



## Monterey County Board of Supervisors

### Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066  
www.co.monterey.ca.us

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to:

#### **Agreement No. A-14751**

Approved the County Administrative Officer or his designee to sign a Memorandum of Agreement and all related documentation on behalf of the County for the JAG grant application with the City of Salinas, subject to review and approval by County Counsel

PASSED AND ADOPTED on this 16<sup>th</sup> day of June 2020, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting June 16, 2020.

Dated: June 16, 2020  
File ID: A 20-213  
Agenda Item No.: 30

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

*Joel Pablo*

Joel G. Pablo, Deputy

**RESOLUTION NO. 21884 (N.C.S.)**

**A RESOLUTION OF THE CITY COUNCIL OF SALINAS ACCEPTING THE 2018 JUSTICE ASSISTANCE GRANT AND THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING RELATED TO THIS FUNDING**

**WHEREAS**, the United States Department of Justice, Bureau of Justice Assistance (BJA) has established the annual Edward Byrne Memorial Justice Grant (JAG) Program to assist local governments in their efforts to prevent and to control crime and to improve the criminal justice system; and

**WHEREAS**, the BJA has determined that the City of Salinas and other local jurisdictions are jointly eligible to apply for and to receive funding through the annual JAG Program, which will allow the City and those other jurisdictions to support a broad range of activities to prevent and to control crime based on their own local needs and conditions; and

**WHEREAS**, the total allocation for the City of Salinas is \$77,254 for fiscal year 2018, to be allocated to the purchase of five electric bicycles and bicycle uniforms and equipment for five officers, a Cellebrite digital phone investigation system, two surveillance camera systems, and six vehicle trackers; and

**WHEREAS**, Monterey County, as a disparate agency, will receive \$19,588 for fiscal year 2018, to be allocated to the purchase of Panasonic CF-33 tablets; and

**WHEREAS**, the City and the other local participating jurisdictions are obligated to enter into a Memorandum of Understanding in order to maintain their eligibility to apply for and to receive JAG Program funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Salinas City Council authorizes the City Manager and the Chief of Police, or their designees to accept funding in the amount of \$96,842, as administered by the City and County of Monterey, and further authorize the signing of all grant acceptance documents, and authorize the City Manager and the City Attorney to enter into a Memorandum of Understanding between the City and County of Monterey for the 2018 Edward Byrne Memorial Justice Assistance Grant.

**BE IT FURTHER RESOLVED** that this authorization shall include all aspects of program operation including any amendments, extension, renewals, or further funding for this program provided funding is made available by BJA, as administered by the City and County of Monterey.

**PASSED AND APPROVED** this 23rd day of June 2020, by the following vote:

**AYES:** Councilmembers: Barrera, Cromeenes, Davis, De La Rosa, McShane, Villegas and Mayor Gunter

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**APPROVED:**

*For C. Cummings*  
Joe Gunter, Mayor

**ATTEST:**

DocuSigned by:



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Patricia M. Barajas, City Clerk

**MEMORANDUM OF AGREEMENT  
BETWEEN THE CITY OF SALINAS AND COUNTY OF MONTEREY**

**2018 LOCAL SOLICITATION:  
EDWARD BYRNE MEMORIAL  
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

**RECITALS**

This Agreement is made and entered into this June 23, 2020, by and amongst the **City of Salinas** and the **County of Monterey**, in support of the parties' FY 2018 Local Solicitation award for an Edward Byrne Memorial Justice Assistance Grant (JAG) from the Bureau of Justice Assistance (BJA), U.S. Department of Justice.

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 the Agreement is in the best interest of both 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 Salinas and County of Monterey are to receive a disparate allocation of JAG funds in the total amount of \$96,842; and

WHEREAS, the City of Salinas and County of Monterey have submitted a joint application for the aggregate of funds to be allocated to them, specifying the amount of the funds that are to be distributed to each of them, and the purposes for which the funds will be used;

**NOW, THEREFORE**, the City of Salinas and County of Monterey agree as follows:

**TERMS**

**1. Application for JAG Funds.** The City of Salinas and County of Monterey are certified by BJA as disparate and submitted a joint application on August 22, 2018, for the aggregate of funds to be allocated to them, specifying the amount of the funds that are to be distributed to each of them, and the purposes for which the funds will be used.

**2. Allocation of JAG Funds.** The City of Salinas and County of Monterey agree to apportion the total Local Solicitation JAG award of **\$96,842**, in the following amounts:

City of Salinas, Salinas Police Department	\$ 77,254
County of Monterey, Sheriff's Office	\$ 19,588

**3. Fiscal Agent for Receipt and Distribution of JAG Funds.** The City of Salinas shall be the Fiscal Agent for the receipt of JAG funds, and as Fiscal Agent, shall be responsible for the oversight of the administration and distribution of the JAG funds.

**4. Authorized Uses and Grant Requirements of JAG Funds.** The City of Salinas and County of Monterey agree to develop individualized spending plans as to each party's respective grant allocation. The City of Salinas will use the JAG funds to purchase five electric bicycles and bicycle uniforms and equipment for five officers, a Cellebrite digital phone investigation system, two surveillance camera systems, and six vehicle trackers for the Salinas Police Department and Monterey County will use its JAG funds to purchase Panasonic CF-33 tablets to replace existing mobile data terminals for the Sheriff's Office, unless changed with the approval of BJA. All parties to this Agreement, whether the actual grantee (the City of Salinas) or a subgrantee (the County of Monterey) shall comply with all requirements set forth in the 2018 Local Solicitation: Edward Byrne Memorial Justice Assistance Grant (JAG) Program and mandatory award terms and conditions set for by the Office of Justice Programs.

**5. Reporting Requirements of JAG Funds.** Each party agrees to meet the reporting requirements of the JAG grant program, which requires detailed reporting, including reporting on subawards, not later than thirty calendar days after the end of each calendar quarter. In order for the Fiscal Agent to comply with the reporting requirements of the JAG program, all parties shall provide a quarterly report to the Fiscal Agent no later than twenty calendar days after the end of each calendar quarter.

**6. Establishment of Trust Fund(s).** As Fiscal Agent for the receipt and distribution of JAG funds, the City of Salinas shall establish a trust fund in which to deposit the JAG funds. At the City of Salinas' discretion, the trust fund may or may not be an interest bearing account. The County of Monterey shall also establish a trust fund in which to deposit funds if they elect to receive JAG funds in advance.

**7. Term of Agreement.** This Agreement shall commence on June 23, 2020 and shall remain in full force and effect through the full appropriation of 2018 JAG funds.

**8. Administrative Costs.** The City of Salinas agrees to manage the Local Solicitation JAG funds, including submitting quarterly financial and progress reports as required by BJA, at no cost to the grant.

**9. Limits on Liability.** Nothing in the performance of this Agreement shall impose any liability for claims against the City of Salinas and County of Monterey other than claims for which liability may be imposed by the California Torts Claims Act; further, each party to this Agreement shall 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.

**10. Third Party Rights under Agreement.** The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

**11. Rights and Obligations under Agreement.** 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.

**12. Termination.** Unless otherwise terminated as provided in this Agreement, this Agreement will continue in effect through the full period of appropriation of 2018 Local Solicitation JAG funds.

**13. Notices.** Unless otherwise provided in this Agreement, any notice, request, consent, instruction, or other document to be given under this Agreement by the City of Salinas or County of Monterey to each other shall be in writing and shall be effective on the date received, as follows:

**City of Salinas:**

Ray Corpuz, City Manager  
City of Salinas  
200 Lincoln Avenue  
Salinas, CA 93901

**County of Monterey:**

Charles J. McKee, Chief Administrative Officer  
County of Monterey  
168 W. Alisal St., 3<sup>rd</sup> floor  
Salinas, CA 93901

**14. Entire Agreement.** This Agreement constitutes the entire agreement between the City of Salinas and County of Monterey relating to the 2018 Local Solicitation JAG funds and as the final expression of the parties with respect to the included terms and conditions, and as a complete and exclusive statement of the terms and conditions of the agreement. The City of Salinas and County of Monterey acknowledge that any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. Any amendment to this Agreement shall be of no force unless it is in writing and signed by the City of Salinas and County of Monterey.

**15. Modifications.** No amendments to or changes to this Agreement may be made, except by a writing expressly authorized and signed by the City of Salinas and County of Monterey.


**16. Severability.** It is the intent of the parties that in the event that any provision herein is held to be invalid, the remaining provisions shall continue in full force and effect unless enforcement of this Agreement so modified would frustrate the purposes of this Agreement.

**17. Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute a single agreement.

IN WITNESS WHEREOF, the undersigned, as authorized representatives of the City of Salinas and County of Monterey have executed this Agreement on the date first written above.

**City of Salinas**

DocuSigned by:

  
\_\_\_\_\_  
Ray Corpuz, City Manager

APPROVED AS TO FORM:

DocuSigned by:

*Christopher A. Callihan*

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Christopher A. Callihan, City Attorney

ATTEST:

DocuSigned by:

*Patricia Barajas*

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Patricia Barajas, City Clerk

**County of Monterey**

DocuSigned by:

*Charles J. McKee*

6/23/2020 | 2:38 PM PDT

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Charles J. McKee  
County Administrative Officer

APPROVED AS TO FORM:

DocuSigned by:

*Susan K. Blitch*

6/2/2020 | 8:40 AM PDT

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Monterey County Senior Deputy County Counsel