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Memorandum Date: August 3, 2009
Order Date: August 18, 2009

TO: Board of County Commissioners
DEPARTMENT: Sheriff's Office
PRESENTED BY: Russel Burger, Sheriff
AGENDA ITEM TITLE: ORDER/ In the Matter of Accepting a U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) Grant in the Amount of \$763,782, Delegating Authority to Sign Grant Award Documents to County Administrator, Appropriating \$241,401 in Revenue and Expenditures in Fund 263 of the Sheriff's Office for FY10 and Adding 3.0 FTE Deputies to Police Services

I. MOTION

Move Approval to Accept a U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) Grant in the Amount of \$763,782, Delegate Authority to Sign Grant Award Documents to County Administrator, Appropriate \$241,401 in Revenue and Expenditures in Fund 263 of the Sheriff's Office for FY10 and Add 3.0 FTE Deputies to Police Services

II. AGENDA ITEM SUMMARY

On February 17, 2009 President Obama signed into law the American Recovery and Reinvestment Act of 2009. The Recovery Act provided the U.S. Department of Justice (DOJ) with \$1 Billion in grant funding to assist local law enforcement agencies, including support for hiring law enforcement personnel.

The Lane County Sheriff's Office submitted a grant application requesting funding to rehire 5 deputies. The grant awarded to the Sheriff's Office is for 3 deputies, and pays the equivalent of entry-level salaries and benefits for 3 years. The County must provide for the cost of materials and services and pay the difference between beginning salary costs and actual costs of rehired deputies. The County must also pay the full cost of the 3 deputies for 1 year after the end of the grant. The Sheriff's Office is requesting Board action to accept the grant, delegate authority to the county administrator, appropriate funds for FY10, and establish 3.0 FTE in the Police Services section.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

In May 2008, 97.45 FTE, or 27% of the staff of the Lane County Sheriff's Office, was eliminated due to the loss of Secure Rural Schools funding. This included 42 FTE sworn officer positions. The Sheriff's Office submitted a proposal to the US DOJ/COPS to fund five deputies. The COPS Hiring grant (CHRP) awarded to the Sheriff's Office provides funding that will subsidize the cost of re-hiring three full-time sworn officer positions. During the budget process, in a demonstration of support for the grant proposal, the Board approved \$263,160 in BO# 09-6-24-3.

B. Policy Issues

The terms of this grant require a commitment by the Sheriff's Office to pay materials and services costs for the three deputy positions, as well as the pay differential between entry level and actual salaries. Furthermore, the grant provides funding for 3 years; acceptance of the grant commits the Sheriff's Office to fund the full cost of the three deputies for a subsequent year after the end of the three-year grant funding. Therefore, ongoing Board support is essential.

C. Board Goals

The County's highest funding priority will be those services that are effective in addressing the immediate and critical life and health safety needs of our citizens. If accepted, this grant will address several important public safety concerns, most importantly, maintaining a minimal level of law enforcement resources in rural Lane County.

D. Financial and/or Resource Considerations

The grant provides a maximum of \$763,782 in funding over a 3-year period. The County must make up the difference in actual costs associated with rehiring experienced, trained deputies and the entry-level salary and benefits reimbursed by the grant. In addition, the County must agree to retain the 3 deputy positions for a minimum of 12 months beyond the end of the 3-year period covered by the grant. The County must cover all materials and supplies costs which are not provided by the grant. The difference in the pay and benefits cost of 3 deputies for 4 years and the amount supplied by the grant is \$631,584 which averages \$157,896 per year. During the budget process, the Board appropriated \$263,160 (Board Order 09-6-24-3) in the event the Sheriff's Office received the full amount requested. Therefore, \$105,264 beyond the amount needed for the first year of the grant has been appropriated. That leaves a balance to be funded by the County of \$526,320 for the four year period, or \$131,580 per year.

E. Analysis

Budget reductions have seriously impacted the criminal justice system in Lane County. Lane County's ability to enforce laws and hold offenders accountable has been seriously diminished. The COPS Hiring grant (CHRP) will provide funding for entry-level salaries and benefits for 3 years (36 months) for three officers who were laid off as a result of local budget cuts. Costs allowed under CHRP for the rehired sworn law enforcement officers provide the approved full-time salaries and fringe benefits at the entry level only. Agencies are responsible for paying any costs with their own local funds that exceed entry level salaries and fringe. Requests for equipment, training, uniforms, and vehicles are not permitted under the CHRP

The Lane County Sheriff's Office has been awarded funding to rehire three laid off law enforcement officers to serve as deputies in rural areas of Lane County. This deployment follows the community policing model that locates deputies in regional districts to allow for greater communication and collaboration between residents and law enforcement personnel. Given the low level of staffing in the Sheriff's Office Police Services section, it will be necessary for these deputies to respond to emergency calls for service outside their assigned area, however, these reinstated positions will provide a more consistent link to rural communities.

The COPS Hiring grant provides an unusual opportunity for the County to receive a significant three-year subsidy for law enforcement personnel. Many communities across the country applied for these funds; Lane County is extremely fortunate to have been selected for funding.

1. What is the match requirement, if any and how is that to be covered for the duration of the grant?

There is no "match" requirement per se for this grant. The grant pays the equivalent of the County's salary and benefits for a sworn law enforcement officer, at entry level. The County must pay for the pay differential between the entry-level salary and the actual costs of the rehired deputies, as well as materials and services. In addition, the County must pay the full cost of the three deputies for one full year after the end of the 3-year grant period. The total of those amounts is \$631,584. The Board has already appropriated \$263,160 for this purpose.

2. Will the grant require expenditures for Materials and Services or capital not fully paid for by the grant?

Yes. See above.

3. Will the grant funds be fully expended before county funds need to be spent?

No. The County will need to provide funding throughout the 3 year grant period and for one year after the grant period ends.

4. How will the administrative work of the grant be covered if the grant funds don't cover it?

The Sheriff's Office Fiscal section currently covers all administrative work required by COPS grants such as financial reports, quarterly reports, and close-out activities. This grant will be handled in the same manner as other LCSO grants.

5. Have grant stakeholders been informed of the grant sun-setting policy so there is no misunderstanding when the funding ends? Describe the plan for service if funding does not continue.

Yes, stakeholders are aware of the 36-month time span covered by the grant as well as the requirement that the County fully fund the deputies in the fourth year.

6. What accounting, auditing, and evaluation obligations are imposed by the grant conditions?

The Sheriff's Office currently administers other COPS grants and is familiar with the accounting, auditing, and evaluation requirements for this type of grant. The Sheriffs' Office maintains good communication and working relationships with the COPS Grant Management Office. Because a specific set of performance indicators has been created for use with ARRA grants, the COPS office requires staff to view a two-hour training video prior to completing the first report.

7. How will the department cover the accounting, auditing, and evaluation obligations? How are the costs for these obligations covered, regardless of whether they are in the department submitting the grant or a support service department? Does the department acknowledge that the county will need to cover these costs and it is an appropriate cost incurred by support services departments?

The Sheriff's Office will cover the accounting, auditing, and evaluation obligations of this grant.

8. Are there any restrictions against applying the county full cost indirect charge?

Yes. CHRP will pay only the equivalent of the County's entry-level salary and benefits for a sworn law enforcement officer. The County must pay for materials and services as well as the pay differential between the entry-level salary and the actual cost of the rehired deputies.

9. Are there any unique or unusual conditions that trigger additional county work effort, or liability, i.e., maintenance of effort requirements or supplanting prohibitions or indemnity obligations?

The grant requires one year of "maintenance of effort" by agreeing to keep employees hired under the terms of the grant on the payroll for one additional year after the 3-year grant period.

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Not applicable. This grant is not a computer software application project.

F. Alternatives/Options

1. Accept the motion; and adopt the order, which will allow the Sheriff's Office to accept the COPS grant.

2. Do not accept the motion. This will result in the loss of this opportunity to fund needed deputy positions.

IV. RECOMMENDATION

The Sheriff's Office recommends approving the Board Order to accept the grant and delegate authority to the County Administrator to sign grant award documents.

V. TIMING/IMPLEMENTATION

The grant award documents have been received and are ready to sign. The grant period is for 36 months. The Sheriff's Office will rehire 3 deputies as soon as possible following Board approval.

VI. FOLLOW-UP

The Sheriff's Office will rehire deputies and deploy them to rural areas.

VII. ATTACHMENTS

1. Board Order

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

RESOLUTION) ORDER/ ORDER/ In the Matter of Accepting a U.S. Department
and ORDER:) of Justice, Office of Community Oriented Policing Services
) (COPS) Grant in the Amount of \$763,782, Delegating Authority to
) Sign Grant Award Documents to County Administrator,
) Appropriating \$241,401 in Revenue and Expenditures in Fund
) 263 of the Sheriff's Office for FY10 and Adding 3.0 FTE Deputies
) to Police Services
)

WHEREAS, the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) has awarded Lane County a grant in the amount of \$763,782 to provide funding to rehire three laid off law enforcement officers; and

WHEREAS, the Board has appropriated \$263,160 in Fund 263 as part of the FY10 budget process, and

WHEREAS Strategic Plan priorities in Lane County are guided by the threat to life and health safety and/or the effects of long term or future deterrent to threats; and

WHEREAS, the grant offers an opportunity to restore three critically-needed deputies to serve as deputies in rural communities, and

WHEREAS, the Sheriff's Office, if approved by the Board, will be able to quickly rehire three deputies;

WHEREAS, local funds totaling \$631,584 are needed to pay for materials and services and salary differentials not funded by the grant

NOW THEREFORE IT IS HEREBY RESOLVED AND ORDERED that Lane County shall accept a U.S. Department of Justice, Office of Community Oriented Policing Services Grant in an amount not to exceed \$763,785 and delegate authority to sign grant documents to the County Administrator

IT IS FURTHER RESOLVED AND ORDERED that the Board of County Commissioners appropriate \$241,401 in revenues and expenditures in Fund 263 for FY 2009-2010 in the Lane County Sheriff's Office and establish 3.0 FTE in the Police Services Division.

DATED this 18th day of August 2009.

Pete Sorenson, Chair
Lane County Board Of Commissioners

APPROVED AS TO FORM
Date 8/6/09 Lane County
ZIL
OFFICE OF LEGAL COUNSEL