

# CITY OF OAKLAND

## AGENDA REPORT

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OFFICE OF THE CITY CLERK  
OAKLAND

2005 JUN -2 PM 3:05

**To:** Office of the City Administrator  
**Attn:** Deborah Edgerly  
**From:** Police Department  
**Date:** June 14, 2005

**Re: A Report from the Chief of Police on the Use of Grant Funds as a Supplemental Funding Source for Public Safety Services in the Police Department and the Use of Staff on an Overtime Basis for Implementation of Grant Funded Initiatives**

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### SUMMARY

This report responds to the Public Safety Committee's request for additional information on the use of Police Department staff on an overtime basis relative to the implementation of grant-funded programs.

### FISCAL IMPACT

This is an information report. Fiscal impacts are not included.

### BACKGROUND

The Police Department currently administers an array of initiatives sponsored by federal and state granting agencies. These programs are developed as a means to supplement and/or enhance basic crime suppression and other public safety services. Though many of the Department's grant funded programs have a direct correlation to duties currently assigned to existing sworn and civilian personnel, granting agency financial guidelines often prohibit the use of grant funds for any purpose other than supplemental program funding.

### KEY ISSUES AND IMPACTS

#### Adherence to Granting Agency Guidelines

The Police Department relies upon and adheres to various federal and state financial guides as primary reference tools to ensure that the Department fulfills its fiduciary responsibilities in the administration of grant funds. These financial guides serve as day-to-day management tools, providing policy guidance, control, and support services.

As detailed in the U.S. Department of Justice's Federal Financial Guide (<http://www.ojp.usdoj.gov/FinGuide>), Federal grant funds must be used to "supplement existing funds for program activities and must not replace those funds that have been appropriated for the same purpose." The financial guidelines also clearly detail the differences between supplementing and supplanting.

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The federal government defines **supplanting** as follows:

“To deliberately reduce State or local funds because of the existence of Federal funds. For example, when State funds are appropriated for a stated purpose and Federal funds are awarded for that same purpose, the State replaces its State funds with Federal funds, thereby reducing the total amount available for the state purpose.”

The federal financial guides also state:

“Supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the applicant or grantee will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.”

### **Discretionary Grants**

Grant funds received by the Department generally fall into two categories: discretionary and project specific. Discretionary grants are often used to fund staff salaries on a non-overtime basis, e.g., the U.S. Department of Justice, Local Law Enforcement Block Grant (LLEBG). In 2004, in keeping with the grantor’s guidelines of aligning the grant funds with frontline law enforcement services, LLEBG funds (accepted by Resolution No. 78863 C.M.S., dated October 19, 2004), were used to fully fund several Departmental positions on a non-overtime basis.

### **Project-Specific Grants**

Project-specific grants have a pre-determined programmatic focus. One example of a project-specific grant are those from the State of California, Office of Traffic Safety (OTS). OTS allocates grants to our agency to conduct enforcement operations relative to traffic safety. In March of 2005, the Department accepted grant funds from OTS for participation in a 21-day California Seatbelt Compliance Campaign (Resolution No. 79115, C.M.S., dated March 15, 2005). According to the grant guidelines issued by OTS, funds are to be used **“to conduct overtime enforcement operations specifically targeting seatbelt violations.”**

**SUSTAINABLE OPPORTUNITIES**

**Economic** - There are no economic opportunities in this report.

**Environmental** - No environmental opportunities are anticipated.

**Social Equity** - There are no equity issues contained in this report.


**DISABILITY AND SENIOR CITIZEN ACCESS**

There are no ADA or senior citizen access issues contained in this report.

**RECOMMENDATION**

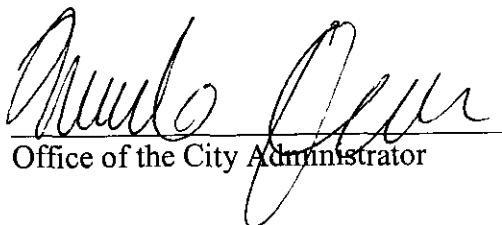
Staff recommends acceptance of this information report.

Respectfully submitted,

  
Wayne G. Tucker  
Chief of Police

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Fiscal Services Division  
Bureau of Administration

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:

  
Office of the City Administrator

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