

RESOLUTION NO. 2019-35

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE - RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM FOR THE PURCHASE OF RIFLE RESISTANT BODY ARMOR FOR THE LEAGUE CITY FIRE MARSHAL'S OFFICE AND AUTHORIZING ASSISTANT CITY MANAGER MICHAEL KRAMM TO ACCEPT SUCH A GRANT IF AWARDED

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The City authorizes the submission of a grant application in substantially the same form as Exhibit A, which is attached and incorporated herein, to the Office of the Governor, Public Safety Office - Rifle-Resistant Body Armor Grant Program for the purchase of Rifle Resistant Body Armor for the League City Fire Marshal's Office.

Section 2. The City designates Assistant City Manager Michael Kramm as the grantee's authorized official and the authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City.

Section 3. All resolutions and agreements and parts of resolutions and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

Section 4. It is hereby found and determined that the meeting at which this resolution was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

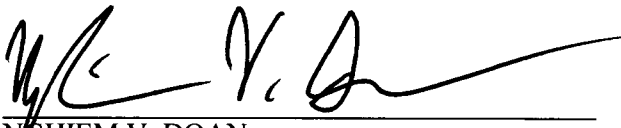
PASSED AND APPROVED the 26th day of February, 2019.

  
PAT HALLISEY  
Mayor

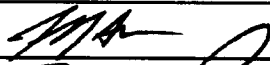



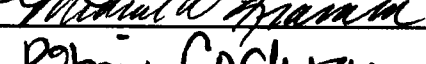

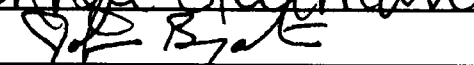

ATTEST:

  
DIANA M. STAPP  
City Secretary

APPROVED AS TO FORM:

  
NGHIEM V. DOAN  
City Attorney

**CITY OF LEAGUE CITY  
GRANT APPLICATION PRE-APPROVAL FORM**

<b>Grant Name</b>	Fire Marshal's Office Rifle-Resistant Body Armor			
<b>Directorate/Department Applying for Grant</b>			<b>Proposed Grant Manager</b>	
Fire Marshal's Office			Jeff Allen	
<b>Awarding Grant Agency Name</b>			<b>Total Project Amount</b>	
Office of the Governor, Public Safety Office			\$13,100	
<b>General Purpose of the Grant</b>				
The purpose of this grant would be to obtain funding to purchase level III stand alone rifle-resistant body armor for the Fire Marshal's Office.				
<b>Items the Grant Will Pay For</b>				
18 rifle-resistant body armor hard plate and 9 body armor plate carriers				
<b>Requires Council Approval?</b>	Yes X	No	<b>If yes, Proposed Agenda date?</b>	2/26/2018
<b>Amount or % Covered by Grant</b>	100%		<b>Amount or % Matched by City</b>	0%
<b>Grant Time/Performance Period</b>	12 months		<b>Application Deadline</b>	2/28/2019
<b>Estimated Annual Fiscal Impact:</b>		<b>Year One</b>	<b>Year Two</b>	<b>Year Three</b>
Revenue Generated				
Grant Funds to be Received		13,100		
City Match				
Net Fiscal Impact				
<b>In future CIP?</b>	Yes	No	<b>If yes, what year?</b>	
<b>Year One Currently Budgeted?</b>	Yes	No		(Choose Yes or
<b>If no, how do you intend to fund City's match?</b>				
<b>Attach Supporting Grant Documentation for Approval</b>				
<b>Approval Order</b>	<b>Signature</b>			<b>Date</b>
Grant Manager				1/15/19
Department Head				1/17/19
Director				1-18-2019
Grant Administrator				1/23/19
Assistant City Mgr.				1-24-19
Budget Manager				1/24/19
Finance				1-30-19
City Manager				2-1-19
<b>City Manager</b>	<b>Approved</b>	<input checked="" type="checkbox"/>	<b>Denied</b>	<input type="checkbox"/> <b>Please Check One</b>
<b>Explanation or comments related to City Manager's decision.</b>				



**Price Quote**

Rob Hauswald/Ken Stoelke  
**Galls, LLC**  
 1340 Russell Cave Road  
 Lexington, KY 40505  
 800-478-4362 phone  
 877-414-3887 fax

Attention: Jeff Allen  
 Account Number 0  
 Name League City Fire Marshal  
 Street Address  
 City & State

Quote Date 1/14/2019

Buy Board 507-16

	Item #	Description	Qty	Retail	Your Price	Ext. Total	
1	BP1105	SOHPC-IV CARRIER	9	\$379.99	\$250.00	\$2,250.00	
2	BY612	LVL.III STAND ALONE PLATE SHOOTERS CUT 10X12	18	\$1,199.99	\$600.00	\$10,800.00	
3							
Galls is required to collect tax on all shipments to all states. Please add applicable state and local tax percentages. Tax exempt customers, state laws require us to have a signed tax exemption or resale certificate on file at our office. If you would like your tax exempt document on file with us please fax this information, including your Galls account # to (859) 268-5641.						Subtotal	\$13,050.00
						Shipping	\$50.00
						Total	\$13,100.00



Office of the Governor, Public Safety Office  
Criminal Justice Division  
Funding Announcement: ***Rifle-Resistant Body  
Armor Grant Program, FY2020***

### Purpose

The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with rifle-resistant body armor.

### Available Funding

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 28 for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. CJD expects to make available \$2M for FY2020.

### Eligible Organizations

Applications may be submitted by the Texas Department of Public Safety, units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure; including municipalities, counties, independent school districts, universities, federally recognized Native American tribes, community colleges, and hospital districts.

Applicants that received prior CJD Rifle-Resistant Body Armor awards are not eligible to apply under this funding announcement.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

### Application Process

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *Developing a Good Project Narrative Guide*, available [here](#).

### Key Dates

Action	Date
Funding Announcement Release	12/21/2018
Online System Opening Date	12/21/2018
Final Date to Submit and Certify an Application	02/28/2019 at 5:00PM CST
Earliest Project Start Date	09/01/2019

## **Project Period**

Projects must begin on or after 09/01/2019 and may not exceed a 12 month project period.

## **Funding Levels**

Minimum: None

Maximum: None

Match Requirement: None

## **Standards**

Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards (UGMS), Federal Uniform Grant Guidance, and all statutes, requirements, and guidelines applicable to this funding.

## **Eligible Activities and Costs**

Funds may be used for obtaining body armor compliant with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) type III (rifles) or type IV (armor piercing rifle) body armor; including bullet-resistant vests, ballistic plates, and plate carriers.

Due to the limited availability of funds, applicants are encouraged to consider the reasonable cost of their request. CJD will evaluate applications based on number of frontline peace officers and the average cost per vest.

## **Program-Specific Requirements**

**Eligible officers to equip.** Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant. Funds may not be used to equip officers employed by other agencies that are not eligible to apply. CJD may prioritize the equipping of certain types of officers or applicants if the total requested funds exceed the funds appropriated by the Legislature.

**Required Agency Policies.** As required by Chapter 772.0073, Texas Government Code, an eligible organization may apply for grant funds only after its law enforcement agency adopts a policy addressing the:

- 1) Deployment and allocation of vests or plates to its officers; and
- 2) Usage of vests or plates by its officers.

CJD requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. CJD also requires that the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive

Research Forum. See *"A Practitioner's Guide To the 2011 National Body Armor Survey of Law Enforcement Officers"* for more information.

**Personally Fitted Vest Requirement.** All body armor vests purchased with grant funds must be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. "Personally fitted" does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

- 1) Correctly-sized panels and carrier, determined through appropriate measurement; and
- 2) Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor (*Active Standard ASTM E3003*) available at no cost. The *Personal Armor Fit Assessment checklist*, is excerpted from ASTM E3003.

## **Eligibility Requirements**

1. Entities receiving funds from CJD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 60. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.
2. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.
3. The Texas Department of Public Safety (DPS) has established a goal set by the Texas Legislature for all local law enforcement agencies to implement and report crime statistics data by using the requirements of the National Incident-Based Reporting System (NIBRS) no later than September 1, 2019. Additionally, the Federal Bureau of Investigations (FBI) will collect required crime statistics solely through the NIBRS starting January 1, 2021. Due to these upcoming state and federal deadlines, grantees are advised that eligibility for future grant funding may be tied to compliance with NIBRS. Financial grant assistance for transitioning to NIBRS may be available for your jurisdiction from the Criminal Justice Division (CJD).
4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising

authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the CEO/Law Enforcement Certifications and Assurances Form certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

5. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).
6. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

Grant funds may not be used to support the unallowable costs listed in the Guide to Grants or any of the following unallowable costs:

1. Construction, renovation, or remodeling;
2. Medical services;
3. Law enforcement equipment that is standard department issue;
4. Transportation, lodging, per diem or any related costs for participants, when grant funds are used to develop and conduct training;
5. Salaries or personnel costs;
6. Indirect costs;
7. Training and/or maintenance costs;
8. Travel;
9. Any costs ancillary to the purchase of eligible body armor, such as policy development, training costs, staff, or any other item determined ineligible or unreasonable by CJD; and
10. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

**Application Screening:** CJD will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Peer/Merit Review:** CJD will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, CJD will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

**Final Decisions:** The executive director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, CJD or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

CJD may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, CJD may revise projects to address a more limited focus.

## **Contact Information**

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.