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OFFICE OF THE CITY CLERK  
OAKLAND  
2013 JAN 31 PM 1:02

# AGENDA REPORT

**TO:** DEANNA J. SANTANA  
CITY ADMINISTRATOR

**FROM:** HOWARD A. JORDAN  
Chief of Police

**SUBJECT:** Citizens Options for Public Safety  
Grant FY 2011-2013

**DATE:** January 23, 2013

City Administrator  
Approval

Date

1/29/13

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends that the City Council approve a Resolution authorizing the City Administrator to Accept and Appropriate a State of California "Citizens Options for Public Safety" (State COPS) Grant in an amount not-to-exceed Six Hundred Thirty Four Thousand Six Hundred Seventeen Dollars (\$634, 617) to the Oakland Police Department (OPD) for 1) Computer Equipment and Software, 2) Helicopter Equipment Repair and Maintenance, 3) Vehicle Purchase and 4) Additional Training within the Oakland Police Department in accordance with the Spending Plan for October 1, 2011 through September 30, 2013.

## OUTCOME

Approval of this resolution will allow OPD to purchase equipment used to increase and enhance crime prevention services, fund scheduled maintenance for crime suppression equipment as well as, training and related travel, for police personnel.

## BACKGROUND/LEGISLATIVE HISTORY

For the 16th consecutive year, the State Legislature has authorized supplemental funding of front line municipal police services through the State COPS grant program. AB1913 defines "front line municipal police services" as: anti-gang, community crime prevention, and juvenile justice programs. Each of the programs for which funding is requested fall in line with these restrictions, and reflect the Department's highest priorities.

Section 30062 of AB1913 prohibits supplanting. It states that the "moneys shall supplement existing services, and shall not be used to supplant any existing funding for law enforcement services provided by that entity." Each of the programs for which funding is requested is an

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activity that the City's General Fund currently pays for, but for which there is insufficient funding to keep pace with demand for police services.

This appropriation is part of the realignment program for law enforcement, which was enacted with the 2011 State Budget Act. The Act requires distribution of State COPS funding allocated to local law enforcement jurisdictions within the County of Alameda to ensure all law enforcement jurisdictions receive a base allocation of at least \$100,000, per the State COPS Legislation, AB 1913.

Those cities and counties that receive more than \$100,000 minimum payment from Local Law Enforcement Safety Account (which is determined by a population distribution formula) also receive funds from vehicle license fees in the State Local Safety and Protection Account (LSPA) Transportation Fund. The adjustment generally occurs in the second year of the budget cycle. Checks are issued quarterly, and may reflect an increase or decrease in the appropriation dependent on revenues deposited in the LSPA the following year. County auditor-controllers adjust the allocations accordingly on a pro-rated basis.

OPD anticipated an allocation of \$634,957 in FY 2011-2013, but the Department received \$634,617, after adjustment for a decrease in LSPA funds in 2012. OPD anticipated an allocation of \$434,894 in FY 2009-2011 State COPS funding, but the Department received \$517,000 after adjustment for an increase in LSPA funds in 2010. The anticipated FY 2008-2010 State COPS allocation was \$669,982, but the Department received \$412,470 after adjustment for a decrease in LSPA funds in 2009.

Grants must be expended within the two-year period, with a third year available for liquidation of funds. There is no guarantee that this will be a continued funding source for the long term, however, it is included in the Governor's proposed budget for the next fiscal year.

### ANALYSIS

Since 1996, OPD has prioritized State COPS grant funds for equipment, training, and contract services for front-line law enforcement. An overview of the spending plan for the State COPS 2011 award and earned interest is outlined below:

#### Spending Plan

##### ***Computer Software/Hardware: \$350,000***

This includes funding to replace laptops and software in police vehicles with GPS receivers. Laptops are used to prepare a variety of reports on-site, enabling officers to use GPS for location identification and storing, and transmitting images digitally.

***Helicopter Maintenance/Blades: \$220,000***

This money will be used to cover the cost of equipment replacement and maintenance as scheduled. Funding for the helicopter was eliminated from the General Fund, as a balance budgeting measure, in 2010. Without these grant funds, the Department will ground the helicopter. After weighing the "cost/benefit" of the helicopter program, the Department recommends that the City approve this funding request. The benefit of OPD's Air Support Unit is that it is the Department's "Force Multiplier", enabling a smaller work force to complete assignments and to assume various tasks. A 1975 study by the Kansas City Police Department has shown that a police helicopter can perform the same level of observation and tactical support as 12 patrol officers on the ground. The helicopter has the capability to move the tactical teams, first responders, medical and rescue personnel, and incident commanders, by air and place them in locations that are inaccessible by other means of transportation, i.e., on top of buildings or areas where roads and bridges cannot be utilized. If the Air Support Unit is grounded, OPD would lose the "Force Multiplier" benefit and likely see increased costs associated with more ground officers required to respond to incidents, which could negate the potential budgetary savings.

There are many advantages to utilizing a helicopter over a scene.

- Fewer ground-based officers are required at the crime scene and perimeters.
- Ground-based officers have a significantly increased sense of security.
- Ground-based officers are kept in tactical advantage and out of dangerous situations.
- Vehicle pursuit management is positive, direct, and reduces associated liabilities.

Benefits of the "Force Multiplier" include:

- More ground-based officers are available for assignment.
- Significant reduction of potential injury, or risk of death to officers and citizens.
- Increased productivity and reduction of liability claims against the city.

The helicopter is critical in managing active shooter situations and civil unrest. Another factor that must be considered with regard to "grounding" the helicopter unit is that the Port is currently providing hangar space for the helicopters in exchange for OPD's helicopter unit providing regular security checks for Port property. Should the helicopter unit be grounded, OPD would not be able to fulfill this obligation.

***Specialized Training/Travel: Budget \$14,617***

The funding will provide law enforcement with the training and associated travel necessary to become better skilled at suppressing gang activities and gun violence in Oakland by focusing on criminal hot spots and their linkages to organized crime. The justification for travel and training paid for with these grant funds must meet the same stringent requirements as travel that is paid

for by the General Fund. However, OPD's General Fund O&M allocation is not sufficient to cover essential anti-gang and problem-solving training.

***Vehicle Replacement: Budget \$50,000***

OPD vehicles have a life expectancy of 6.3 years, and constantly require maintenance repair, which causes the front-line peace officers to double up in vehicles or seek other duties other than patrol. Additionally, joint agency task force operations (such as Ceasefire, an evidence-based, problem-solving approach to gun and gang violence) may require the use of vehicles not readily available within the Department's fleet. These funds will be used to obtain additional vehicles. Several agenda reports have been written on the state of the City's fleet. This funding will allow the Department to purchase vehicles that will help alleviate this problem. The Crown Victoria is no longer in production and the Department must select a new model. These vehicles will allow the Department to outfit and test a small number of unmarked vehicles. There is currently no plan or funding identified to replace unmarked police vehicles, almost all of which are beyond their useful life-cycle.

***Central Service Overhead:***

No salaries and wages are allocated as part of a spending plan, hence the Department's Central Services Overhead (CSO) rate for salaries and wages (13.64%) is not assessed and a waiver is not requested because the CSO would exceed the allowable, direct cost amount of 0.5% under this grant.

**PUBLIC OUTREACH/INTEREST**

The public will benefit from increased and enhanced crime prevention services and crime suppression activities enabled by these grant funds.

**COORDINATION**

The Budget Office and City Attorney's Office were consulted during the preparation of this report.

**COST SUMMARY/IMPLICATIONS**

1. **AMOUNT OF RECOMMENDATION/COST OF PROJECT:**

Project Delivery	634,617
Total Project Costs	634,617

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2. **COST ELEMENTS OF AGREEMENT/CONTRACT:**

Description and Use of Funds	Amount
Computer Software/Hardware	\$ 350,000
Helicopter Maintenance/Blades	\$220,000
Specialized Training/Travel	\$14,617
Vehicle Replacement	\$50,000
Central Services Overhead	0
<b>TOTAL CONTRACT AMOUNT</b>	<b>\$634,617</b>

3. **SOURCE OF FUNDING:**

Approval of the proposed resolution will allow the City Administrator to accept and appropriate a State of California "Citizens Options for Public Safety" (State COPS FY2011) Grant to OPD for the funding period October 1, 2011 through September 30, 2013, in the amount of \$634,617.

4. **FISCAL IMPACT:**

There is no match requirement for this grant. Grant funds totaling \$634,617 will be appropriated to the City of Oakland's State of California Grant Fund, (2158), Office of the Chief of Police Administration (101110), Administration Program (PSO1), and Project (G453610). The appropriation is solely an addition to City funds and cannot be used to supplant City funding from any other fund.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** Crime prevention activities funded by this spending plan will have a positive impact on property values and business opportunities.

**Environmental:** There are no environmental issues associated with this report.

**Social Equity:** The services provided through this initiative will assist the community through improved police services and enhanced police-community relations.

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CEQA

“This report is not a project under CEQA.”

For questions regarding this report, please contact Dyana Curreri-Ematinger, Grants Coordinator at (510) 238-7140.

Respectfully submitted,



*How* HOWARD A. JORDAN  
Chief of Police  
Oakland Police Department

Prepared by:  
Dyana Curreri-Ermatinger, Grants Coordinator  
Fiscal Services, Oakland Police Department

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FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

  
City Attorney

2013 JAN 31 PM 1:01 RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE A FISCAL YEAR 2011-2013 STATE OF CALIFORNIA CITIZENS OPTIONS FOR PUBLIC SAFETY GRANT (STATE COPS GRANT FY2011-2013) IN AN AMOUNT NOT TO EXCEED SIX HUNDRED THIRTY FOUR THOUSAND AND SIX HUNDRED SEVENTEEN DOLLARS (\$634,617) TO FUND EQUIPMENT PURCHASE, EQUIPMENT REPAIR AND MAINTENANCE, AND PERSONNEL TRAINING FOR THE OAKLAND POLICE DEPARTMENT IN ACCORDANCE WITH THE SPENDING PLAN**

**WHEREAS**, in 2011 the State Legislature estimated that funds in the amount of \$634,957 would be allocated in "pass-through" funding for the State of California's "Citizen's Options for Public Safety" Grant (State COPS Grant FY 2011-2013) which was to be distributed by the Alameda County Supplemental Law Enforcement Services Fund (SLESF) and then transferred received to the City of Oakland for the Oakland Police Department (OPD) in 2011; and

**WHEREAS**, the State COPS FY2011-2013 estimated allocation (\$634,957) was subsequently adjusted in 2012-13 to \$634,617; and

**WHEREAS**, state law limits administrative costs (Central Services Overhead) to one half of one percent (0.5%) of the total State COPS Grant award; and

**WHEREAS**, no State COPS Grant funds were awarded for salaries and wages as part of the State COPS Grant spending plan in FY 2011-2013, hence the City's Central Services Overhead (CSO) rate for OPD salaries and wages (13.64%) is not assessed and no waiver is requested because the CSO would exceed the allowable, direct cost amount of 0.5% under this grant; now, therefore be it

**RESOLVED**: that the City Council authorizes the City Administrator or her designee to accept and appropriate a FY 2011-2013 State of California "Citizens Options for Public Safety" (State COPS Grant FY 2011-2013) allocation in the amount of Six Hundred Thirty Four Thousand Six Hundred and Seventeen Thousand Dollars (\$634,617) plus accrued interest earnings, for OPD to be used for the purchase of computer equipment and software, helicopter equipment repair and maintenance, vehicle purchase, and personnel training in accordance with the spending plan; and be it

**FURTHER RESOLVED**: that the City Council hereby authorizes the City Administrator or her 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.

**FURTHER RESOLVED:** that revenues and appropriations will be allocated to the State of California Grant Fund (2158); Office of the Chief of Police (101110); Administration Program (PSO1); and Project (G453610); and be it

**FURTHER RESOLVED:** that all contracts issued hereunder shall be reviewed and approved by the City Attorney for form and legality and copies shall be placed on file in the City Clerk's Office.

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

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, KALB, GALLO, KAPLAN, REID, GIBSON MCELHANEY, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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