

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 FEB -9 PM 12: 27

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Police Department
DATE: February 22, 2005

RE: A Report and Proposed Resolution Implementing California Government Code Sections 30061-30065 and Appropriating Six Hundred Four Thousand Three Hundred Thirty-Seven Dollars (\$604,337) in Ninth Year Funding for the "Citizen's Option for Public Safety" (COPS) Grant to the Police Department and Approving the FY 2004-2006 Spending Plan

SUMMARY

For the ninth consecutive year, the State Legislature has authorized supplemental funding for front-line law enforcement. Funding for the "Citizens Option for Public Safety" (COPS) is received by the county treasury and distributed to local jurisdictions through the Supplemental Law Enforcement Services Fund (SLESF).

A resolution has been prepared pursuant to California Government Code Sections 30061-30065, to accept and appropriate said funds from the "Citizen's Option for Public Safety Program" (COPS) and to approve the Department's request to spend the \$604,337 in COPS funds as set forth in the spending plan (Table 1).

FISCAL IMPACT

The City has received \$604,337 in State COPS funds on a pass-through from the County of Alameda. The grant ends on June 30, 2006. Under existing law, the Chief of Police is required to submit a spending plan and conduct a public hearing prior to the City Council's acceptance and appropriation of the \$604,337 (plus interest earned) in additional funding to the Police Department.

The entire amount (\$604,337), plus any interest earned, is restricted by statute to front line law enforcement use only. The City established Fund Number 2158 to separately account for and report on the expenditures and interest income, as required by state legislation. The appropriation is wholly in addition to the General Fund budget and cannot be used to supplant City funding.

The applicable City Central Service Overhead charge associated with the \$200,000 in sideshow overtime personnel costs amounts to \$ 35,540. The grant limits indirect costs to 0.5% of the total grant, or \$3,022. If the funds are to be used as outlined below, the City Council must waive the unallowable indirect costs of \$32,518.

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Public Safety Committee
February 22, 2005

KEY ISSUES AND IMPACTS

In previous years, COPS funds were designated mostly for equipment, training and contract services for front line law enforcement. The majority of the funding was appropriated to increase and enhance preventive policing services and to fund special suppression projects. The spending plan proposed by the Director of Administration / Deputy Chiefs of Police for the COPS IX award of \$604,337 (plus earned interest) is outlined below in Table 1.

TABLE 1.

DESCRIPTION	PROPOSED FUNDING
Bulletproof Vests	\$ 23,750
Assault Shields	13,235
Academy Start-up	109,346
CAL-ID Annual Funding	64,000
PIN	84,000
Sideshow Funding	200,000
Agency-wide computer replacement	100,000
Noritsu Maintenance Contract	6,984
Allowable Indirect cost (.05%)	3,022
(YEAR IX AWARD) TOTAL	\$ 604,337

Spending Plan

Bulletproof vests are essential safety equipment with a useful life of five years. The last vests were purchased in May 1999 with one-time asset forfeiture monies. The City is under contractual obligation to provide safety vests to sworn members. The allocated \$23,750 will pay for 50 vests at \$475 per vest. Staff will apply for additional funding from the Department of Justice (DOJ) Bulletproof Vest program. Last year the City of Oakland received \$5,010.24 from the DOJ Bulletproof Vest program.

Assault Shields are hand-held armor barriers used where an increased level of protection is required for special police operations such as building entry and mobile tactical formations.

Academy Start-up costs are not included in the current Police Department budget. These costs include computer equipment, scanners and video projectors for day-to-day operations as well as classroom instruction in the basic academy. Academy start up costs also include all required safety equipment for the new recruits, as well as books, workbooks and academy supplies.

CAL-ID is an under funded baseline expense for the Police Department. CAD ID is the statewide network accessed by local law enforcement agencies to conduct latent finger print searches when city and county databases do not have a match. This service is essential to criminal investigations. Funding for CAL-ID was reduced in the FY 01-02 budget and never fully restored. The \$64,000 will be used to match the \$200,000 in general fund baseline to reach the total annual funding costs of \$264,000.

The Police Information Network (PIN), is an unfunded, ongoing baseline expense for the Police Department. Council Resolution 65381 C.M.S., dated May 10, 1988 authorized an agreement with the County of Alameda for access to the Police Information Network, a Bay Area-wide law enforcement information computer system. The Department must access PIN in order to check criminal histories for investigative purposes, booking, confirmation for warrants, and transfers to State Systems such as DMV. Alameda County is the sole provider of PIN access service.

Sideshow Funding: Since the late 1980s, certain Oakland neighborhoods have been plagued by late-night cruising activities broadly referred to as the "Sideshow." Though the number of Sideshow participants has decreased, incidents of reckless driving and exhibitions of speed continue on a more random basis. The funds set aside for Sideshow activities will cover the overtime costs of one Sergeant of Police and eight police officers not currently allocated in the Police budget. The purpose of the operations is to prevent and address incidents of reckless driving, exhibition of speed, unlicensed operation, DUI, and other problems associated with Sideshow activity.

Agency Wide Computer Replacement: The Police Department has no baseline budget to replace aging computers or purchase new computers for staff. Computers were replaced by the City in the year 1999 in anticipation of Y2K. These funds will be used to purchase, replace, update and upgrade the Department's personal computers.

Noritsu Maintenance Agreement: The Noritsu 3001 is a valuable piece of photographic equipment (\$126,000) that provides all photo service to police and fire. The combination of mechanical, technical laser projection system and monitor controls on-board the Noritsu 3001 require periodic updates and adjustments to maintain the tight tolerances of the over-all system. The Noritsu 3001 requires proprietary software upgrades that are part of the proposed maintenance agreement.

SUSTAINABLE OPPORTUNITIES

Economic: Crime Prevention activities funded in this spending plan will have a positive impact on property values and business opportunities. Reduction of Sideshow activities will improve the City's image as a safe place in which to conduct business, social and recreational activities. All equipment included in the spending plan will, whenever possible, be purchased locally.

Environmental: Toxic fumes produced by vehicles during "Sideshows" are a health hazard. Abating the problem will result in an improved air quality. Reduced cruising would have a positive impact on the amount of litter on city streets that accumulates as a result of trash thrown from vehicles and by observing pedestrians. In addition, it will reduce greatly the level of noise pollution throughout Oakland Communities.

The Noritsu 3001 has an on-screen correction capability, making it more efficient by eliminating the need for continued reprinting of marginal quality negatives until the proper color and detail is achieved. This reduces the amount of paper waste and chemical effluent produced. In addition, it eliminates additional waste generation during the calibration and/or set-up process because photographic standards can be scanned into "memory" and calibrated internally.

Equity: One third of Sideshow participants are not Oakland residents. Enforcement activity directed at these individuals is costly to Oakland taxpayers and a drain on the City's resources. The services provided by the Sideshow abatement program will assist the community through improved police services and enhanced police-community relations.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no American with Disabilities Act (ADA) or senior access issues contained in this report.

RECOMMENDATION

Recommend approval of the proposed spending plan and resolution for State COPS IX funding in the amount of \$604,337.

Respectfully submitted,

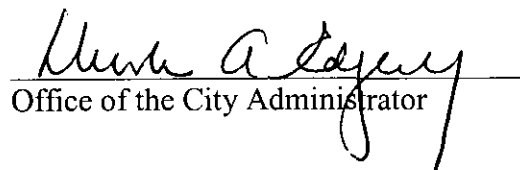


Wayne G. Tucker

Interim Chief of Police

Prepared by: Catherine McMahon
Administrative and Technical Services Division
Bureau of Administration

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



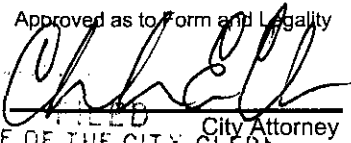
Office of the City Administrator

Item: _____
Public Safety Committee
February 22, 2005

OAKLAND CITY COUNCIL

RESOLUTION NO. _____

C.M.S.

Approved as to Form and Legality

City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 FEB -9 PM 12:27

RESOLUTION IMPLEMENTING CALIFORNIA GOVERNMENT CODE SECTIONS 30061-30065 AND APPROPRIATING SIX HUNDRED FOUR THOUSAND THREE HUNDRED THIRTY-SEVEN DOLLARS (\$604,337) IN NINTH YEAR FUNDING FOR THE "CITIZEN'S OPTION FOR PUBLIC SAFETY" (COPS) GRANT TO THE POLICE DEPARTMENT AND APPROVING THE FY 2004 - 2006 SPENDING PLAN

WHEREAS, the State legislature has allocated \$604,337 in pass through funding for the "Citizen's Option for Public Safety" (COPS) to be distributed through the Alameda County Supplemental Law Enforcement Services Fund (SLESF) to supplement, not supplant, existing local law enforcement funding; and

WHEREAS, the Government Code requires that the Chief of Police request the local jurisdiction's legislative body appropriate said funds solely for front line law enforcement services in accordance with the Chief's spending plan; and

WHEREAS, Government Code Section 30062(d) defines front-line law enforcement services to include 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, State legislation limits administrative costs to one-half of one percent (0.5%) of the total award amount; and

WHEREAS, the sum of \$604,337 in FY 2004 - 2006 COPS funds received must be allocated in accordance with the State COPS IX spending plan; and

WHEREAS, the aforementioned spending plan will incur Central Service Overhead Charges of approximately \$35,540, of which \$32,518 are in excess of the \$3,022 administrative costs allowed under the Government Code; and

WHEREAS, the requested State COPS IX spending plan was discussed and public comment was allowed at the public hearing conducted on March 1, 2005, prior to passage of this resolution; now therefore be it

RESOLVED: That the Council hereby implements the provisions of the California Government Code by accepting and increasing estimated revenues and appropriations to the Police Department by \$604,337 in COPS funds, plus corresponding interest earnings, in accordance with the spending plan and discussed at a public hearing prior to passage of the enabling legislation; and be it

FURTHER RESOLVED: That the \$604,337 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 Central Service Overhead Charges in excess of the amount allowed by the granting agency, of approximately \$32,518, are hereby waived; and be it

FURTHER RESOLVED: That the Oakland Police Department Bureau of Administration shall provide all required reports regarding the COPS funds, as specified in the California Government Code; and be it

FURTHER RESOLVED: That the City Administrator or her designee is further authorized 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 Council approval.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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