

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

August 22, 2023

FROM

MICHAEL FERMIN, Chair, Law and Justice Group

SUBJECT

Application for the 2023 Edward Byrne Memorial Justice Assistance Grant Program

RECOMMENDATION(S)

1. Approve grant application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for the 2023 Edward Byrne Memorial Justice Assistance Grant Program, in the amount of \$909,431, for the period of October 1, 2022 through September 30, 2026.
2. Authorize the Chief Executive Officer, the Chair of the Law and Justice Group, or the assigned grant administrator of the Law and Justice Group, as stipulated by the 2023 Edward Byrne Memorial Justice Assistance Grant Program, to sign and submit the application referenced in Recommendation No. 1 on behalf of the County, including any subsequent non-substantive amendments to the grant application, subject to review by County Counsel.
3. Approve the Memorandum of Understanding (**County Contract No. 23-924**), as required by the 2023 Edward Byrne Memorial Justice Assistance Grant Program, with the Towns of Apple Valley and Yucca Valley, and the Cities of Adelanto, Barstow, Chino, Colton, Fontana, Hesperia, Highland, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, Victorville, and Yucaipa.
4. Direct the Chair of the Law and Justice Group to transmit the grant application and any subsequent amendments to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Michael Fermin, Law and Justice Group Chair, 382-7714)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). Overall grant revenue expected to result from this application is \$909,431, of which \$115,498 will be used specifically for County projects. No matching funds are required. The Memorandum of Understanding (MOU) between recipients also provides for an additional administrative fee of \$45,472, which will be used to offset administrative costs within the Law and Justice Group (Group). If submission of the grant application is successful, as recommended, the grant award in the amount of \$909,431 will be accepted and distributed as follows: \$748,461 will be passed through to the 18 local municipalities participating in the grant

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program, and \$160,970 will be retained by the County (\$115,498 for County projects, and \$45,472 allocated to the Group for the cost of administering the grant).

Appropriation and revenue adjustments will be presented to the Board of Supervisors (Board) for approval at a future date.

BACKGROUND INFORMATION

The United States Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance announces the availability of grant funds to state and local units of government through the Edward Byrne Memorial Justice Assistance Grant (JAG) program annually. The County has participated in the JAG program since 2005. This program provides funding to state and local governments for support of a broad range of activities intended to prevent and control crime and improve the criminal justice system. Distribution of funds by the federal government is calculated using a formula, which considers both population and crime statistics. Awards are subject to the availability of appropriated funds.

Units of local government identified by DOJ as “disparate” relative to funding eligibility per 34 United States Code § 10156(d)(4) must select a fiscal agent that will submit a joint application for the allocation to include all associated municipalities. The 2023 program funding certifies that the County, the Towns of Apple Valley and Yucca Valley, and the Cities of Adelanto, Barstow, Chino, Colton, Fontana, Hesperia, Highland, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, Victorville, and Yucaipa (Towns and Cities) qualify as disparate jurisdictions; therefore, a joint application for the aggregate funds is required. DOJ requires disparate jurisdictions to enter into an MOU that outlines who will serve as the applicant/fiscal agent for the joint funds.

The proposed MOU meets the JAG requirement and provides that the County will serve as the fiscal agent to administer the grant funding. The MOU enables the County to reduce each recipient’s allocation by 5% (a total of \$45,472), which represents an administrative fee charged by the County. The County will be responsible for tracking performance measures, preparation and submittal of financial reports, budget review, evaluation of expenditure plans, and the coordination of all pass-through amounts. The MOU provides for allocation to the Towns and Cities in the aggregate amount of \$748,461, and to the County in the amount of \$115,498 for use by the County’s law and justice departments (District Attorney, Probation, Public Defender, and Sheriff).

Delegation of authority is requested for the County Executive Officer, Group Chair, or assigned grant administrator, to sign and submit all application documents, as stipulated by DOJ for the JAG program.

The JAG 2023 grant solicitation was released on June 30, 2023, and is due on August 24, 2023. The term of this grant, as set by the federal government, has a retroactive start date of October 1, 2022; the County, and Towns and Cities may claim expenditures as of October 1, 2022. The County law and justice departments have identified projects including polygraph testing, case management system improvements, and upgraded crime-scene cameras to be funded with this grant allocation. The grant solicitation requires the application be reviewed by the governing body and made available for public comment. This requirement is satisfied by presenting this item to the Board for consideration.

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The Group will seek Board approval at a later date to accept an award under this program in accordance with County Policy 05-13.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5455) on August 10, 2023; Finance (Allegra Pajot, Administrative Analyst, 387-5005) on August 4, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 4, 2023.

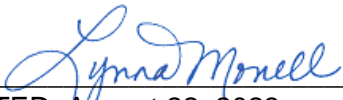
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.
Absent: Col. Paul Cook (Ret.)

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 22, 2023



cc: L&J - Fermin w/agree for sign
Contractor - c/o L&J w/agree
File - w/agree w/attach
CCM 08/29/2023