson County Police Chief's representative on the MARC Homeland Security Committee and has identified a possible source of funding for mobile radios. We are participating in an effort to receive grant funds to help us when we replace our mobile and portable radios in 2010. While this funding is a possibility we won't know for some time whether or not we are successful in receiving a grant. In the spirit of not counting our chickens we should continue to fund the entire radio project as we have for the last two years.

Briefing Sheet

To: Board of County Commissioners
Michael B. Press, County Manager
From: Frank Denning, Sheriff
Date: April 16, 2009

Issue: Consider authorizing a grant application by the Sheriff's Office through the Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program in the total amount of \$920,495 with no matching funds required from the County, and authorize an agreement with the cities of Gardner, Leawood, Lenexa, Merriam, Mission, Olathe, Overland Park, Prairie Village, Roeland Park, and Shawnee for their participation and support in submitting the grant application, and increase budget authority for the Sheriff's Grant Funds by \$920,495.

Background: The federal government recently announced grant funding available under the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation for Johnson County and specified cities within Johnson County. The grant through this program allows local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions and provides law enforcement agencies with the flexibility to prioritize and place justice funds where they are needed most. The JAG formula includes a state allocation consisting of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics, and a direct allocation to units of local government. Sixty percent of the funding is awarded to the state and 40 percent to eligible units of local government. The Fiscal Year 2009 JAG Local Solicitation is a cooperative grant based on funding disparities in the County, resulting in funding as determined by the federal government's JAG allocation formula:

KS	JOHNSON COUNTY	County	\$66,505
KS	GARDNER	Municipal	\$35,250
KS	LEAWOOD	Municipal	\$31,960
KS	LENEXA	Municipal	\$60,630
KS	MERRIAM	Municipal	\$34,075
KS	MISSION	Municipal	\$23,735
KS	OLATHE	Municipal	\$295,395
KS	OVERLAND PARK	Municipal	\$267,195
KS	PRAIRIE VILLAGE	Municipal	\$16,450
KS	ROELAND PARK	Municipal	\$14,335
KS	SHAWNEE	Municipal	<u>\$74,965</u>
	TOTAL		<u>\$920,495</u>

The Johnson County Sheriff's Office will assume the role of fiscal agent for purposes of this grant and will administer the financial and programmatic requirements. Because the grant specifies that a single joint application must be filed, the Johnson County Sheriff's Office will be applying for grant funding in the amount of \$920,495 on behalf of the above eligible agencies. A Memorandum of Understanding (MOU) among the eligible cities and Johnson County will be drafted and circulated for approval and signature by each city and the County.

Analysis: The Sheriff's Office has coordinated with the law enforcement agencies of the eligible cities to obtain information about their proposed use of funds and related budgets. The permissible uses of funds under this grant include state and local initiatives, technical assistance,

**For Financial Approval, submit to: OFM-AGENDA
Final Submittal to: BOCC-Agenda Items
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Briefing Sheet

training, personnel, equipment, supplies, contractual support, information systems for criminal justice, and criminal justice-related research and evaluation 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, and crime victim and witness programs (other than compensation). However, grant funds may not be expended for vehicles (excluding police cruisers), aircraft, construction projects (other than correctional institutions), or similar items. More specifically, the eligible agencies will use their funds to purchase upgrades for computer systems, police cruisers, video surveillance systems, automatic license plate recognition systems, and for other similar purposes.

The grant application requires that the application be made public and an opportunity to comment be provided to citizens to the extent applicable law or established procedures make such an opportunity available. Publication on the County's web site as a BOCC Agenda item will satisfy this requirement.

Alternatives: The Board has the following alternatives:

- 1) Authorize the grant application, or
- 2) Not authorize the grant application, or
- 3) Decline to serve as fiscal agent, or lead agency.

Legal Review: The Sheriff's Office is working with the County's Legal Department to draft the MOUs to be signed by the eligible governmental entities. The grant solicitation document has been provided to the Legal Department and has substantially the same form and conditions as other JAG applications previously reviewed by the Legal Department.

Funding Review: Funding for the purchase of the equipment contemplated by this grant application will be provided entirely from the grant award. There is no requirement for matching funds from the County.

Budget Approval: Scott A. Neufeld, Budget Director (by ch)

Recommendation: Authorize a grant application by the Sheriff's Office through the Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program in the total amount of \$920,495 with no matching funds required from the County, and authorize an agreement with the cities of Gardner, Leawood, Lenexa, Merriam, Mission, Olathe, Overland Park, Prairie Village, Roeland Park, and Shawnee for their participation and support in submitting the grant application, and increase budget authority for the Sheriff's Grant Funds by \$920,495.

**For Financial Approval, submit to: OFM-AGENDA
Final Submittal to: BOCC-Agenda Items
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GMS APPLICATION NUMBER: _____

**A COOPERATIVE AGREEMENT BY AND AMONG
THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY,
KANSAS, AND THE CITIES OF GARDNER, LEAWOOD, LENEXA,
MERRIAM, MISSION, OLATHE, OVERLAND PARK, PRAIRIE VILLAGE,
ROELAND PARK, AND SHAWNEE, KANSAS
2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) FORMULA PROGRAM**

THIS AGREEMENT is made and entered into by and among the BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS (hereinafter the "COUNTY"), and the CITY OF GARDNER, KANSAS (hereinafter "GARDNER"), the CITY OF LEAWOOD, KANSAS (hereinafter "LEAWOOD"), the CITY OF LENEXA, KANSAS (hereinafter "LENEXA"), the CITY OF MERRIAM, KANSAS (hereinafter "MERRIAM"), the CITY OF MISSION, KANSAS (hereinafter "MISSION"), the CITY OF OLATHE, KANSAS (hereinafter "OLATHE"), the CITY OF PRAIRIE VILLAGE, KANSAS (hereinafter "PRAIRIE VILLAGE"), the CITY OF ROELAND PARK, KANSAS (hereinafter "ROELAND PARK"), the CITY OVERLAND PARK, KANSAS (hereinafter "OVERLAND PARK"), and the CITY OF SHAWNEE, KANSAS (hereinafter "SHAWNEE"), with each party hereto having been duly organized and now existing under the laws of the State of Kansas.

WITNESSETH:

WHEREAS, the parties hereto are eligible to apply for a joint application award of \$920,495.00 under the American Recovery and Reinvestment Act of 2009 (the "Recovery Act") Bureau of Justice Assistance (BJA) Edward J. Byrne Memorial Justice Assistance Grant (JAG) Formula Program from the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ); and

WHEREAS, the Recovery Act provides the DOJ with funding to assist state, local and tribal law enforcement (including support for hiring), to combat violence against women, to fight internet crimes against children, to improve functioning of the criminal justice system, to assist victims of crime and to support youth mentoring; and

WHEREAS, the JAG Program fosters streamline justice funding and grant administration, and allows local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions, and to improve the criminal justice system; and

WHEREAS, the COUNTY, through the Johnson County Sheriff's Office, has coordinated with the law enforcement agencies of the various cities hereunder to obtain information about budget funding disparities amongst the parties and its jurisdictions, and their proposed permissible uses of awarded funds under the JAG Formula Program grant; and

A Cooperative Agreement by and among the Board of County Commissioners of Johnson County, Kansas, and the cities of Gardner, Leawood, Lenexa, Merriam, Mission, Olathe, Overland Park, Prairie Village, Roeland Park, and Shawnee, Kansas for the 2009 Byrne Justice Assistance Grant (JAG) Formula Program

GMS APPLICATION NUMBER: _____

WHEREAS, the parties hereto have determined that it is in the best interests of the public health, safety and welfare to undertake and cooperate in applying for JAG funding under the Recovery Act to further and support the efforts of the COUNTY and the CITIES in preventing or reducing local crime and violence through purchase upgrades for computer systems, police cruisers, video surveillance systems, automatic license recognition systems, and other similar purposes; and

WHEREAS, K.S.A. 12-2908, and amendments thereto, authorize the parties hereto to cooperate in such governmental undertaking; and

WHEREAS, each of the parties hereto have determined to enter into this Agreement for the aforesaid public purpose and undertaking as authorized and provided for by K.S.A. 12-2908, and amendments thereto.

NOW, THEREFORE, in consideration of the above and foregoing recitals, the mutual covenants and agreements herein contained, and for the other good and valuable consideration, the parties hereto agree as follows:

SECTION 1. PURPOSE

A. The COUNTY, and GARDNER, LEAWOOD, LENEXA, MERRIAM, MISSION, OLATHE, OVERLAND PARK, PRAIRIE VILLAGE, ROELAND PARK, and SHAWNEE (hereinafter collectively the "CITIES") hereby agree to join in applying for the JAG disparate jurisdiction joint application award amount of Nine Hundred Twenty Thousand Four Hundred Ninety-Five Dollars (\$920,495.00) from the Office of Justice Programs, U.S. Department of Justice, based on a funding disparity in Johnson County, Kansas as set out at <http://www.ojp.usdoj.gov/BJA/recoveryJAG/recjag/KS.xis.>, and to reallocate the hereinabove stated JAG award amongst the parties in those amounts set forth at <http://www.ojp.usdoj.gov/BJA/recoveryJAG/recjag/KS.xis.>, for the express purpose of furthering and supporting the efforts of the COUNTY and the CITIES in preventing or reducing local crime and violence through purchase upgrades for computer systems, police cruisers, video surveillance systems, automatic license recognition systems, and other similar purposes.

B. The joint application, attached hereto as **Exhibit A** and incorporated herein by reference, specifies the purposes for which the funds will be used.

C. The COUNTY and CITIES hereby designate the Johnson County Sheriff's Office (the "Sheriff") to serve as the applicant/fiscal agent for the joint funding JAG grant awarded hereunder.

SECTION 2. ADMINISTRATION

A Cooperative Agreement by and among the Board of County Commissioners of Johnson County, Kansas, and the cities of Gardner, Leawood, Lenexa, Merriam, Mission, Olathe, Overland Park, Prairie Village, Roeland Park, and Shawnee, Kansas for the 2009 Byrne Justice Assistance Grant (JAG) Formula Program

GMS APPLICATION NUMBER: _____

A. The CITIES understand and acknowledge that the COUNTY will be the sole recipient of the JAG funds from the OJP to be reallocated and used for the purposes described under Section 1 of this Agreement. Further, the CITIES and COUNTY understand and acknowledge that all Recovery Act JAG Program awards: (i) are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law; (ii) are made in the first fiscal year of the appropriation and may be expended during the following three (3) years, for a total of four (4) grant period years; (iii) may not be expended outside of the JAG purpose areas; (iv) must be used to supplement existing local funds for program activities and must not replace those funds that have been appropriated for the same purpose; and shall be subject to the provisions and requirements, including certification requirements, of the Recovery Act.

B. The COUNTY shall be responsible, through the Sheriff, for the administration of the funds; monitoring the award; and submitting any reports, including performance measure and program assessment data that may be required in connection with the funding provided by the OJP hereunder. The COUNTY and each of the CITIES agree to cooperate and assist with any such grant related reporting requirements that may be need to performed under this Agreement.

C. The CITIES and COUNTY acknowledge and agree that the COUNTY will receive the total allocation of the \$920,495.00 JAG funding award under the JAG joint application submitted hereunder to be reallocated amongst the parties hereto pursuant to the provisions and requirements of the Recovery Act and this Agreement.

D. Each of the CITIES acknowledges and agrees that any and all records pertaining to the joint application and grant award shall be subject at all reasonable times to inspection, review, or audit by Federal personnel and other personnel duly authorized by the COUNTY as well as Federal personnel. Each of the CITIES assures that all financial records, supporting documentation, statistical records and any and all other records pertinent to the grant award shall be retained by the respective CITIES for at least five (5) years following the end of the grant period.

SECTION 3. GENERAL PROVISIONS

A. Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Kansas Tort Claims Act.

B. Nothing in the performance of this Agreement shall impose any liability for claims against any of the CITIES other than claims for which liability may be imposed by the Kansas Tort Claims Act.

GMS APPLICATION NUMBER: _____

C. Each party to this Agreement will be responsible for its own actions in providing any services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of services, if any, by the other parties.

D. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

E. This Agreement shall be governed by, enforced and construed in accordance with the laws of the State of Kansas. Further, the COUNTY and CITIES agree to abide by the JAG grant special conditions and certifications, and all applicable federal, state and local statutes, rules, regulations, OMB Circulars and Guidelines, including the provisions of the OJP Financial Guide, which may pertain to the grant award as well as the OJP Recovery Act Additional Requirements found at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

F. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein. Further, this Agreement shall not create any rights in any party not a signatory hereto.

G. All agreements, covenants and clauses contained herein are severable, and in the event any of them shall be deemed or held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be interpreted as if such unconstitutional, invalid or unenforceable agreements, clauses and covenants were not contained herein.

IN WITNESS WHEREOF, the parties hereto have caused the above and foregoing Agreement to be executed by their respective and duly authorized representatives.

[Signatures of authorized representatives appear on subsequent pages.]

GMS APPLICATION NUMBER: _____

**FEDERAL EDWARD BYRNE MEMORIAL
STATE & LOCAL LAW ENFORCEMENT GRANT
PROBLEM STATEMENT AND NEEDS ASSESSMENT**

The Roeland Park Police Department is a full service law enforcement agency located in Northeast Johnson County. The city is bordered on the North by Kansas City, Kansas, the West by Mission, the East by Westwood and the South by Fairway. The local population of 7,700 is bolstered by the large number of vehicles that pass through Roeland Park on the 18th Street/Roe Avenue Corridor on a daily basis. Roeland Park is also the shopping destination for a significant number of Hispanic citizens due to the specific effort made by local businesses. Because of these conditions the Roeland Park Police Department provides service to the much broader Kansas City Metropolitan area.

The police department is housed in City Hall located at 4600 W. 51st Street, Roeland Park, Kansas. The department has a fleet of five fully marked police vehicles that currently utilize Code 3, MX 7000 Halogen lightbars for emergency operations. These lightbars are over 10 years old and are creating a drain on the department budget due to the high cost of repair. The rotation of the lightbar is accomplished by the use of individual motors and a set of gears. The replacement cost for one motor set is approximately \$100.00. Additionally, motors and gears can freeze up during in climate weather creating a hazard for officers and citizens. The high electric demand of these lightbars creates an additional expense to replace the car battery at a more often than normal rate.

The Roeland Park Police Department proposes to purchase five new Federal Signal Raydian LED lightbars that have no moving parts and use much less electricity. The impact for the department will be an improved warning device for each vehicle along with monetary savings to the department. Further, the reduction in the use of electricity will reduce ozone emissions from the use of the lightbars.

Federal Signal makes the Raydian LED lightbar in the United States. Orders such as this will help maintain the trained workforce at the Federal Signal factory. The instillation will be done at a local equipment installation shop which will also help keep installers employed.

**FEDERAL EDWARD BYRNE MEMORIAL
STATE & LOCAL LAW ENFORCEMENT GRANT
PROPOSED GRANT PROJECT GOALS**

The primary goal of this grant project would be to improve the emergency warning devises of the Roeland Park Police Department emergency vehicles. Additional goals of the project would include the reduction in maintenance costs for the police department and assistance to emergency equipment manufacturers and installers to maintain their trained personnel.

**FEDERAL EDWARD BYRNE MEMORIAL
STATE & LOCAL LAW ENFORCEMENT GRANT
PROPOSED GRANT PROJECT OBJECTIVES**

Objective	Activities	Person Responsible	Time Frame
1. Present Grant Request to the City Council Safety Committee	1. Obtain Committee Support for the project.	1. Chief of Police	April 13, 2009
2. Present Grant Request to the City Council.	2. Allow for Citizen Comment and obtain the Council Approval with the Mayor' Signature on MOU.	2. Safety Committee Chairman.	April 20, 2009
3. Request for bids from area vendors for the selected lightbar.	3 The department will send out bid forms to receive the best possible price.	3. Chief of Police	3 June 1, 2009 – June 30, 2009
4 The City will purchase and have the new lightbars installed.	4 Lightbars will be ordered and an installation plan developed.	4 Deputy Chief of Police.	4 June 30, 2009 - July 31, 2009
5 The maintenance costs of the police vehicle emergency equipment will be tracked to identify savings.	5 Tracking system will be implemented, and records kept on maintenance costs.	5 Police Records Clerk	5 July 31, 2009 - June 30, 2010

**FEDERAL EDWARD BYRNE MEMORIAL
STATE & LOCAL LAW ENFORCEMENT GRANT
PROPOSED GRANT PROJECT PERFORMANCE
MEASURES AND DETERMINING RESULTS**

The Chief of Police will be responsible for project monitoring and evaluation. The first priority will be the equipment procurement process. The police department is currently in the process of developing a bid document that can be immediately sent out once the grant is awarded. All large equipment purchases are authorized and approved by the City Council and the lightbar purchase will be brought before the City Council prior to purchase.

The Chief of Police will do monitoring to determine the success of the project. Project goals will be met:

- 1 When all Roeland Park Police Department emergency warning devises are installed on the police vehicles;
2. When the vehicle maintenance costs are compared with previous expenditures;

**STATE & LOCAL LAW ENFORCEMENT
FEDERAL EDWARD BYRNE MEMORIAL GRANT
PROPOSED GRANT PROJECT STAFFING PATTERN**

The Chief of Police will be responsible for preparing bid documents, soliciting bids and presentation to the City Council. The Deputy Chief of Police will supervise installation. The company previously selected as the city’s emergency equipment installer will conduct installation.

Andree Gross, police records clerk, will be responsible for tracking the costs of emergency lighting equipment repair.

**FEDERAL EDWARD BYRNE MEMORIAL
STATE & LOCAL LAW ENFORCEMENT GRANT
CIVIL RIGHTS CONTACT INFORMATION**

John Carter
City Administrator
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205
(913) 722-2600
(913) 722-3713 fax

**FEDERAL EDWARD BYRNE MEMORIAL
STATE & LOCAL LAW ENFORCEMENT GRANT
BUDGET NARRATIVE**

Name /Position or Item With Description	Purpose	Location, if applicable	Computation	Request
Purchase of Raydian LED Lightbars	Improved Emergency Lighting	City of Roeland Park	\$1,849.00 X 5	\$9,245.00
Purchase Siren, PA and light control box	Operate the new lightbar	City of Roeland Park	\$715.00 X 5	\$3,575.00
Purchase Microphone kit	Operate PA	City of Roeland Park	\$60.17 X 5	\$300.85
Installation of Lightbars and Equipment	Implement Plan	City of Roeland Park	\$60.00/hr x 20 hours	\$1,214.15
Total Request				\$14,335.00