Recovery Act:
Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation

Information & Actions required:

- ✓ JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information systems for criminal justice, and criminal justice-related research and evaluation activities that will improve or enhance Law Enforcement programs

    - ⇒ The total amount awarded to the County was $390,329, of which $294,831 was designated for Dover Police Department

- ✓ Camden, Dover, Harrington and Smyrna Police Departments and Kent County were flagged as disparate funding jurisdictions. As such, we have to submit a joint application for the grant.

- ✓ An MOU between the five entities was completed and signed on March 16, 2009.

- ✓ Dover Police Department will serve as the fiscal agent for the grant and as such will take care of all financial and programmatic requirements.

- ✓ Public Notification was made during March 13-17 as each of the police departments published separate news releases on their websites.

- ✓ Governing body notifications are also in the process of being accomplished separately by each police department.

- ✓ Dover Police Department anticipates turning in the joint application no later than March 25, 2008 on-line through the USDOJ website.

Overview of the Edward Byrne Memorial Justice Assistance Grant Program

This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act") and by 42 U.S.C. 3751(a).

The stated purposes of the Recovery Act are: to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases.

The Recovery Act places great emphasis on accountability and transparency in the use of taxpayer dollars. Among other things, it creates a new Recovery Accountability and Transparency Board and a new website – Recovery.gov – to provide information to the public, including access to detailed information on grants and contracts made with Recovery Act funds.

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

Deadline: 8:00 p.m. Eastern Time on May 18, 2009.

Eligibility: Applicants are limited to units of local government appearing on the Recovery Act JAG allocation list. For JAG Program purposes, a unit of local government is: a town, township, village, parish, city, county, or other general purpose political subdivision of a state; any law enforcement district or judicial enforcement district that is established under applicable state law and has authority to, in a manner independent of other state entities, establish a budget and impose taxes; or, it may also be a federally recognized Indian tribe or Alaskan Native organization that performs law enforcement functions as determined by the Secretary of the Interior. In Louisiana, a unit of local government means the office of a district attorney or a parish sheriff.

JAG Program-Specific Information

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Applicants also should anticipate that awards under the Recovery Act will be one-time awards and accordingly should propose project activities and deliverables that can be accomplished without additional DOJ funding.

Established to streamline justice funding and grant administration, the JAG Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blends the previous Byrne

Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most.

Formula
The Bureau of Justice Statistics (BJS) calculates, for each *state and territory, a* minimum base allocation which, based on the statutory JAG formula, can be enhanced by (1) the state's share of the national population and (2) the state's share of the country's Part 1 violent crime statistics. Once the state funding is calculated, 60 percent of the allocation is awarded to the state and 40 percent to eligible units of local government. States also have a variable percentage of the allocation that is required t*o* "pass through" to units of local government. This amount, also calculated by BJS, is based on each state's crime expenditures. Additionally, the formula calculates direct allocations for local governments within each state, based on their share of the total violent crime reported within the state. Local governments that are entitled to at least $10,000 awards may apply directly to BJA for Local JAG grants.

NOTE: Beginning in 2009, the formula calculation for the local portion of the JAG statute has changed significantly as a result of final implementation of the JAG statute. The statute, 42 U.S.C. 3755(d)(2)(B), specifies that for Fiscal Years 2005 through 2008, allocations to units of local government would follow the Local Law Enforcement Block Grant (LLEBG) formula. Pursuant to the statute, however, calculations for FY 2009 (and subsequent JAG calculations) require that units of local government must have submitted to the FBI at least three years of Uniform Crime Report (UCR) data during the most-recent ten-year period for which UCR data are available (here, 1998-2007) in order to be eligible. As a result of this statutory requirement, several local governments that were eligible in prior years for JAG formula funding are ineligible this year due to a lack of compliant UCR data reporting.

Award Amount
The JAG allocation list established by the Bureau of Justice Statistics (BJS), and indicates the amount for which each unit of local government is eligible to apply. For a listing of eligible units of local government and eligible amounts, go to www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryallocations.html.

Purpose Areas
JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information systems for criminal justice, and criminal justice-related research and evaluation activities that will improve or enhance:

Law enforcement programs.
Prosecution and court programs.
Prevention and education programs.
Corrections and community corrections programs.
Drug treatment and enforcement programs.
Planning, evaluation, and technology improvement programs.
Crime victim and witness programs (other than compensation).

Responsibilities
The Chief Executive Officer (CEO) of an eligible unit of local government or a local agency designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting reports including performance measures

and program assessment data; and providing ongoing oversight and assistance to any subrecipients of the funds.

Disparate Certification
A disparate allocation occurs when a city or municipality is scheduled to receive one and one-half times (150 percent) more than a county with concurrent jurisdiction, while that county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crime. Multiple disparate allocations occur when multiple cities or municipalities are collectively eligible to receive four times (400 percent) more than the county. JAG disparate jurisdictions are certified by the Director of the Bureau of Justice Assistance (BJA), based in part on input from the state's Attorney General. For a listing of disparate jurisdictions, go to www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryallocations.html.

Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the total eligible allocation. The joint application must specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, must be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.ojp.usdoj.gov/BJA/recoveryJAG/JAGrecoveryMOU.pdf.

Governing Body Review
The applicant agency (fiscal agent) must make the grant application available for review by its governing body (or to the organization designated by that governing body) not fewer than 30 days before the application is submitted to BJA.

Public Comment
The Local JAG application must include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and neighborhood or community organizations.

Length of Awards
Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total of 4 grant period years.

Trust Fund
Each unit of local government may draw down any or all JAG funds after acceptance of the award. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest- bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds.

Recipients of funds, however, should be aware that the authority to retain such advance funding may be withdrawn should the recipient persistently remain delinquent in applicable reporting required by the Recovery Act. Specific information relating to this will be detailed in grant award documents.

Prohibited Uses
No JAG funds may be expended outside of the JAG purpose areas. Even within the purpose areas, however, JAG funds may not be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor

may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters).
Luxury items.
Real estate.
Construction projects (other than penal or correctional institutions).
Any similar matters.

Non-Supplanting
Federal funds must be used to supplement existing state and local funds for program activities and must not replace those funds that have been appropriated for the same purpose. See the OJP Financial Guide (Part II, Chapter 3). Additional information appears on the "OJP Recovery Act Additional Requirements" web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

What an Application Must Include

Standard Form 424
Program Narrative (Attachment 1)
Applicants must submit a program narrative that describes the proposed program activities for the 4-year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a **joint application** must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used. The program narrative must include:

Project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act, and the likelihood of achieving such outcomes, such as job creation and preservation.

Organization capabilities and competencies, including a description of how the organization will track all drawdowns and grant expenditures separately from other federal funding.

Activities that can be started and completed expeditiously, and in a manner that maximizes job creation and economic benefits.

Timeline or project plan identifying when the goals and objectives will be completed.

Performance measures established by the organization to assess whether grant objectives are being met.

Budget and Budget Narrative (Attachment 2)
Applicants must submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. A sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf.

Review Narrative (Attachment 3)
Applicants must include in this attachment documentation regarding the following requirements:

Include the date that the JAG application was made available for review by the applicant's governing body. This governing body notification must occur no less than 30 days before submission to BJA.

Include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and neighborhood or community organizations.

If the applicant is part of a disparate jurisdiction, include the Memorandum of Understanding (MOU), which has been executed and signed by each jurisdiction's Authorized Representative, outlining each jurisdiction's allocation and indicating which jurisdiction is serving as the applicant/fiscal agent for the joint funds.

Abstract (Attachment 4)
Applicants must provide an abstract which includes the applicant's name, title of the project, the goals of the project, a description of the strategies to be used, major deliverables, and coordination plans. The abstract must not exceed one-half page, or 400-500 words.

Certifications (Attachment 5)
See the Appendix.

Review Process

OJP is committed to ensuring a standardized process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with program or legislative requirements as stated in the solicitation.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the OJP Assistant Attorney General (AAG).

Additional Requirements

Successful applicants selected for awards under this Recovery Act solicitation must agree to comply with additional applicable requirements prior to receiving grant funding. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

FUNDING DISTRIBUTION FOR THE STATE OF DELAWARE

(as provided on the USDOJ website)

State	Jurisdiction Name	Government Type	Eligible Individual Allocation	Eligible Joint Allocation
DE	CAMDEN TOWN	Municipal	$17,053	
DE	DOVER CITY	Municipal	$294,831	
DE	HARRINGTON CITY	Municipal	$29,938	
DE	KENT COUNTY	County	*	
DE	SMYRNA TOWN	Municipal	$48,507	$390,329
DE	BRIDGEVILLE TOWN	Municipal	$18,948	
DE	DEWEY BEACH TOWN	Municipal	$21,601	
DE	GEORGETOWN TOWN	Municipal	$104,214	
DE	LAUREL TOWN	Municipal	$68,592	
DE	MILFORD CITY	Municipal	$103,456	
DE	MILLSBORO TOWN	Municipal	$26,527	
DE	MILTON TOWN	Municipal	$18,190	
DE	REHOBOTH BEACH CITY	Municipal	$16,674	
DE	SEAFORD CITY	Municipal	$86,403	
DE	SUSSEX COUNTY	County	*	$464,605
DE	ELSMERE TOWN	Municipal	$45,475	
DE	NEW CASTLE CITY	Municipal	$37,517	
DE	NEW CASTLE COUNTY	County	$1,647,718	
DE	NEWARK CITY	Municipal	$201,228	
DE	NEWPORT TOWN	Municipal	$10,990	
DE	WILMINGTON CITY	Municipal	$1,491,586	
	Local total		**$4,289,448**	
	Stateof Delaware		**$6,617,020**	
	Grand total for Delaware		**$10,906,468**	

*** Counties that have an asterisk (*) under the "Eligible Individual Allocation" column are ineligible for a direct FY 09 Recovery Act - Edward Byrne Memorial Justice Assistance Grant (JAG) award from BJA. For JAG purposes, these counties remain a partner with the jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: http://www.ojp.usdoj.gov/BJA/recoveryJAG/JAGrecoveryMOU.pdf.**

**** Shaded allocation amounts for disparate jurisdictions appearing in the "Eligible Individual Allocation" column are suggested amounts based on what each jurisdiction would have been eligible to receive if there was no identified disparity. Disparate jurisdictions are responsible for determining individual allocations and documenting individual allocations in the MOU. Additional JAG Frequently Asked Questions can be found on the BJA JAG web page at: http://www.ojp.usdoj.gov/BJA/recoveryJAG/JAGrecoveryFAQ.pdf.**

Dover Police Department News Release

As Posted to the Department's Website on March 13, 2009

Camden, Dover, Harrington and Smyrna Police Departments received notification from the US Department of Justice concerning their eligibility to receive Edward Byrne Memorial Justice Assistance Grant funding. These grant funds are part of the stimulus funding made available by the Recovery act President Obama signed on February 17, 2008. As a result, the involved agencies will be submitting their application for these funds within the next month.

The funding is as follows along with contact information.

Department / Point of Contact	Amount
Camden Police Department Chief William Bryson, 698-3292	$17,053
Dover Police Department Captain Ray Sammons,736-7110	294,831
Harrington Police Department Chief Mark Anderson, 398-4493	29,938
Smyrna Police Department Chief Richard Baldwin, 653-9217	48,507
Total Awards	$390,329

City of Dover

MAYOR AND COUNCIL

DRAFT PROPOSED COUNCIL RESOLUTION NO. 2009-04
IMPROVED NATIONAL RAIL POLICY

WHEREAS, the City Council understands the necessity of a national rail policy; and

WHEREAS, freight rail service impacts the vitality of our City and the State in areas including agriculture, utilities, and manufacturing, in addition to economic development and jobs; and

WHEREAS, current national freight rail policy has had a negative impact on Delaware's ability to ship commodities and products essential to Delaware, including chemicals, grain and coal; and

WHEREAS, these policies raise serious questions about the ability of the major railroads to meet the nation's transportation needs now and in the future; and

WHEREAS, most Americans agree that competition benefits not only the consumer but also the competitor; and

WHEREAS, in a free market, companies in most sectors grow stronger by offering their customers improved service at a competitive rate; and

WHEREAS, the partial deregulation of the rail industry in 1980 resulted in the greatest concentration of monopoly power for the railroads since the early 1900s; The 40 Class 1 rail lines of the 1980s have merged and acquired each other to create four mega-monopolies; and

WHEREAS, Delaware's consumers and shippers know there's no free ride on the nation's rails and that the nation's economy needs a balanced commercial relationship between shippers and the railroads.

NOW, THEREFORE, BE IT RESOLVED, that the City Council, calls upon the Congressional delegation and the entire United States Congress to support The Railroad Competition and Service Improvement Act of 2007 (H.R.2125/S. 772) which would strengthen the freight rail system for the next century.

ADOPTED: *

S:\ClerksOffice\Resolutions&Proclamations\2009\DRAFT\Res. No. 2009-04 Improved National Rail Policy.wpd

CARLETON E. CAREY, SR.	KENNETH L. HOGAN
MAYOR	COUNCIL PRESIDENT

Actions History:
Jan 27, 2009 - Introduced at Safety Advisory & Transportation Committee

Draft

Vacant Building Registration
&
License History

ATTACHMENT #3
SA&T Committee Meeting of March 24, 2009

N
W E
S

Wilmington College
Del Tech
Millcreek
Farthing Woods
Maple Glen
Seskinore
Meadows of Dover
Baltray
Retreat
Fox Hall
Turnberry
Westfield
Fox Hall West
Heatherfield
Fox Hall West Addition
Cranberry Run
Heatherfield East
Mallard Pond
English Village
Bicentennial Village I
Bicentennial Village II
Bicentennial Village III
Four Seasons
Walker Woods
Liberty Court
Presidential Courts
Woodmill Apartments
Village of Westover
Cannon Mill
Nottingham Meadows
Schutte Park
Hidden Creek
Enterprise Business Park
General Foods
Simon Circle
Lincoln Park
Eden Hill Farm
Crossgates
Mayfair
Mayfair Apartments
Sherwood
Woodbrook
Lynnhaven
Sherwood 2
Carrollscorner Shopping Center
Morris Estate
Morris Estates 2
Department of Transportation
Dover Mall
Dover Downs
Delaware State University
McKee Business Park
University Courtyards
Emerald Pointe
Westminster
Hidden Oaks
Northwest Dover Heights
The Hamlet
Carol Street Development
Liberty Court
Woodcrest
Silver Lake Overlook
East Lake Gardens
Lake Club Apartments
Capital Green
Bay Court Plaza
Blue Hen Corporate Center
Stover
Dover Crossing
Clearview Meadow
Stoney Creek
Dover East Mobile Home Park
Tudor Industrial Park
Kings Cliff Mobile Home Park
Dover Air Force Base
Persimmon Park Place
Wild Meadows
Garrison Tract
Oak Shadows
Towne Point
Bay Tree
White Oak Farms
Manchester Square
Patriot Village
Independence Village
Acorn Farms
Lexington Glen
Edgehill

Legend

- Registered
- Active Liscense
- Dover Parcels
- Dover Boundary
- Rivers & Streams
- Water Bodies

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Date Printed: September 23, 2008
Date Created: September 23, 2008
File: m:\gis_data\projects\tech_mxds
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Department: Public Services GIS
City of Dover, Delaware

ATTACHMENT #3
SA&T Committee Meeting of March 24, 2009