

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: _____
Amend No. _____

Date prepared: July 6, 2010

Council Meeting Date: August 17, 2010

TO: Carl Swenson, City Manager
FROM: Larry J. Ratcliff, Chief of Police 
SUBJECT: Authorization to accept \$11,400 from the Arizona Peace Officer Standards and Training Board (AZ POST).

RECOMMENDATION:

That the Mayor and Council adopt a Resolution authorizing the City of Peoria Police Department to accept \$11,400 from the Arizona Peace Officer Standards and Training Board (AZ POST) Peace Officer Training Fund. These grant funds will be used to purchase upgrades to the Multiple Interactive Learning Objective (MILO) firearms training system and to purchase a Trainee Action Capture (TAC) camera.

In addition, it is recommended that the Mayor and Council approve a budget amendment of \$11,400 from the Proposed Grants Contingency account (7990-7990-570000) to the Youth and Support Services account, thus providing expenditure authority for the accounts listed below:

- Electronic Equipment: 1000-1040-530028 for \$600
- Computer Hardware: 1000-1040-542001 for \$10,800

SUMMARY:

The Police Department desires to accept funds from the Arizona Peace Officer Standards and Training Board (AZ POST) for the purpose of upgrading the MILO system.

MILO is an important component of the police officer training program. By using real life scenarios, MILO provides interactive firearm training that covers important topics such as use of force and judgment assessment.

By upgrading this training equipment, officers will continue to receive essential training

CITY CLERK USE ONLY:

- Consent Agenda
- Carry Over to Date: _____
- Approved
- Unfinished Business (Date heard previous: _____)
- New Business
- Public Hearing: No Action Taken

ORD. # _____ RES. # _____
LCON# _____ LIC. # _____
Action Date: _____

in a safe environment.

ATTACHMENTS:

Resolution

Two original AZ POST Contracts #2010-018

CONTACT: Lon Bartel, x.8025

RESOLUTION NO. 2010-70

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, TO ACCEPT A GRANT IN THE AMOUNT OF \$11,400 FROM THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD (AZ POST) TO UPGRADE OFFICER TRAINING EQUIPMENT.

WHEREAS, the City of Peoria is committed to the community policing philosophy of law enforcement service and safety, and

WHEREAS, the City of Peoria is authorized, pursuant to A.R.S.38-511, to enter into intergovernmental agreements for the joint provision of service, and

WHEREAS, the City of Peoria proposes to accept a grant of \$11,400 from the Arizona Peace Officer Standards and Training Board (AZPOST) to purchase firearms simulator equipment to support training of law enforcement personnel at the Peoria Police Department,

NOW, THEREFORE, LET IT BE RESOLVED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona, as follows:

That the City Council authorizes acceptance of a grant in the amount of \$11,400 from the Arizona Peace Officer Standards and Training Board (AZ POST);

That the City Manager and Chief of Police are authorized and directed to execute such documents on behalf of the City, as may be necessary to receive this grant; and

That the City Manager and Chief Financial Officer are authorized and directed to create appropriate City of Peoria budget accounts to facilitate the acceptance of funds from the Arizona Peace Officer Standards and Training Board (AZ POST), and work in conjunction with the Chief of Police to submit the financial and operational reports to the board as required by the grant award requirements.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 17th day of August, 2010.

Resolution 2010-70
August 17, 2010
Page 2 of 2

Bob Barrett, Mayor

ATTEST:

Mary Jo Waddell, City Clerk

APPROVED TO FORM:

Stephen M. Kemp, City Attorney



AZ POST Contract #2010-018

ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

**PEACE OFFICER TRAINING FUND
GRANT AGREEMENT**

This agreement is made under the authority of A.R.S. §41-1825(A) and §41-1822 (C)(2) and (3).

GRANTEE:

Peoria Police Department
Chief Larry Ratcliff
8351 W. Cinnabar Avenue
Peoria, AZ 85345

GRANT AMOUNT:

\$11,400.00

PROJECT DESCRIPTION:

The Arizona Peace Officer Standards and Training Board (Board) agrees to pay the Grantee the above shown sum from the Peace Officer Training Fund, subject to the conditions provided herein, solely for the purpose of purchasing the following equipment:

1. Milo Range Pro Software/Hardware Upgrade
2. Add-On TAC Camera

GENERAL CONDITIONS:

The Grantee agrees:

1. That the Peace Officer Training Fund (POTF) monies will not be used to supplant state or local funds;
2. To expend the POTF monies only for the purpose(s) stated above;
3. To reimburse the Board for any unauthorized or ineligible expenditures and to return any grant amounts in excess of that expended pursuant to the special conditions;

4. To comply with A.R.S. §35-214 and 35-215 with respect to retention and production of records for inspection and audit for a period of five years after completion of the contract;
5. That this agreement may be canceled without penalty or further obligation pursuant to A.R.S. §38-511;
6. That in the event of a dispute, after exhaustion of all administrative remedies, arbitration will be used to the extent required by A.R.S. §12-1518, except as may be required by other applicable statutes;
7. To comply with Executive Order 99-4, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable State and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act;
8. To comply with all procurement statutes, ordinances, rules or policies that may apply to Grantee in the procurement of any goods or services related to this Grant;
9. That the Grantee is acting as an independent contractor and will indemnify and hold the Board harmless for the actions of the Grantee's employees;
10. That every payment obligation of the Board under this Agreement is conditioned upon the availability of funds allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the Board at the end of the period for which funds are available. No liability shall accrue to the Board in the event this provision is exercised, and the Board shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph;
11. That this agreement may be canceled by the Grantee prior to expending Grant funds upon written notice to the Board and any POTF funds shall be returned to the Board;
12. To assign to the State any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to the Grantee toward fulfillment of this agreement; and
13. That this is a grant of funds only and is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership or formal business association or organization of any kind among the parties.

SPECIAL CONDITIONS:

1. The parties agree that the funds disbursed for this Grant are funds approved by the Board for Fiscal Year 2009/2010.
2. Grantee shall use these funds solely for purchasing firearms simulator associated equipment to support training by Arizona law enforcement agencies at the Peoria Police Department.
3. Grantee agrees to accept complete ownership responsibilities of the associated equipment for the firearms simulator, including but not limited to: all maintenance needs, warranty work and general upkeep.

For the PEORIA POLICE DEPARTMENT

Approved as to form,



Larry Ratcliff
Chief

Attorney/Legal Advisor
Peoria Police Department

6-28-10

Date

Date

For the ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

Approved as to form,



Lyle Mann
Executive Director



Diana Stabler
Assistant Attorney General

6-23-10

Date

6-23-10

Date

ATTEST:

Mary Jo Waddell, City Clerk