



City of
ALACHUA
THE GOOD LIFE COMMUNITY

Commission Agenda Item

MEETING DATE: August 12, 2013

SUBJECT: Memorandum of Understanding (MOU) with the Alachua County Sheriff's Office for the Edward Byrne Memorial Justice Assistance Grant for the Problem Oriented Policing (POP) Grant.

AGENDA SECTION: Consent Agenda

DEPARTMENT: Alachua Police Department

PREPARED BY: Joel DeCoursey, Jr. – Chief of Police

RECOMMENDED ACTION: Authorize the Chief of Police and City Attorney to execute the attached MOU on behalf of the Alachua Police Department.

Summary

The Alachua County Sheriff's Office was awarded a Problem Oriented Policing (POP) grant from the Edward Byrne Memorial Justice Assistance Grant Program to provide for overtime wages to law enforcement agencies acting in concert to target and eliminate narcotic dealing and organized criminal activity. The Alachua Police Department is a subrecipient of these grant funds, in which **\$2,000** has been earmarked for our agency. These funds may be utilized by the department for overtime wages earned as related to criminal activities including, but not limited to, violations of the following Florida Statutes: Chapter 777, relating to Principal, Accessory, Attempt, Solicitation and Conspiracy; Chapter 796, relating to Prostitution; Chapter 847, relating to Obscenity; Chapter 849, relating to Gambling; and Chapter 893, relating to Drug Abuse Prevention and Control.

ATTACHMENTS: 1) Copy of Review Form from Grafton Wilson 2) MOU Between ACSO & APD for the Edward Byrne Memorial Justice Assistance Grant for the Problem Oriented Policing (POP) Grant.

REVIEWED BY CITY MANAGER:



City of Alachua

TRACI L. CAIN
CITY MANAGER

G.B. WILSON, J.D.
COMPLIANCE & RISK MANAGEMENT DIRECTOR

Chief Joel DeCoursey

Alachua Police Dept.

The MOU concerning the POP Grant was received on 7-22-2013 The document has been reviewed and approved as to form by Compliance and Risk Management on 7-23-2013.

COMMENTS: Paragraph 1. My inquiry suggests the GACDTF refers to the Gainesville-Alachua County Drug Task Force, not, Gainesville Alachua County Task Force as written in the MOU. Not a material defect and does not require change.

7-25-13

G.B. Wilson

Date

Compliance & Risk Management Director

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE ALACHUA COUNTY SHERIFF'S OFFICE AND
THE ALACHUA POLICE DEPARTMENT
FOR THE PROBLEM ORIENTED POLICING GRANT (POP)**

THIS AGREEMENT is made and entered into this _____ day of _____, 2013, by and between the Sheriff of Alachua County, Florida (Sheriff) and the Alachua Police Department;

WHEREAS, the Sheriff was awarded a grant titled Problem Oriented Policing (POP) grant number _____-from the Edward Byrne Memorial Justice Assistance Grant Program, and The Alachua Police Department is a subrecipient of these grant funds; and

WHEREAS, this grant provides for payment of overtime wages to law enforcement agencies acting in concert to target and eliminate narcotic dealing and organized criminal activity; and

WHEREAS, the Standard Conditions of the subgrant require all income generated as a direct result of project activities be deemed Project Generated Income (PGI) which must be expended in a timely manner for the purposes of and under the conditions applicable to the subgrant award; and

WHEREAS, Part III - Chapter 4 of the Office of Justice Programs Financial Guide requires program income from asset seizures and forfeitures be considered earned when the property has been adjudicated to the benefit of and funds received by a law enforcement agency; and

WHEREAS, the Alachua County Sheriff's Office is responsible for reporting all income and expenditure of PGI monies to FDLE's Office of Criminal Justice Grants,

NOW, THEREFORE, the parties agree as follows:

1. The Alachua Police Department agrees to provide a written operational plan to the ACSO Lieutenant of the Gainesville Alachua County Task Force (GACDTF) prior to execution of the grant-related narcotic details and agrees to follow procedures of the Northeast Florida Investigative Support Center (NeFISC) by completing the NINJAS form according to GACDTF policy.
2. The Alachua Police Department agrees to provide an after action report to the ACSO Lieutenant of the GACDTF that includes statistics on number of arrests, search warrants, types of drugs seized and amounts.
3. The Alachua Police Department agrees to collaborate on the development of intelligence information concerning criminal activities including, but not limited to, violations of the following Florida Statutes: Chapter 777, relating to Principal, Accessory, Attempt,

Solicitation, and Conspiracy; Chapter 796, relating to Prostitution; Chapter 847, relating to Obscenity; Chapter 849, relating to Gambling; and Chapter 893, relating to Drug Abuse Prevention and Control.

4. Each party which furnishes any equipment pursuant to this agreement shall bear all loss or damage that such equipment may sustain and pay any expenses incurred in the operation and maintenance thereof.
5. Asset seizures and forfeitures awarded to the Alachua Police Department as a result of its participation in the POP subgrant must be transferred to the Alachua County Sheriff's Office, Accounting and Budget Bureau, P.O. Box 5489, Gainesville, FL 32627-5489 within 10 days of receipt. Documentation supporting the amount of PGI being remitted must accompany the funds.
6. The Sheriff's Office will expend the Alachua Police Department's PGI in accordance with the PGI budget submitted and approved by the Florida Department of Law Enforcement, Office of Criminal Justice Grants. All approved PGI expenditures will be initiated by the Alachua County Sheriff's Office, Grant Administrator following ACSO Directive 202 - Purchasing Procedures for Grants. The Alachua Police Department will provide a detailed budget to the ACSO Grant Administrator within 10 days of receipt of the funds. All equipment will ship to the Alachua County Sheriff's Office Property/Facilities Unit and forwarded to the Grant Unit. The Grant Administrator will notify The Alachua Police Department's Drug Task Force Commander when equipment is ready for pick up.
7. Requests for reimbursement for overtime wages and benefits must be made through the Alachua County Sheriff's Office, Accounting and Budget Bureau, P.O. Box 5489, Gainesville, FL 32627-5489, and is subject to approval by the Alachua County Sheriff's Office Grant Administrator. To be eligible for reimbursement, the agency must provide a copy of the agency's overtime policy and rules to the Accounting and Budget Bureau. All invoices must include timesheets signed by the employee and the employee's supervisor as well as copies of pay stubs. Expenditures eligible for reimbursement are overtime pay in accordance with the agency's overtime rules, including all FICA, Pension and Workers' Compensation Insurance costs. Only overtime incurred between October 1, 2013 and September 30, 2014 is eligible for a refund. The Alachua Police Department has a \$2,000 cap against which they may invoice.
8. The City of Alachua and the Alachua Police Department agree to abide by the Standard Conditions of the Edward Byrne Memorial Justice Assistance Grant.

SAVE AND EXCEPT as expressly amended herein; all other terms and provisions of the original Memorandum shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto cause this agreement to be signed by their duly authorized officials.

ALACHUA COUNTY SHERIFF

Sadie Darnell, Sheriff

Date: _____

Approved as to Form and Legality:

Cynthia M. Weygant, General Counsel

Date: _____

ALACHUA POLICE DEPARTMENT

Joel DeCoursey, Jr. Chief of Police

Date: _____

Approved as to Form and Legality:

Marian Rush, City Attorney

Date: _____