



FILED
CITY OF OAKLAND
NOV 19 2015


AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Sean Whent,
Chief of Police

SUBJECT: 2015 USDOJ/COPS Grant Acceptance

DATE: November 9, 2015

City Administrator's Approval:  DATE: 11/19/15

RECOMMENDATION

Staff Recommends That The City Council:
Adopt A Resolution Authorizing The City Administrator, Or Designee, On Behalf Of The City Of Oakland To: (1) Accept Grant Funds In An Amount Not To Exceed One Million Eight Hundred Seventy-Five Thousand Dollars (\$1,875,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS) To Fund The Entry-Level Salary And Fringe Benefits Costs Of Fifteen (15) Full-Time Equivalent (FTE) Police Officers And Appropriate Said Funds To The Oakland Police Department (OPD); (2) Authorize An Appropriation Of Nine Million Three Hundred Seventy-Seven Thousand Seven Hundred Twenty-Six Dollars (\$9,377,726) To Cover The Local Cash Match Requirement; And (3) Authorize The General Purpose Fund To Subsidize The Central Services Overhead Costs Of Eight Hundred Seventy-Seven Thousand Thirty-Eight Dollars (\$877,038) For A Total City Contribution of Ten Million Two Hundred Fifty-four Thousand Seven Hundred Sixty-Three Dollars (\$10,254,763).

EXECUTIVE SUMMARY

OPD requests Council approval of a resolution authorizing acceptance of a \$1,875,000 grant from the USDOJ/COPS Office to partially fund 15 additional sworn personnel over three years, from September 1, 2015 through August 31, 2018. The City of Oakland can accept these funds only if it matches this funding with the necessary \$10,254,763 to fully fund the costs of the 15 officers over the four years of the total grant cycle; OPD is required to fund the 15 officers for fourth year after the three year grant period. Staff is requesting appropriation of \$3,734,233 from the General Purpose Fund after completion of the revenue share provision per the recent labor agreements. The remaining funds estimated at \$6,520,531 will be appropriated as part of the FY 2017-19 Biennial Budget. This report outlines OPD's plans for expanding the current walking beat patrol program from three to 18 officers. This would allow OPD to better address areas of the City with high crime rates should the City Council accept the grant and appropriate contributory General Purpose Fund dollars.

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BACKGROUND AND LEGISLATIVE HISTORY

The USDOJ grant funds are awarded through the COPS Hiring Program, a competitive grant program that provides funding directly to state, local and tribal law enforcement agencies to 1) create new officer positions (including filling existing officer vacancies that are no longer funded in an agency's budget), 2) rehire officers who have been laid off as a result of budget cuts unrelated to the receipt of grant funding, or 3) rehire officers who are scheduled to be laid off on a specific future date as a result of budget cuts unrelated to the receipt of grant funding. Funding decisions are based on changes in law enforcement budgets, other local fiscal data, such as poverty, unemployment, and foreclosure rates, and the agency's commitment to community policing, and reducing crime rates. This 2015 COPS Hiring Grant is the fifth of its kind awarded to the City of Oakland over 6 years. Including this grant, the USDOJ has awarded Oakland enough funding to leverage the hiring of 106 police officers since 2009.

Table 1: City of Oakland's U.S. DOJ COPS Hiring Grants

Grant Name	Grant Period	Award Amount	Officers Allocated
CHRP 2009 (COPS Hiring Recovery Program)	07/01/09 to 12/31/13	\$19,747,117	41
COPS 2011	09/01/11 to 2/29/2016	\$10,739,575	25
COPS 2013	09/01/13 to 08/31/16	\$4,515,730	10
COPS 2014	09/01/14 to 08/31/17	\$1,875,000	15
COPS 2015	09/01/15 to 08/31/18	\$1,875,000	15

Oakland is the third most violent large city in the United States and the most violent large city in California. Using 2014 Federal Bureau of Investigation (FBI) data from the 50 largest cities by population, Oakland's violent crime rate trails only behind Detroit, MI and Memphis, TN. In 2014, Oakland had the most robberies per capita of any large American city with 3,481 total robberies or 84.9 robberies for every 10,000 residents. With a reported sworn staffing level of 715 officers for 2014, Oakland had one officer for every 573.42 residents, making Oakland third from last in terms of officers per resident. With 9.66 reported violent crimes per officer in 2014, Oakland has the highest number of violent crimes per officer of any large American city. The average number of violent crimes per officer in the largest American cities is four. This makes Oakland's violent crime per officer rate nearly two-and-one-half times the national large-city average. This data suggests that the City of Oakland needs additional sworn staffing as well as other resources to combat crime in Oakland.

ANALYSIS AND POLICY ALTERNATIVES

By accepting this grant of \$1.875M, the City of Oakland will be able to increase the number of walking officers. In addition to accepting the grant, an appropriation of \$10,254,763 from the undesignated General Purpose Fund must be added to OPD's baseline budget. This General Purpose Fund amount is required to cover the local cash match requirement and Central Services Overhead cost (see Table 2 below and the Fiscal Impact Section).

Table 2: Required City Matching Funds and Grant Funds over Four Years of Grant

Total City Match/General Purpose Fund Contribution	\$10,254,763	85%
Total COPS Grant Funding	\$1,875,000	15%
TOTAL COST	\$12,129,763	100.0%

OPD is challenged in effectively deploying officers in long-term assignments where they would develop long-term relationships with local residents and businesses due largely to the high volume of calls for service (587,904 calls in 2014) and an unacceptably high crime rate. OPD is restricted in its ability to respond to so many calls given its current sworn staffing, and all patrol officers face a high demand to respond to as many calls as possible. OPD can only use flexible longer-term assignments for certain officer positions: Community Resource Officers (CROs), Crime Reduction Teams and the officers who interact exclusively with middle-school students and schools, funded through the 2011 COPS grant (which expires in 2016). However, as OPD provided in its 2015 COPS grant application to the USDOJ/COPS Office, OPD would use the 15 officers funded through this latest grant to deploy special assignment foot-patrol officers to flexible, long-term assignments in areas with high crime.

Many community members have shared concerns with officers, civilian staff, and City leaders about the lack of long-term-assigned officers who walk beats and build relationships with merchants and residents. OPD would be able to begin to staff this type of consistent, community-engaging foot patrol deployment throughout the City with the funding from this grant along with the necessary General Fund matching funding. If such funding is approved, OPD will also create assignments which cover different times of day. This flexible schedule will allow locals in the foot-patrol areas more opportunities to interact with these officers as these officers will be seen regularly. These long-term assignments, along with existing efforts such as the assignment of CROs, will assist OPD in building stronger relationships with Oaklanders and foster a greater level of community trust, which is expected to reduce crime. OPD continues to strengthen its commitment to keeping CROs assigned to dedicated areas of the City. This commitment will be kept with the new foot patrol officers.

If Oakland accepts funding to significantly expand the foot-patrol program, assigned lieutenants and sergeants will ensure that foot patrol officers are well-trained in strategies that focus on community engagement, quality of life, and complex crime problems within their patrol areas. The foot patrol officers will be able to develop the necessary problem solving and relationship-building skills that accompany foot-patrol work. Additionally, as OPD seeks new ways to further develop community relationships while responding to high levels of calls for service, this pilot program will provide feedback to the department on the benefits of prioritizing community engagement strategies.

Adoption of this resolution would authorize the City Administrator to accept and appropriate the COPS Hiring Program grant funding to hire new officers to help build OPD's crime-reducing capabilities and enhance community policing priorities. If the City chooses not to accept the grant, OPD's sworn staffing will still grow, but at a slower level; Currently, staffing will increase from the 722 sworn personnel (authorized in the Policy Budget for FY 2015-16) to 762 sworn personnel (authorized in the Policy Budget for FY 2016-17). Accepting the grant will increase the staffing levels from 722 to 737 sworn personnel for FY 2015-16 and from 762 to 777 for FY 2016-17. In order to maintain the increased staffing levels afforded by accepting the grant, OPD

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will need to add a third, smaller police academy in FY 2016-17. The cost of this additional academy is \$1.5 million. An appropriation for this amount will be required, depending upon attrition levels in 2016. An additional academy class may not be needed if this grant is not accepted. It is only through the monitoring of attrition levels in the months ahead that this can be determined.

Table 3: Actual Sworn Staffing (as of September 30, 2015) and Sworn Staffing Projections

Year	2015						2016					
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Filled	722	719	714	705	734	728	722	751	745	743	737	776
Attrition	(3)	(5)	(9)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Hires	0	0	0	35	0	0	35	0	4	0	45	0
Ending Filled	719	714	705	734	728	722	751	745	743	737	776	770
Authorized	722	722	722	722	722	722	722	722	722	722	722	722
Over (Under) Authorized	(3)	(8)	(17)	12	6	0	29	23	21	15	54	48
Hiring Plan	719	713	707	741	735	729	763	757	756	750	789	755
Over (Under) Adopted Hiring Plan	0	1	(2)	(7)	(7)	(7)	(12)	(12)	(13)	(13)	(13)	15

FISCAL IMPACT

Approval of this resolution will authorize OPD to accept and appropriate grant funds in an amount not to exceed \$1,875,000 from the USDOJ/COPS Office, to fund the entry-level salary and fringe benefit costs of 15 sworn personnel for a 36-month (September 1, 2015 to August 31, 2018). OPD will work with the USDOJ/COPS office to maximize the grant funding.

Based on the grant requirements, the City will be responsible for covering the cost of salaries and benefits greater than those associated with entry level officers as well as recruitment, training, and operations and maintenance costs for such officers. The City's estimated contribution associated with the acceptance of the grant is \$1,832,797 for the first year; \$2,302,904 for the second year; and \$2,603,433 for the third year. The City is also responsible for \$3,515,630 for the fourth (retention) year. OPD requests that the City appropriates funds to cover the City match requirement for years one and two. The funding for years three and four will be addressed in the FY 2017-19 biennial budget. Costs for future years are approximate due to unknown changes in fringe benefit rates as shown in the charts below.

Table 4: Summary of 2015 USDOJ/COPS Grant and City Matching Costs over Four Years of Total Grant Cycle

Category	Year 1 9/01/15- 8/31/16	Year 2 9/01/16- 8/31/17	Year 3 9/01/17- 8/31/18	Year 4 9/01/18- 8/31/19	Total
Salary and Benefits	\$1,994,343	\$2,423,200	\$2,697,074	\$2,959,648	\$10,074,265
Central Services Overhead	\$177,531	\$213,063	\$233,886	\$252,558	\$877,038
Operations and Maintenance	\$285,923	\$291,641	\$297,474	\$303,423	\$1,178,460
TOTAL ANNUAL COST	\$2,457,797	\$2,927,904	\$3,228,433	\$3,515,630	\$12,129,763
Grant Portion	\$625,000	\$625,000	\$625,000	\$0	\$1,875,000
City Match/General Purpose Fund Contribution	\$1,832,797	\$2,302,904	\$2,603,433	\$3,515,630	\$10,254,763

Table 5: Summary City Contribution Appropriation Breakdown

City Appropriation	City Contribution	Central Services Overhead	TOTAL
Grant Years 1 and 2 (Immediate)	\$3,380,203	\$354,030	\$3,734,233
Grant Years 3 and 4 (FY 2017-19 Biennial Budget)	\$5,997,523	\$523,008	\$6,520,531
Total	\$9,377,726	\$877,038	\$10,254,763

Table 6: Impact by City of Oakland Each Fiscal Year

City Fiscal Year	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 18-19*	FY 19-20*
Grant Period	9/01/15-6/30/16	7/01/16-6/30/17	7/01/17-6/30/18	7/01/18-8/31/18	9/01/18-6/30/19	7/01/19-8/31/19
Months within City Fiscal Year	10	12	12	2	10	2
City Share by Fiscal Year	1,520,986	2,213,246	2,550,990	453,911	2,918,752	596,878

* Mandatory retention period beyond expiration of grant

Funding will be appropriated in the COPS Hiring Program Grant Fund (2113), District Command Administration Org (108010), Patrol Program (PS11), in a Project Account to be determined.

Fund Source	Organization	Account	Project	Program	Amount
2113	108010	TBD	TBD	PS11	\$1,875,000
1010	108010	TBD	TBD	PS11	\$10,254,763
Total Expenditure					\$12,129,763

Total City Match/General Purpose Fund Contribution	\$10,254,763	85%
Total Grant Portion	\$1,875,000	15%
TOTAL COST	\$12,129,763	100%

If this grant is accepted and a third, smaller academy is needed in FY 2016-17. The cost of that class is \$1.5 million. If the academy class is needed, a separate appropriation will be brought to Council. The need for this academy class is dependent upon attrition levels in the months ahead as well as acceptance of this grant.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The City of Oakland has seen great benefits from the 106 sworn personnel hired under the USDOJ/COPS programs over the last several years. The 41 positions funded by the 2009 grant would have been lost due to the City's fiscal crisis. The 25 positions funded by the 2011 grant have enabled a fully operational School Safety Unit – allowing OPD officers the opportunity to serve as mentors in select Oakland middle schools. Enhanced community policing efforts, an increased emphasis on human trafficking operations, a focus on violent crime suppression, and traffic safety enforcement around Oakland schools have all resulted from accepting previous USDOJ/COPS grants and providing General Purpose Fund dollars as required by the grants. All initiatives funded by the USDOJ/COPS program – beginning with the 2011 grant – are still in place at OPD.

Next Steps: As with previous USDOJ/COPS grants, the current effort is expected to increase the quality of life for Oakland residents and other stakeholders. Specifically, increased community satisfaction and decreased crime is expected in areas where new OPD foot patrols are implemented. Increased trust in OPD and Oakland City Government is expected.

PUBLIC OUTREACH / INTEREST

Grant funds along with City matching funds will be used to build a new walking-beat patrol where OPD sworn officers constantly interact with the public to build strong community-police relationships. Stronger community-police relationships have potential to enhance the long-term public safety of high-crime and high-population density neighborhoods. The increase of 15 sworn officers from this grant and matching city funds will also help to increase the relatively low level of police staffing per level of violent crime (see page 2 above regarding Oakland crime rates). This staffing program is therefore of great interest to all Oaklanders as public safety impacts all Oaklanders.

COORDINATION

This report and legislation have been reviewed by the Office of the City Attorney and the Controller's Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: Hiring additional law enforcement officers will generate additional jobs for the local economy. Additional community policing officers will enhance crime prevention and support economic growth. Increased economic activity will raise business tax and sales tax revenues to the City.

Environmental: There are no environmental impacts associated with this report.

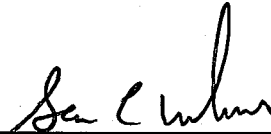
Social Equity: Grant funds and other resources contributed by partnering agencies will enhance public safety which benefits all Oaklanders. Neighborhoods that have been subject to high rates of violent crime will greatly benefit from this program, providing greater social equity.

ACTION REQUESTED OF CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, On Behalf Of The City Of Oakland To: (1) Accept Grant Funds In An Amount Not To Exceed One Million Eight Hundred Seventy-Five Thousand Dollars (\$1,875,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS) To Fund The Entry-Level Salary And Fringe Benefits Costs Of Fifteen (15) Full-Time Equivalent (FTE) Police Officers And Appropriate Said Funds To The Oakland Police Department (OPD); (2) Authorize An Appropriation Of Nine Million Three Hundred Seventy-Seven Thousand Seven Hundred Twenty-Six Dollars (\$9,377,726) To Cover The Local Cash Match Requirement; And (3) Authorize The General Purpose Fund To Subsidize The Central Services Overhead Costs Of Eight Hundred Seventy-Seven Thousand Thirty-Eight Dollars (\$877,038) For A Total City Contribution Of Ten Million Two Hundred Fifty-four Thousand Seven Hundred Sixty-Three Dollars (\$10,254,763).

For questions regarding this report, please contact D. Nell Taylor, Fiscal Manager, at (510) 238-3288.

Respectfully submitted,



Sean Whent
Chief of Police
Oakland Police Department

Reviewed by:
Tim Birch, Police Services Manager,
OPD, Research and Planning

D. Nell Taylor, Fiscal Manager
OPD, Fiscal Division

Prepared by:
Bruce Stoffmacher, Legislation Manager
OPD, Research and Planning

2015 NOV 19 PM 03 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, ON BEHALF OF THE CITY OF OAKLAND TO: (1) ACCEPT GRANT FUNDS IN AN AMOUNT NOT TO EXCEED ONE MILLION EIGHT HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$1,875,000) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (USDOJ/COPS) TO FUND THE ENTRY-LEVEL SALARY AND FRINGE BENEFITS COSTS OF FIFTEEN (15) FULL-TIME EQUIVALENT (FTE) POLICE OFFICERS AND APPROPRIATE SAID FUNDS TO THE OAKLAND POLICE DEPARTMENT (OPD); (2) AUTHORIZE AN APPROPRIATION OF NINE MILLION THREE HUNDRED SEVENTY-SEVEN THOUSAND SEVEN HUNDRED TWENTY-SIX DOLLARS (\$9,377,726) TO COVER THE LOCAL CASH MATCH REQUIREMENT; AND (3) AUTHORIZE THE GENERAL PURPOSE FUND TO SUBSIDIZE THE CENTRAL SERVICES OVERHEAD COSTS OF EIGHT HUNDRED SEVENTY-SEVEN THOUSAND THIRTY-EIGHT DOLLARS (\$877,038) FOR A TOTAL CITY CONTRIBUTION OF TEN MILLION TWO HUNDRED FIFTY-FOUR THOUSAND SEVEN HUNDRED SIXTY-THREE DOLLARS (\$10,254,763).

WHEREAS, grant funds of up to \$1,875,000 have been awarded to the Oakland Police Department to fund entry-level salary and fringe benefit costs of 15.0 FTE police officers for a thirty-six month period, from September 1, 2015 to August 31, 2018; and

WHEREAS, the USDOJ/COPS grant funds are awarded through the COPS Hiring Program, a competitive program that provides funding to state, local and tribal law enforcement to hire police officers to advance community policing; and

WHEREAS, the grant requires that the City retain the 15.0 FTE officer positions with local funds for an additional year, or for no less than 12 months after the end of the grant term; and

WHEREAS, the grant funds cover a portion of entry-level salary and benefits of full time police officers for three years and the City will be responsible for covering any salaries and benefits greater than those associated with entry-level officers, the recruitment, police academy, operations and maintenance (O&M) and other ancillary costs associated with adding 15.0 FTE officer positions to OPD's baseline budget; and

WHEREAS, funding in the amount of approximately \$8,199,265 to cover the local cash match requirement, \$1,178,460 to cover O&M costs and \$877,038 to cover CSO costs, for a total City contribution of approximately \$10,254,763 over four years is necessary; and

WHEREAS, administrative costs are specifically disallowed by the grantor, OPD

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is requesting a contribution from the General Purpose Fund in an amount equivalent to OPD's central services overhead charge rate of \$354,030 in years one and two and approximately \$523,008 in years three and four for a total contribution of \$877,038; and

WHEREAS, \$3,380,203 associated with adding 15.0 FTE officer positions shall be immediately appropriated to OPD's baseline budget from the undesignated General Purpose Fund balance for years one and two; and

WHEREAS, approximately \$5,997,523 associated with adding 15.0 FTE officer positions for years three and four shall be appropriated via the FY17-19 biennial budget; and

WHEREAS, funding will be appropriated in the COPS Hiring Program Grant Fund (2113), District Command Administration Org (108010), Patrol Program (PS11), in a Project to be determined; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or designee, to accept USDOJ/COPS FY 2015 COPS Hiring Program grant funds in an amount not to exceed \$1,875,000 and appropriate to OPD; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to hire an additional 15.0 FTE officers to fulfill grant obligations; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to appropriate undesignated funds from the General Purpose Fund to OPD to cover the \$2,851,246 local cash match requirement and to cover \$528,957 O&M costs for years one and two to the after completion of the revenue share payments per the recent labor agreements; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to appropriate funds to cover the approximate \$5,348,019 local cash match requirement and to cover \$649,504 O&M costs for years three and four as part of the FY17-19 biennial budget development; and be it

FURTHER RESOLVED: That the General Purpose Fund will subsidize central services overhead associated with the 15.0 FTE officer positions at \$354,030 in years one and two and approximately \$523,008 in years three and four for a total contribution of \$877,038; and be it

FURTHER RESOLVED: That the total program cost to implement the 2015 COPS Hiring grant award for three years plus one mandatory retention year is approximately \$12,129,763; and be it

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FURTHER RESOLVED: That the City Administrator, or designee, is authorized to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID,
PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland,
California