

OAKLAND CITY COUNCIL

RESOLUTION No. 76258 C.M.S.

CSK

RESOLUTION IMPLEMENTING CALIFORNIA GOVERNMENT CODE SECTIONS 30061 - 30065 AND APPROPRIATING EIGHT HUNDRED SEVENTY-TWO THOUSAND, FOUR HUNDRED TWENTY-FIVE DOLLARS (\$872,425) IN FIFTH YEAR FUNDING FOR THE "CITIZEN'S OPTION FOR PUBLIC SAFETY" (COPS) GRANT TO THE POLICE DEPARTMENT AND APPROVING THE *N* 2000-2001 SPENDING PLAN SUBMITTED BY THE CHIEF OF POLICE

WHEREAS, the State Legislature has distributed \$872,425 in fifth year funding for the "Citizen's Option for Public Safety" (COPS) to supplement, not supplant, existing law enforcement funding; and

WHEREAS, the Government Code requires that when the Chief of Police requests the local jurisdiction's legislative body to appropriate such funds solely for front-line law enforcement services, the legislative body shall conduct a public hearing and appropriate the funds within 60 days; and

WHEREAS, Government Code Section 30062(d) defines front-line law enforcement services to include anti-gang and 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, the Government Code requires that the City report expenditure allocations on a monthly and annual basis to the Chief of Police, Council and County Supplemental Law Enforcement Oversight Committee; and

WHEREAS, the legislation limits administrative costs to one-half of one percent of the total award amount which is normally allocated to offset Accounting Division staff costs for preparing the required financial reports; and

WHEREAS, the sum of \$872,425 in FY 2000-2001 COPS funds received must be made in accordance with the spending plan of the Chief of Police; and

WHEREAS, the aforementioned spending plan will incur Capital Projects Assessment Fee (CPAF) charges of approximately \$2,331 that are in excess of the administrative costs allowed under the Government Code; and

WHEREAS, the requested spending plan of the Chief of Police was discussed and public comment was allowed at the public hearing conducted prior to passage of this resolution; now therefore be it

RESOLVED: That the Council hereby implements the provisions of the Government Code by accepting and increasing estimated revenues and appropriations to the Police Department, by **\$872,425** in COPS funds and corresponding interest earnings, in accordance with the spending plan submitted by the Chief of Police and discussed at a public hearing prior the passage of the enabling legislation; and be it

FURTHER RESOLVED: That the **\$872,425** 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 Capital Projects Assessment Fee (CPAF) charges of approximately **\$2,331** be waived; and be it

FURTHER RESOLVED: That the Oakland Police Department Budget and Accounting Division shall provide all required reports regarding the COPS funds, as specified in the Government Code.

IN COUNCIL, OAKLAND, CALIFORNIA, **FEB - 6 2001**, 20


PASSED BY THE FOLLOWING VOTE

AYES- BRUNNER, CHANG, NADEL, SPEES, REID, WAN and PRESIDENT DE LA FUENTE - 7

NOES- None

ABSENT- None

ABSTENTION- None

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California