#2
CB 117406

Diane Pilon/DP
Police, FY2011 JAG ORD
January 12, 2012
Version # 1

ORDINANCE _____

AN ORDINANCE relating to grant funds from the US Department of Justice, Bureau of Justice Assistance; authorizing the Mayor or his designee to execute related agreements; increasing an appropriation in the 2012 Adopted Budget for the Police Department; and ratifying and confirming certain prior acts.

WHEREAS, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions; and

WHEREAS, this is the sixteenth year that the City of Seattle has been awarded funds from the Bureau of Justice Assistance (BJA); and

WHEREAS, the City submitted an application to BJA on July 20, 2011 to request JAG Program funds; and

WHEREAS, based on the City's successful application, BJA has awarded $539,315 to the City of Seattle from these JAG Program funds; and

WHEREAS, the City negotiated an agreement with King County regarding distribution of the total federal award; and

WHEREAS, the City of Seattle Police Department will administer the grant award on behalf of the City of Seattle and King County; and

WHEREAS, the City is not obligated to continue or maintain grant funding levels for the JAG Program once grant funds have lapsed; and

WHEREAS, pursuant to the terms of the grant whereby the City is to distribute grant funds to co-applicants, the City intends to transfer some of the JAG Program funds it receives to its co-applicant; and

WHEREAS, King County should not anticipate the City will assume responsibility for any program costs funded by the JAG Program once the funds are spent; and

WHEREAS, the City Council wishes to increase an appropriation in the 2012 Adopted Budget for the Police Department to reflect the anticipated receipt and authorize the expenditure of these JAG Program funds; NOW, THEREFORE,

CITY CLERK

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle hereby accepts JAG Program funds from the Bureau of Justice Assistance in the amount of $539,315. The City of Seattle's share of the award amounts to $296,623 and will help preserve essential positions within the Police Department. The sum of $242,692 is designated for King County in accordance with the terms of the grant, and shall be distributed by the Chief of Police to King County to be used for technology improvement projects.

The Mayor or his designee is authorized to execute and deliver and perform for and on behalf of the City of Seattle such agreements and certifications as may be necessary to accept the JAG Program funds. These funds are hereby accepted and shall be deposited into the fund named in Section 2 to reimburse the appropriation made in Section 2. The Mayor or his designee is further authorized to execute and deliver documents relating to the agreements if required by federal guidelines.

Section 2. To carry out the purpose of the agreements authorized in Section 1, and contingent upon the execution of those agreements, and in order to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes that could not reasonably have been foreseen at the time of the making of the 2012 Budget, the appropriation for the following in the 2012 Budget is increased as follows:

Fund	Department	Budget Control Level	Amount
General Subfund (00100)	Police	Chief of Police #P1000	$539,315

DOS CITY CLERK

Unspent funds shall carry forward to subsequent years until they are exhausted or abandoned by ordinance.

Section 3. Any act consistent with and prior to the effective date of this ordinance, is hereby ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by City Council the ____ day of _____, 2012, and signed by me in open session in authentication of its passage this _____ day of _____, 2012.

_____
President _____of the City Council

Approved by me this ____ day of _____, 2012.

_____
Michael McGinn, Mayor

Filed by me this ____ day of _____, 2012.

_____
Monica Martinez Simmons, City Clerk

(Seal)

CITY CLERK

Form revised: December 6, 2011

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Police	Diane Pilon / 6-1996	Michael Katz / 4-5211

Legislation Title:
AN ORDINANCE relating to grant funds from the US Department of Justice, Bureau of Justice Assistance; authorizing the Mayor or his designee to execute related agreements; increasing an appropriation in the 2012 Adopted Budget for the Police Department; and ratifying and confirming certain prior acts.

Summary of the Legislation:
This legislation authorizes the acceptance of grant funds made available through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and increases the 2012 Adopted Budget to authorize new expenditures.

Background:
This is the sixteenth year the City of Seattle has received Edward Byrne Memorial Justice Assistance Grant funding from the Bureau of Justice Assistance, which formerly offered this funding as part of the Local Law Enforcement Block Grant.

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system. For federal fiscal year 2011, $539,315 has been allocated to City of Seattle and King County to support law enforcement activities to prevent and control crime based on each jurisdiction's local needs and conditions. Funds are allocated to local jurisdictions based on population and Part I crime statistics.

The City of Seattle, serving as the fiscal agent for this award, will share the FY 2011 JAG funds with King County. City of Seattle and King County are considered disparate jurisdictions, and as such, must apply for an award with a single, joint application.

The City negotiated an agreement with King County regarding distribution of the total federal award. The City of Seattle will receive $296,623 to preserve three Crime Prevention Positions in the Police Department. The remaining $242,692 comprises King County's share of the award and will be administered by the City of Seattle. The County intends to use the funds for technology improvement projects.

Jurisdictions may not expend or drawdown funds until BJA has received documentation demonstrating that the City of Seattle's governing body review and community notification requirements have been met and BJA has issued a Grant Adjustment Notice releasing this special condition. Jurisdictions, including the City of Seattle, are required to provide data that measures the result of their work.

2012 CITY CLERK

Please check one of the following:

____ **This legislation does not have any financial implications.**

_X_ **This legislation has financial implications.**

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2012 Appropriation	2013 Anticipated Appropriation
General Subfund (00100)	Police	P1000-Chief of Police	$539,315	
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*

Appropriations Notes:
Spending of the appropriation in this section is contingent upon FY2011 funds being granted to, and received by, the City.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2012 Revenue	2013 Revenue
General Subfund (00100)	Police	Federal Bureau of Justice Assistance	$539,315	
TOTAL			**$539,315**	

Revenue/Reimbursement Notes:

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions*	2013 FTE*
N/A							
TOTAL							

** 2013 positions and FTE are total 2013 position changes resulting from this legislation, not incremental changes. Therefore, under 2013, please be sure to include any continuing positions from 2012.*

Position Notes:

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Do positions sunset in the future? N/A

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2012 Expenditures	2013 Anticipated Expenditures
General Subfund (00100)	Police	P1000 – Chief of Police	$539,315	$0
TOTAL			**$539,315**	**$0**

** See budget book to obtain the appropriate Budget Control Level for your department.*

Spending/Cash Flow Notes:

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?** Positions funded by this legislation will sunset in the event funding is not renewed.

b) **What is the financial cost of not implementing the legislation?** Without this legislation, the City will not receive $539,315 in revenues to support important law enforcement and crime prevention programs for the City of Seattle and King County.

c) **Does this legislation affect any departments besides the originating department?** No.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** Acceptance of the grant award is a prerequisite for the receipt of these federal funds. There are no alternatives that could achieve the same or similar objectives.

e) **Is a public hearing required for this legislation?** While this ordinance does not require a public hearing, one is required by the Federal grant guidelines. That hearing will be conducted in advance of a Council vote on appropriating the funds authorized by this legislation.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** No.

g) **Does this legislation affect a piece of property?** No.

h) **Other Issues:**

List attachments to the fiscal note below:

DIS CITY CLERK

City of Seattle
Office of the Mayor

January 31, 2012

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill, which accepts $539,315 in federal Justice Assistance Grant (JAG) Program funds through the US Department of Justice (DOJ), Bureau of Justice Assistance. The Council Bill also increases appropriations to reflect the anticipated receipt and expenditure of these funds.

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. For federal fiscal year 2011, $539,315 has been allocated to the City of Seattle and King County to support law enforcement activities to prevent and control crime based on each jurisdiction's local needs and conditions. The City of Seattle, serving as the fiscal agent for this award, will share the FY 2011 JAG funds with King County.

The City negotiated an agreement with King County regarding distribution of the total federal award. The City of Seattle will receive $296,623 to preserve three Crime Prevention Positions in the Police Department. The remaining $242,692 comprises King County's share of the award and will be administered by the City of Seattle. The County intends to use the funds for technology improvement projects.

Thank you for your consideration of this legislation. Should you have questions, please contact Diane Pilon at 386-1996.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov

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