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OAKLAND

2009 MAR 26 PM 6:57

**CITY OF OAKLAND**  
**AGENDA REPORT**

**To:** Office of the City Administrator  
**Attn:** Dan Lindheim  
**From:** Police Department  
**Date:** March 31, 2009

**Re: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland To Apply For, Accept And Appropriate Grant Funds From The U.S. Department of Justice, Office of Community Oriented Policing Services (USDOJ/COPS), COPS Hiring Recovery Program (CHRP), To Fund The Entry-Level Salary and Fringe Benefit Costs of Police Officers For a Thirty-Six (36) Month Period, And Appropriate Said Funds to the Police Department**

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**SUMMARY**

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to apply for, accept, and appropriate grant from the U.S. Department of Justice, Office of Community Oriented Policing Services (USDOJ/COPS), COPS Hiring Recovery Program (CHRP) grant, to fund the entry-level salary and fringe benefit costs of police officers for a 36-month period. The proposed program period is October 1, 2009 through September 30, 2012.

The grant funds may be used 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.

The COPS legislation (1) mandates that the City use the grant funds only to (i) supplement local funds that would have been dedicated toward sworn officer positions if federal funding had not been awarded and (ii) hire or rehire officers that are in addition to, and not in lieu of, officers who otherwise would have been hired or rehired with local funds; and (2) prohibits use of the funds to supplant (replace) local funds that agencies otherwise would have devoted to sworn officer salaries.

The grant funds cover entry level salary and benefits of full-time police officers for three years and the City will be responsible for covering any increases in salaries and benefits during the second and third years of the grant as well as any higher salary that the City pays to lateral or other hires and the recruitment, police academy and other training costs for such officers.

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The grant agreement will require that the City, at its sole expense, retain officers hired with the grant funds for not less than 12 additional months after the expiration of the three-year grant term.

### **FISCAL IMPACT**

CHRP grants will provide 100 percent funding for approved entry-level salaries and fringe benefits of full-time officers for 36 months of grant funding. CHRP grants may be used on or after the official grant award start date 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. CHRP grant awards will be made for officer positions requested in the three hiring categories. Recipients of CHRP grant awards are required to use grant funds for the specific hiring categories awarded, and maintain documentation pertinent to the officers hired/rehired with CHRP grant funding.

Based on the grant requirements, the City will be responsible for covering any cost of living and merit increases in salaries and benefits during the second and third years of the grant, as well as any higher salary that the City pays to lateral or other hires and the recruitment, police academy and other training costs for such officers.

The grant agreement will require that the City at its sole expense retain all sworn officer positions awarded under the CHRP grant for a minimum of 12 months following the 36-month grant period in fiscal year 2012-2013.

There is no cap on the number of positions an agency may request; however, awards will be limited to available funding. When determining how many officers to request, the City should be cognizant of the initial three-year grant period and its ability to fill and retain the officer positions awarded, while following OPD's established hiring policies and procedures. There is no local match requirement for CHRP; however, grant funding requests must be based on the current full-time, entry-level salary and fringe benefits package of an officer in the Department. Any additional costs for higher than entry-level salaries and fringe benefits will be the responsibility of the City.

The COPS statute nonsupplanting requirement mandates that CHRP funds must be used to supplement local funds that would have been dedicated toward sworn officer positions if federal funding had not been awarded. CHRP grant funds must not be used to supplant (replace) local funds that agencies otherwise would have devoted to sworn officer hiring. The hiring or rehiring of officers under CHRP must be in addition to, and not in lieu of, officers who otherwise would have been hired or rehired with local funds.

Central Service Overhead charges are allowable under the CHRP grant for the grant-funded officers. It should be noted, however, that additional costs pertaining to any hiring and training of

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new officers, or that may be necessary to maintain (such as cost of living and merit increases) the grant-funded officers during the grant period will be the responsibility of the City. Operations and maintenance costs associated with the grant-funded officers will also be the responsibility of the City.

Approval of the proposed resolution will authorize the application, acceptance and appropriation of USDOJ/COPS CHRP grant funds, beginning October 1, 2009. Funding will be appropriated in the Federal Grant Fund (2158), Bureau of Field Operations Org. (107010), Bureau of Field Operations Program (PS01), in a Project to be determined.

## **BACKGROUND**

The U.S. Department of Justice, Office of Community Oriented Policing Services, COPS Hiring Recovery Program (CHRP) was issued as part of our nation's American Recovery and Reinvestment Act ("Stimulus Package"), as a means of providing funding directly to law enforcement agencies having primary law enforcement authority, to create and preserve jobs and to increase community policing capacity and crime-prevention efforts. A total of \$1 billion in grant funding is available through the USDOJ/COPS Office for the hiring and rehiring of career law enforcement officers through the CHRP initiative.

## **KEY ISSUES AND IMPACTS**

The Police Department, through use of the CHRP grant funds, shall pay for police officers entry-level salaries and benefits for a 36-month period; commencing October 1, 2009. The City would need to allocate funds for recruiting any new officers, academy costs, training, salaries and benefits above entry-level, and the full cost of retaining grant-funded officers for 12 months after the three-year grant period (Fiscal Year 2012-2013).

## **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 economic growth throughout Oakland. Increased economic activity will raise business tax and sales tax revenues to the City.

### **Environmental**

No environmental opportunities have been identified.

**Social Equity**

Additional community policing officers will enhance crime prevention and economic growth throughout the City.

**DISABILITY AND SENIOR CITIZEN ACCESS**

The officers hired as a result of the COPS Hiring Recovery Program will permit the Police Department to provide increased public safety services to all Oakland residents, including those with disabilities and older Americans.

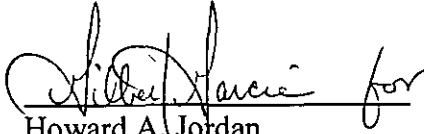
**RECOMMENDATION**

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept USDOJ/COPS CHRP grant funds to be used to hire or retain police officers, and appropriate said funds to the Police Department.

**ACTION REQUESTED BY THE CITY COUNCIL**

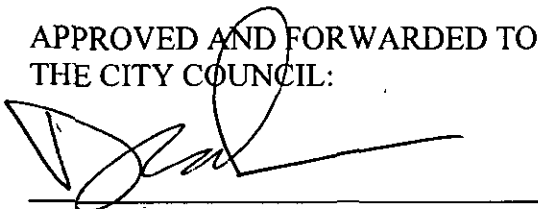
Staff requests that the City Council adopt the resolution.

Respectfully submitted,

  
Howard A. Jordan  
Acting Chief of Police

Prepared by: Candice Jessie  
Budget and Grants Administrator  
Fiscal Services Division  
Office of the Chief of Police

APPROVED AND FORWARDED TO  
THE CITY COUNCIL:

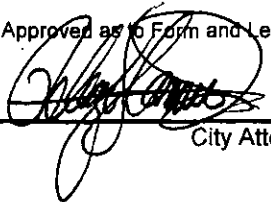
  
Office of the City Administrator

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# OAKLAND CITY COUNCIL

Approved as to Form and Legality

  
City Attorney

2009 MAR 26 PM 6:57 RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (USDOJ/COPS), COPS HIRING RECOVERY PROGRAM (CHRP), TO FUND THE ENTRY-LEVEL SALARY AND FRINGE BENEFIT COSTS OF POLICE OFFICERS FOR A THIRTY-SIX (36) MONTH PERIOD, AND APPROPRIATE SAID FUNDS TO THE POLICE DEPARTMENT**

**WHEREAS**, it is anticipated that the U.S. Department of Justice, Office of Community Oriented Policing Services (USDOJ/COPS) will award grant funds in the amount of approximately one billion dollars from the COPS Hiring Recovery Program (CHRP) to supplement the salary and fringe benefit costs of newly hired and/or unbudgeted Police Officers for a thirty-six month period; and

**WHEREAS**, the City of Oakland may be eligible to receive a portion of the grant funds; and

**WHEREAS**, the application deadline is April 14, 2009; and

**WHEREAS**, the grant funds may be used 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.

**WHEREAS**, the COPS legislation (1) mandates that the City use the grant funds only to (i) supplement local funds that would have been dedicated toward sworn officer positions if federal funding had not been awarded and (ii) hire or rehire officers that are in addition to, and not in lieu of, officers who otherwise would have been hired or rehired with local funds; and (2) prohibits use of the funds to supplant (replace) local funds that agencies otherwise would have devoted to sworn officer salaries; and

**WHEREAS**, the grant funds cover entry level salary and benefits of full-time police officers for three years and the City will be responsible for covering any increases in salaries and benefits during the second and third years of the grant as well as any higher salary that the City pays to lateral or other hires and the recruitment, police academy and other training costs for such officers; and

**WHEREAS**, the grant agreement will require that the City at its sole expense retain officers funded with the grant funds for not less than 12 additional months after the expiration of the three year grant term; and

**WHEREAS**, the U.S. Department of Community Oriented Policing Services' COPS Hiring Recovery Program funds were issued as part of our nation's American Recovery and Reinvestment Act ("Stimulus Package"), as a means of providing funding directly to law enforcement agencies having primary law enforcement authority to create and preserve jobs and to increase community policing capacity and crime prevention efforts; and

**WHEREAS**, the City Council previously authorized acceptance of similar grant funds by Resolution No. 76856 C.M.S., dated November 27, 2001, and Resolution No. 77034 C.M.S., dated March 26, 2002; and

**WHEREAS**, the proposed grant term for the Police Department’s enactment of the CHRP initiative is October 1, 2009 to September 30, 2012; and

**WHEREAS**, the Department’s anticipated receipt of grant will cover the entry-level salary and fringe benefit costs of Police Officers for a three- year grant term; and

**WHEREAS**, the COPS CHRP program mandates that grantees must retain the sworn officer positions funded by the grant program for one local budget cycle after the expiration of the grant term; and

**WHEREAS**, the City of Oakland, through acceptance of the COPS CHRP grant funds, must agree to retain grant-funded Police Officers for one local budget cycle subsequent to the end of the grant term; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to apply for, accept, and appropriate grant funds from the U.S. Department of Justice, Office of Community Oriented Policing Services, COPS Hiring Recovery Program, and to increase revenues and appropriate said amended budget to the Police Department; and be it

**FURTHER RESOLVED:** That said grant funds shall be maintained in the Federal Grant Fund: 2112; Bureau of Field Operations Division Org.: 107010; Bureau of Field Operations Division Program: PS01; in a Project Number to be established; and be it

**FURTHER RESOLVED:** That the City Council hereby agrees that through acceptance of the COPS CHRP grant funds, the City shall retain grant-funded Police Officers for one local budget cycle subsequent to the end of the grant term; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator as agent of the City, or his designee, 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 City Council approval.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

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