

RESOLUTION CITY OF SAINT PAUL, MINNESOTA

Presented by _____



- 1 WHEREAS, the City of Saint Paul, Police Department has been awarded the 2010 Edward Byrne Memorial Justice
 2 Assistance Grant (Attachment A); and
 3
 4 WHEREAS, this grant provides funds to support all components of the criminal justice system, from multi-jurisdictional
 5 drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment and justice
 6 information sharing initiatives; and
 7
 8 WHEREAS, the City of Saint Paul, serving as the fiscal agent for this award, will share the grant funds with two disparate
 9 jurisdictions within Ramsey County; and
 10
 11 WHEREAS, each jurisdiction's allocation will be used for activities and projects that will provide meaningful and
 12 measurable outcomes consistent with the goals of the grant;
 13
 14 WHEREAS, a 2010 financing and spending plan needs to be established for these funds; and
 15
 16 WHEREAS, the Mayor pursuant to Section 10.07.1 of the Charter of the City of Saint Paul, does certify that there are
 17 available for appropriation funds of \$30,000 in excess of those estimated in the 2010 budget; and
 18
 19 WHEREAS, the Mayor recommends that the following addition be made to the 2010 budget:
- | | Current
Budget | Changes | Amended
Budget |
|---|-------------------|---------|-------------------|
| 21 436-Police Special Projects | | | |
| 22 34251 - 2010 JAG | | | |
| 23 FINANCING PLAN | | | |
| 24 3066-Federal Grants | 0 | 30,000 | 30,000 |
| 25 Total Changes to Finance | 0 | 30,000 | 30,000 |
| 26 SPENDING PLAN | | | |
| 27 0545 - City Contribution to Outside Agency | 0 | 30,000 | 30,000 |
| 28 Total Changes to Spending | 0 | 30,000 | 30,000 |
- 29
 30 THEREFORE BE IT RESOLVED, that council accepts this grant and authorizes the City of Saint Paul to enter into, and
 31 Chief Thomas Smith to implement the attached agreement with the U.S. Department of Justice; and
 32
 33 THEREFORE BE IT RESOLVED, that the Saint Paul City Council approves these changes to the 2010 budget.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Adopted by Council: Date _____
 Adoption Certified by Council Secretary
 By: _____
 Approved by Mayor: Date _____
 By: _____

Requested by Department of:

 By: *Thomas E. Smith*
 Approved by the Office of Financial Services
 By: _____
 Approved by City Attorney
 By: _____
 Approved by Mayor for Submission to Council
 By: _____

 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>		<p>Grant</p>		<p>PAGE 1 OF 5</p>																	
<p>1. RECIPIENT NAME AND ADDRESS (Including Zip Code)</p> <p>City of Saint Paul 310 City Hall 15 West Kellogg Boulevard Saint Paul, MN 55102</p>		<p>4. AWARD NUMBER: 2010-DJ-BX-1385</p>		<p>5. PROJECT PERIOD: FROM 10/01/2009 TO 09/30/2013 BUDGET PERIOD: FROM 10/01/2009 TO 09/30/2013</p>																	
<p>1A. GRANTEE IRS/VENDOR NO. 416005530</p>		<p>6. AWARD DATE 09/10/2010</p>		<p>7. ACTION Initial</p>																	
<p>3. PROJECT TITLE 2010 Collaborative JAG Program</p>		<p>8. SUPPLEMENT NUMBER 00</p>		<p>9. PREVIOUS AWARD AMOUNT \$ 0</p>																	
<p>12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).</p>		<p>10. AMOUNT OF THIS AWARD \$ 464,477</p>		<p>11. TOTAL AWARD \$ 464,477</p>																	
<p>13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY10 (BJA - JAG) 42 USC 3750, et seq.</p>																					
<p>15. METHOD OF PAYMENT GPRS</p>																					
<p>AGENCY APPROVAL</p>		<p>GRANTEE ACCEPTANCE</p>																			
<p>16. TYPED NAME AND TITLE OF APPROVING OFFICIAL James H. Burch II Acting Director</p>		<p>18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL John Harrington Chief <i>John Harrington</i> 10/11/2010</p>																			
<p>17. SIGNATURE OF APPROVING OFFICIAL <i>James H. Burch II</i></p>		<p>19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL</p>		<p>19A. DATE</p>																	
<p>AGENCY USE ONLY</p>																					
<p>20. ACCOUNTING CLASSIFICATION CODES</p> <table border="1"> <thead> <tr> <th>FISCAL YEAR</th> <th>FUND CODE</th> <th>BUD. ACT.</th> <th>DIV. OFC.</th> <th>DIV. REG.</th> <th>SUB.</th> <th>POMS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>B</td> <td>DJ</td> <td>80</td> <td>00</td> <td>00</td> <td></td> <td>464477</td> </tr> </tbody> </table>		FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	DIV. REG.	SUB.	POMS	AMOUNT	X	B	DJ	80	00	00		464477	<p>21. JDJUGT2967</p> <div style="text-align: right;">  </div>			
FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	DIV. REG.	SUB.	POMS	AMOUNT														
X	B	DJ	80	00	00		464477														

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2010-DJ-BX-1385

AWARD DATE 09/10/2010

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.





Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
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PROJECT NUMBER 2010-DJ-BX-1385

AWARD DATE 09/10/2010

SPECIAL CONDITIONS

8. To support public safety and justice information sharing, OJP requires the grantee to use the National Information Exchange Model (NIEM) specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas generated as a result of this grant to the component registry as specified in the guidelines. For more information on compliance with this special condition, visit <http://www.niem.gov/implementationguide.php>.
9. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
10. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
11. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
12. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
13. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046>.
14. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
15. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.

(15)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
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Grant**

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PROJECT NUMBER 2010-DJ-BX-1385

AWARD DATE 09/10/2010

SPECIAL CONDITIONS

16. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

17. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Federal Financial Report (SF-425).
18. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.

(B)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2010-DJ-BX-1385

AWARD DATE 09/10/2010

SPECIAL CONDITIONS

19. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (<https://grants.ojp.usdoj.gov>). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.
20. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
21. The grantee agrees that within 120 days of award acceptance, each member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).
22. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received documentation demonstrating that the state or local governing body review and/or community notification requirements have been met and has issued a Grant Adjustment Notice (GAN) releasing this special condition.
23. Recipient may not expend, or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Budget Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.
24. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Program Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.
25. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

TS



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Incorporates NEPA Compliance in Further Developmental Stages for City of Saint Paul

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**

Grant

PROJECT NUMBER
2010-DJ-BX-1385

PAGE 1 OF 1

This project is supported under FY10 (BJA - JAG) 42 USC 3750, et seq.

1. STAFF CONTACT (Name & telephone number)

Kathryn Winton
(202) 353-2325

2. PROJECT DIRECTOR (Name, address & telephone number)

Amy Brown
Research And Grants Manager
367 Grove Street
Saint Paul, MN 55101-2295
(651) 266-5507

3a. TITLE OF THE PROGRAM

FY 2010 Justice Assistance Grant Program

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

2010 Collaborative JAG Program

5. NAME & ADDRESS OF GRANTEE

City of Saint Paul
310 City Hall 15 West Kellogg Boulevard
Saint Paul, MN 55102

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2009 TO: 09/30/2013

8. BUDGET PERIOD

FROM: 10/01/2009 TO: 09/30/2013

9. AMOUNT OF AWARD

\$ 464,477

10. DATE OF AWARD

09/10/2010

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following purpose areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).

The disparate jurisdictions of the city of Saint Paul, the city of Maplewood, and Ramsey County will share this 2010 JAG award, with the city of Saint Paul serving as the fiscal agent. In a disparate situation, the units of local government must apply for an award with a single, joint application. JAG funds will be used for

activities and projects that will provide meaningful and measurable outcomes consistent with the goals of the JAG program.

The city of Maplewood and Ramsey County will use their funds to pay personnel costs. Maplewood and Ramsey will both pay for officer overtime. Ramsey County will also pay for personnel costs for a Community Corrections Aide and for a County Attorney's Office Investigator.

The city of Saint Paul will pay overtime and fringe benefits for Saint Paul Police Department officers. They will also utilize ten percent of the award for administrative costs.

NCA/NCF



US DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

GRANT ADJUSTMENT NOTICE

Grantee Information					
Grantee Name:	City of Saint Paul	Project Period:	10/01/2009 - 09/30/2013	GAN Number:	002
Grantee Address:	15 W. KELLOGG BLVD ST. PAUL, 55102	Program Office:	BJA	Date:	10/01/2010
Grantee DUNS Number:	84-889-8433	Grant Manager:	Kathryn Winton		
Grantee EIN:	41-6005521	Application Number(s):	2010-H7080-MN-DJ		
Vendor #:	416005530	Award Number:	2010-DJ-BX-1385		
Project Title:	2010 Collaborative JAG Program	Award Amount:	\$0.00		

Change Grantee Authorized Signing Official	
Specific documentation is required for changes to a Grantee Authorized Signing Official. Documentation can be the legal document that effected the change or a letter noting the official change authenticated (signed) by a proper official of the state having jurisdiction. Documentation must be electronically attached. If you cannot attach the documentation, please contact your Grant Manager.	
Current Authorized Signing Official	New Authorized Signing Official
Prefix	Chief
Prefix (Other)	
First Name	John
Middle Initial	
Last Name	Harrington
Suffix	
Suffix (Other)	
Title	Chief
Address Line 1	310 City Hall
Address Line 2	15 West Kellogg Boulevard
City	Saint Paul
State	Minnesota
Zip	55101 - 2416
Phone	(651) 266-5588 Ext
Fax	(651) 266-5542
Email	amy.brown@ci.stpaul.mn.us
*Prefix	Chief
Prefix (Other)	
*First Name	Thomas
Middle Initial	E
*Last Name	Smith
Suffix	
Suffix (Other)	
*Title	Chief of Police
*Address Line 1	367 Grove Street
Address Line 2	
*City	Saint Paul
*State	Minnesota
*Zip	55101 - 2416
*Phone	(651) 269-5588 Ext
Fax	(651) 266-5541
*Email	amy.brown@ci.stpaul.mn.us

***Required Justification for Change Grantee Authorized Signing Official**

Newly appointed chief of police for the City of Saint Paul. Please find attached City of Saint Paul Council Resolution #10-491, documentation of the appointment Thomas E. Smith, Chief of Police.

Attachments:

Filename:	User:	Timestamp:
Documentation of New Police Chief 10.01.2010.docx	wintonk	10/01/2010 2:16 PM
CR 10-491- Appt of T Smith-Police Chief.pdf	mn06209	09/21/2010 3:06 PM

[Print](#)

Audit Trail:

Description:	Role:	User:	Timestamp:
Approved-Final	PO - Grant Manager	wintonk	10/01/2010 2:27 PM
Submitted	PO - Grant Manager	mn06209	09/21/2010 3:09 PM



Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

September 10, 2010

Chief John Harrington
City of Saint Paul
310 City Hall
15 West Kellogg Boulevard
Saint Paul, MN 55102

Dear Chief Harrington:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 10 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation in the amount of \$464,477 for City of Saint Paul.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Kathryn Winton, Program Manager at (202) 353-2325; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Burch II".

James H. Burch II
Acting Director

Enclosures



Department of Justice
Office of Justice Programs
Office of Civil Rights

Washington, D.C. 20531

September 10, 2010

Chief John Harrington
City of Saint Paul
310 City Hall
15 West Kellogg Boulevard
Saint Paul, MN 55102

Dear Chief Harrington:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEOP, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

2) Submitting Findings of Discrimination


In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

GMS APPLICATION NUMBER – 2010 H7080-MN-DJ

THE STATE OF MINNESOTA

KNOW ALL BY THESE PRESENT

COUNTY OF RAMSEY

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF SAINT PAUL, MAPLEWOOD, AND
THE COUNTY OF RAMSEY, MINNESOTA**

2010 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this 1st day of June, 2010, by and between the CITY of SAINT PAUL and CITY OF MAPLEWOOD, acting by and through their governing bodies, their City Councils, hereinafter referred to respectively as Saint Paul and Maplewood and the COUNTY OF RAMSEY, acting by and through its governing body, the Commissioners of the County, hereinafter referred to as Ramsey, all of Ramsey County, State of Minnesota, witnesseth:

WHEREAS, this Agreement is made under the authority of the provision of Minnesota Statutes Section 471.59, the Joint Powers Act; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the City of Saint Paul agrees to provide the City of Maplewood \$16,529 less 10 percent administrative funds and Ramsey County \$149,316 less 10 percent administrative funds from the JAG award for the Collaborative JAG Program; and

WHEREAS, all parties believe it to be in their best interests to reallocate the JAG funds.

GMS APPLICATION NUMBER

NOW THEREFORE, the City of Saint Paul, the City of Maplewood, and Ramsey County agree as follows:

Section 1.

Saint Paul agrees to pay Maplewood and Ramsey a total of \$165,845 of JAG funds as outlined above.

Section 2.

Maplewood and Ramsey agrees to use \$165,845 less 10 percent administrative funds for the Collaborative JAG Program until September 30, 2014.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against Maplewood and Ramsey other than claims for which liability may be imposed by the Minnesota Tort Claims Act.

Section 4.

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

Section 5.

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

Section 6.

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

Section 7.


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.

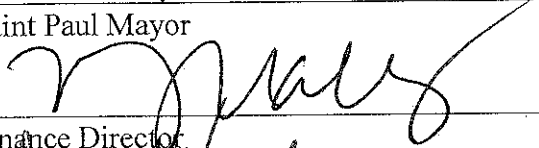
GMS APPLICATION NUMBER

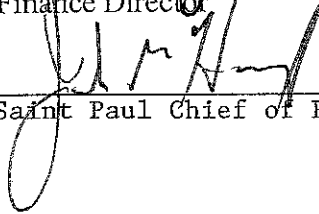
CITY OF SAINT PAUL, RAMSEY COUNTY, MINNESOTA

APPROVED AS TO FORM:


Assistant Saint Paul City Attorney

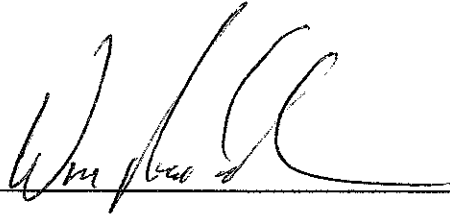

Saint Paul Mayor


Finance Director

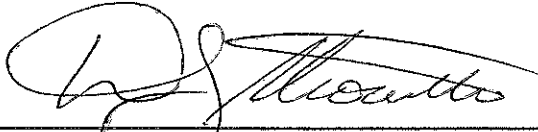

Saint Paul Chief of Police

GMS APPLICATION NUMBER

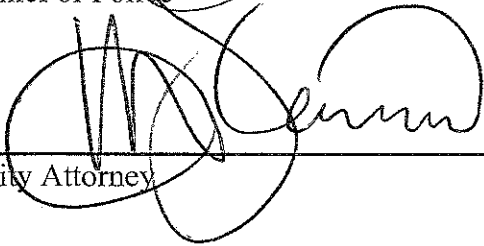
City of Maplewood, Ramsey County, Minnesota



Mayor



Chief of Police



City Attorney



Finance Director

GMS APPLICATION NUMBER
RAMSEY COUNTY, MINNESOTA

Victoria A. Bernal

Ramsey County Board Chair


2006-351

RECEIVED
MAY 20 2010
CHIEF'S OFFICE



Interdepartmental Memorandum
CITY OF SAINT PAUL

TO: Saint Paul City Council

FROM: Chief John M. Harrington 

SUBJECT: JAG 2010

DATE: May 26, 2010

As required by the Department of Justice, Bureau of Justice Assistance, I am attached a copy of our proposed use of JAG funds for your review. A council resolution accepting and appropriating the funds will be forwarded upon receipt of the grant award. Please feel free to contact me if you have any questions on this proposal.

cc Ann Mulholland

2010 PROPOSAL FOR COLLABORATIVE USE OF JAG

Program Narrative-Attachment 1

Amount awarded: **\$464,477**

<u>Distribution of Funds</u>	<u>Grant Award</u>
Ramsey County Sheriff	\$44,795
Ramsey County Corrections	\$44,794
Ramsey County Attorney	\$44,795
City of Maplewood	\$14,876
Saint Paul Police Department	\$315,217
Total expenditures	\$464,477

Summary of proposed spending:

Ramsey County Sheriff's Office

The Ramsey County Sheriff's Office proposes utilizing its JAG allocation to fund overtime for the following types of proactive efforts:

- counter terrorism surveillance in detecting, identifying and preventing acts of violence against the United States by extremist groups;
- violent crime investigations, including a focus on gangs and narcotics trafficking;
- concentrated enforcement and surveillance activities aimed at career criminal and sexual offenders; and
- warrant sweeps that target the most violent offenders

Oftentimes, larger scale investigations and surveillance activities that incur overtime are the first areas of cutbacks in difficult budgetary times. This funding will insure that critical investigative activity can continue with an overall goal of preventing crime before it occurs and keeping violent crime at its lowest possible levels.

Proposed expenditure of funds – Overtime - \$44,795

Ramsey County Corrections Department

Ramsey County Community Corrections will use the JAG funds to support a portion of the salary of a Community Corrections Aid in the Intake Unit of the Adult Courts Division. The aid position supports the overall work of the intake unit by performing a variety of duties: 1) performing criminal record checks; 2) determining the custodial status and length of stay in the local jail; 3) entering new case information into the automated data base; 4) conducting data

integrity operations; 5) gathering information for the probation officer assigned to a particular case.

The Intake unit serves as the point of entry for all referrals of adult offenders to the Adult Courts Division for any service. This position assists the unit in achieving two of its core goals:

- a) Improving the speed and accuracy of post-Court case assignment; and
- b) Providing timely and accurate information to the Court regarding in-custody probation Violation matters.

Both goals are critical to public safety: the first relates to supervision of those offenders released to the community; the second relates to appropriate Court response to in-custody supervision violators.

Proposed expenditure of funds – Salary and fringe benefits - \$44,794

Ramsey County Attorney's Office

The Ramsey County Attorney's Office in cooperation with the Ramsey County Courts has initiated ongoing meetings with criminal justice representatives to deal with the issues surrounding cases involving guns, gangs, and violent crimes. The Ramsey County Attorney's Office is the chief prosecuting agency for all of Ramsey County including the cities of Maplewood, Roseville, and the City of St. Paul. One of the key issues identified was the need for the court to have more complete information on defendants prior to decisions on bail and sentencing. Law enforcement officers are in possession of necessary and useful information but are not usually present at court hearings. An investigator has been hired to work closely with Federal, State, and local law enforcement agencies to insure full access to essential information from those agencies to special gang prosecutors and all other adult and juvenile prosecutors. Contact with courts and agencies from other states are also necessary to insure that complete and timely information is available to our prosecutors and our courts.

Proposed expenditures:	\$ 44,295 salaries and fringe benefits
	\$ 500 mileage and parking
	\$ 44,795 total

Maplewood Police Department

The City of Maplewood Police Department will allocate its portion of the JAG funding towards reducing crime in targeted areas. The Maplewood Police Department will conduct hot spot analysis that will enable the department to determine areas that have a high and concentrated amount of crime. The effort of the JAG funding is to eliminate crime in the targeted areas instead of displacing it. The hot spot crime reduction will involve additional officers on duty to create a presence that will prevent crime from occurring as well as charging offenders aggressively. The hot spot crime reduction strategy will be implemented because the presence of law enforcement officers is sufficient deterrent not only to specific crimes that the department is trying to reduce, but lesser 'quality of life' crimes that also arise. The JAG funding will be used for officer overtime.

Proposed expenditure of funds – Overtime - \$14,876

Saint Paul Police Department

The Saint Paul Police Department will use a portion of the JAG to support the following activities as needed on an overtime basis:

Focusing Our Resources On Community Empowerment (F.O.R.C.E.) Unit:

The Saint Paul Police Department recognizes the negative and pervasive influence that drugs and narcotics have on the quality of life in our community. The department also recognizes that drug use and related activities are a social phenomenon that requires a coordinated response between police officers, residents, and the combined resources of the City of Saint Paul. The FORCE Unit is designed to combine resources in an effort to attack the scourge of drug use through a variety of strategies. F.O.R.C.E. Unit has found through unit investigations that suspects in street level narcotics investigations are very mobile, involved in other criminal activity and often create problem properties where they conduct their illegal activities. There is a strong need to address problem properties and behavior through the use of jump-out details, agent buy operations, knock and talk details and search warrants. Additional emphasis needs to be directed toward block club meetings, administrative follow-up, cooperating agency meetings and educational presentations. High crime areas will be defined by F.O.R.C.E. based on numbers of resident complaints, concentration of problem property cases, computerized mapping and intelligence information generated by patrol officers and informants.

Anticipated Goals/Outcome: Address crime hot spots citywide, to reduce street level narcotics activity, associated crimes, and problem properties in the target areas. Overtime funding will strengthen the F.O.R.C.E. Unit's specialized approach to intervening in hot spots by permitting more time for coordination with neighborhood service area supervisors, district council neighborhood crime prevention coordinator and relevant city services such as code enforcement, fire inspections, and licensing. An increase in arrests, drug seizures, and prosecutions will be seen as well as an increase in the quality of life for residents of the city.

Gun Issues - Possession and Discharge of Firearms:

Trained officers retrieve illegal guns as well as document guns that have been confiscated by utilizing gun suppression techniques.

Anticipated Goals/Outcome: Reduce the level of intentional discharge of firearms by intervening with violent offenders with a documented history of gun violence. Gathering and sharing of intelligence data, training on gun interdiction techniques and use of technology to improve communications between department resources, and law enforcement agencies to accomplish outcome.

Narcotics/Special Investigation Unit (S.I.U)/Gang Unit:

Saint Paul and its adjoining suburban communities contained within Ramsey and Dakota Counties has experienced a large impact from the burgeoning methamphetamine problem. Prior to 1998, St. Paul drug seizures were comprised largely of cocaine and marijuana with a representation of other illegal drugs including methamphetamine. Beginning in 1998, methamphetamine seizures quickly outpaced other drug seizures by a margin of almost 2 to 1. Saint Paul's west side community is becoming known as source city for methamphetamine. Highly financed criminal organizations importing from Mexico, using mostly methamphetamine distributors locally, blend into the illegal activities and avoid prosecution. The majority of the methamphetamine coming into Saint Paul and the Saint Paul suburban community originates from labs in California and Mexico.

In addition, the City of Saint Paul will use these grant funds to supplement the work of the department's gang unit.

Anticipated Goals/Outcome: Overtime availability will allow officers to more thoroughly pursue investigations related to the west side methamphetamine market resulting in an increase in drug seizures and arrest.

Use of the funds for the gang unit will result in more arrests, seizures, and prosecutions.

Neighborhood Service Area (NSA)/Beat Officers:

Neighborhood policing identifies with geographic areas within each district, which are referred to as Neighborhood Service Areas (NSA) and beat assignments. NSAs and beat areas incorporate well-defined neighborhoods within Saint Paul into police service areas. Neighborhood policing brings residents, business owners, and the police officers closer together to work on common issues that affect the quality of life and the public safety in that neighborhood. Officers identify crime problems and take proactive measures to solve public safety related issues with community support and assistance.

Anticipated Goals/Outcome: The program will focus overtime hours on a proactive approach to solving problems identified by officers working in collaboration with district councils, and both the business and community groups. Issues to address include drug dealing, disorderly people, drunks, pickpockets and problem properties that impact quality of life issues. In addition, those problems identified will be assigned to an officer who will be responsible for the action and outcome. Further attention will be focused on multi-housing areas. A decrease in crime in these areas is expected as well as an increase in quality of life.

Park and Recreation Center Details:

Saint Paul recreation centers provide residents with a place in their neighborhood to learn and have fun, and also serve as the community's gathering spot - the focus of Saint Paul's

famously strong neighborhoods. The over 1.5 million annual visits attest to their effectiveness in meeting those needs. Both Saint Paul police officers and police security rangers are involved in maintaining a safe environment for the parks.

Anticipated Goals/Outcome: To provide a safe environment in the City of Saint Paul's parks to allow children to play and learn. Police officers can work in the parks as mentors and youth workers allowing children to have the opportunity to enjoy activities and to see police officers in roles outside that of the traditional A police officer@. Officers will also develop longer standing relationships with youth and park staff preventing problems from occurring or reoccurring at the recreation centers.

Vice and Prostitution Details:

Street Prostitution in the city continues to be a problem in certain areas. The department is committed to address the issue.

Anticipated Goals/Outcome: The Vice Unit will strategically schedule police officers from within the department to participate in enhanced prostitution suppression activities without deleting their ability to contribute to meeting the goals of their own organizational units as well as keeping the neighborhoods of Saint Paul free from street level criminal activity.

Truancy/Curfew:

To find solutions for increased truancy and curfew violations in Saint Paul and its surrounding suburbs, the Ramsey County Truancy and Curfew Center (RCTCC) was established in 1994. A representative from the Saint Paul Police Department is on the executive committee that oversees and coordinates the collaborative work of the RCTCC. School Resource Officers perform these duties after school hours.

Anticipated Goals/Outcome: Truancy officers will be assigned during peak school hours. Curfew sweeps will be performed several times per month. Curfew/Truancy violators will be stopped and tagged so there is a decrease in school age youth present during school times and times after curfew.

Proposed use of funds - Overtime \$268,769

Administrative Funds - also included in Budget Narrative Section Attachment 2

The Saint Paul Police Department will use approximately 10% of the 2010 JAG for costs associated with administering JAG funds:

The City of Saint Paul Police Department will utilize the administrative portion of the JAG funds to assist in distributing the funds; monitoring the award; submitting reports including performance measure and program assessment data; and providing ongoing assistance for any sub-recipients of the funds.

The Saint Paul Police Department is a full-service police department with the infrastructure, experience, technical expertise and commitment to implement this collaborative project. This infrastructure includes financial management and reporting by the accounting unit which provides planning and budget support to the divisions as well as fiscal management of department functions. This unit is also responsible for the coordination of the annual operating budget, grant accounting, supervision of internal expenditures and internal controls including fund audits. Submitting financial reports and providing on-going financial assistance during the grant period are handled by the Accounting Technician and the costs total \$7,944 for the salary and fringe benefits (\$1,986 each year x 4 years = \$7,944). Providing ongoing assistance during the grant are the responsibility of a Clerk Typist IV and this amounts to \$8,144 for the salary and fringe benefits (\$2,036 x 4 years = \$8,144).

The payroll unit is responsible for paying approximately 800 employees and records. The unit also records and updates vacation time, sick time, holiday pay, overtime, and maintains medical record files. Providing on-going payroll assistance during the grant period are the job of the Payroll Supervisor and the total cost is \$13,376 for the salary and fringe benefits (\$3,344 x 4 years = \$13,376).

Monitoring the award, and providing on-going assistance during the grant period is handled by the Research and Grants Manager and has a total cost for the salary and fringe benefits of \$16,984 (\$4,246 x 4 years = \$16,984).

The department is committed to serving the community and is organized in such a manner as to be more responsive to the community we serve.

Proposed use of funds for administrative costs - Overtime \$46,448

Proposed use of funds - Total Administration Salaries and fringe benefits \$315,217.

The above programs would not be available with the assistance of the JAG funds.