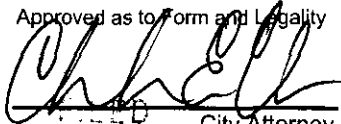


OAKLAND CITY COUNCIL

RESOLUTION No. 79102

C.M.S.

Approved as to Form and Legality

OFFICE OF THE CITY CLERK
OAKLAND
City Attorney

2005 FEB -9 PM 12:27

RESOLUTION IMPLEMENTING CALIFORNIA GOVERNMENT CODE SECTIONS 30061-30065 AND APPROPRIATING SIX HUNDRED FOUR THOUSAND THREE HUNDRED THIRTY-SEVEN DOLLARS (\$604,337) IN NINTH YEAR FUNDING FOR THE "CITIZEN'S OPTION FOR PUBLIC SAFETY" (COPS) GRANT TO THE POLICE DEPARTMENT AND APPROVING THE FY 2004 - 2006 SPENDING PLAN

WHEREAS, the State legislature has allocated \$604,337 in pass through funding for the "Citizen's Option for Public Safety" (COPS) to be distributed through the Alameda County Supplemental Law Enforcement Services Fund (SLESF) to supplement, not supplant, existing local law enforcement funding; and

WHEREAS, the Government Code requires that the Chief of Police request the local jurisdiction's legislative body appropriate said funds solely for front line law enforcement services in accordance with the Chief's spending plan; and

WHEREAS, Government Code Section 30062(d) defines front-line law enforcement services to include community crime prevention programs; and

WHEREAS, the Government Code requires, and the City has established, a separate Fund Number 2158 to account for all COPS funds and corresponding appropriations, expenditures, and interest earnings; and

WHEREAS, State legislation limits administrative costs to one-half of one percent (0.5%) of the total award amount; and

WHEREAS, the sum of \$604,337 in FY 2004 - 2006 COPS funds received must be allocated in accordance with the State COPS IX spending plan; and

WHEREAS, the aforementioned spending plan will incur Central Service Overhead Charges of approximately \$35,540, of which \$32,518 are in excess of the \$3,022 administrative costs allowed under the Government Code; and

WHEREAS, the requested State COPS IX spending plan was discussed and public comment was allowed at the public hearing conducted on March 1, 2005, prior to passage of this resolution; now therefore be it

RESOLVED: That the Council hereby implements the provisions of the California Government Code by accepting and increasing estimated revenues and appropriations to the Police Department by \$604,337 in COPS funds, plus corresponding interest earnings, in accordance with the spending plan and discussed at a public hearing prior to passage of the enabling legislation; and be it

FURTHER RESOLVED: That the \$604,337 shall be added to Fund Number 2158, to account for the revenues, budget allocations, expenditures, and interest earnings; and be it

FURTHER RESOLVED: That the Central Service Overhead Charges in excess of the amount allowed by the granting agency, of approximately \$32,518, are hereby waived; and be it

FURTHER RESOLVED: That the Oakland Police Department Bureau of Administration shall provide all required reports regarding the COPS funds, as specified in the California Government Code; and be it

FURTHER RESOLVED: That the City Administrator or her designee is further authorized to execute all agreements and other documents necessary in connection with the grant and complete any negotiations, certifications and documentation required to accept, modify, extend, or amend the grant award provided no additional funds will be allocated without prior Council approval.

MAR 15 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID and PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: LaTonda Simmons
LaTonda Simmons
Interim City Clerk and Interim Clerk of the
Council of the City of Oakland, California