

CITY OF OAKLAND

AGENDA REPORT

To: Office of the City Administrator
Attn: Deanna Santana
From: Police Department
Date: November 8, 2011

Re: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Grant Funds in an Amount Not to Exceed Ten Million Seven Hundred and Thirty Nine Thousand Five Hundred and Seventy Five Dollars (\$10,739,575) from the U.S. Department of Justice, Office of Community Oriented Policing Services, (USDOJ/COPS) To the Oakland Police Department, to Fund The Entry-Level Salary and Fringe Benefit Costs of Twenty-Five (25) Police Officers for a Thirty-Six Month Period from September 1, 2011 through August 31, 2014, and Appropriate Said Funds to the Police Department, And Waive the Central Services Overhead Charges

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate grant funds in an amount not to exceed \$10,739,575 from the U.S. Department of Justice, Office of Community Oriented Policing Services (USDOJ/COPS), to the Oakland Police Department to fund the entry-level salary and fringe benefit costs of 25 police officers for a 36-month period from September 1, 2011 through August 31, 2014 and appropriate said funds to the Police Department.

FISCAL IMPACT

Approval of this resolution will authorize the Oakland Police Department to accept and appropriate grant funds in an amount not to exceed \$10,739,575 from the U.S. Department of Justice, Office of Community Oriented Policing Services (USDOJ/COPS), to fund the entry-level salary and fringe benefit costs of 25 police officers for a 36-month period from September 1, 2011 through August 31, 2014. The Oakland Police Department will work directly with the COPS office to ensure the City is able to maximize the full amount of the grant award. Funding will be appropriated in the Federal Grant Fund 2607, Bureau of Field Operations Division Org. 107010, Bureau of Field Operations Division Program PS01, in a Project Number to be established.

Based on the grant requirements, the City will be responsible for covering the cost of salaries and benefits greater than those associated with entry level officers as well as the recruitment, police academy and other training costs for such officers. The City's estimated costs associated with the

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acceptance of the FY 2011 COPS Hiring grant are \$576,593 in year one, \$1,150,930 in year two, and \$1,529,557 in year three. The City’s estimated cost to retain officers in the fourth year is \$6,213,240. These estimated costs to the City are also shown in the chart below.

	FY 11-12*	FY 12-13	FY 13-14	FY 14-15	Grand Total
<i>City of Oakland costs: salaries, benefits, overtime, O&M for 25 officers</i>	\$1,351,065	\$4,302,750	\$5,242,357	\$6,213,240	\$17,109,412
<i>City of Oakland costs to hire new officers: recruitment and lateral academies</i>	\$633,961	\$176,796	-	-	\$810,757
<i>COPS Hiring grant reimbursement (entry level salaries and benefits for 25 officers for three years)</i>	\$1,408,433	\$3,328,616	\$3,712,800	-	\$8,449,849
Cost to the City <i>*partial year costs</i>	\$576,593	\$1,150,930	\$1,529,557	\$6,213,240	\$9,470,320

The City’s cost for the three-year grant period can be attributed to the estimated non-reimbursable costs associated with recruiting and hiring, salaries and benefits above entry level (e.g., lateral officers have mid-range starting salaries), premiums and allowances (e.g., education premiums), non-discretionary overtime (e.g., holiday overtime), and operations and maintenance. The City will also be required to absorb the cost of the 25 officers in the fourth year utilizing local funds.

The Oakland Police Department's federally approved indirect cost rate is 13.64% associated with salaries, which is estimated at \$139,401 in year 1, \$278,747 in year 2, and \$289,386 in year 3. The granting agency, however, specifically disallows indirect costs. Therefore, the Police Department is requesting a waiver of Central Services Overhead. It should be noted that there are no hard costs to the City for waiving Central Services Overhead; rather the City will be expected to absorb the administrative burden (e.g. accounting, payroll, etc.) associated with implementation of the grant within the City’s current operational and staffing infrastructure.

Despite the City’s costs associated with acceptance of the FY 2011 CHP grant that further compounds the City’s fragile fiscal condition, it is recommended that Council accept the grant as it offers a significant discount to the City for adding 25 officers. Should Council not accept the grant, the City would be required to fund the full cost of any additional officers hired.

BACKGROUND

The Oakland Police Department submitted a grant proposal for the FY 2011 Cops Hiring Program that focuses on enhancing public safety in and around middle schools. The USDOJ/COPS grant funds are awarded through the COPS Hiring Program, a competitive grant program that provides funding directly to state, local and tribal law enforcement agencies to hire

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police officers. Funding decisions are based on the agency's commitment to community policing, crime rates, changes in law enforcement budgets, and other local fiscal data, such as poverty, unemployment, and foreclosure rates. The COPS Office is a federal agency responsible for advancing community policing nationwide.

KEY ISSUES AND IMPACTS

Cities across the country are dealing with numerous economic and program challenges in meeting their public safety efforts and creating and maintaining jobs is a key part of this program. This funding helps support local departments in their efforts to increase their ranks, enhance their relationship with the community and directly address their public safety concerns. This grant will advance community policing at the local level and contribute greatly to the quality of life of the citizens in the Oakland community.

The COPS Hiring grant 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 (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 otherwise would have been 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 the difference in salaries and benefits greater than the cost of entry level officers (e.g., salaries and benefits associated with lateral hires) during the three year grant period as well as the recruitment, police academy and other training costs for such officers.

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. The fourth year retention costs are estimated at \$6,213,240 for which the City must consider in development of the FY 2014-15 budget.

PROGRAM DESCRIPTION

The 25 additional officers afforded by the COPS Hiring grant will allow OPD to assign community policing officers to the neighborhoods surrounding four designated middle schools. Community policing efforts will focus on middle school youth in order to improve relations between OPD and youth; offering OPD the opportunity to impact young people at a critical stage in their lives by enhancing safety in and around the middle schools by role modeling, mentoring,

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coordinating community and school partners, and providing the support services necessary to prevent youth from committing crimes and/or becoming victims of crime.

The FY 2011 COPS Hiring grant program aims to address three primary problems related to at-risk juveniles in Oakland:

- Youth Violence – Since 2006 Oakland has ranked no lower than 5th in the order of the most dangerous cities in the nation (per the CQ Press). Furthermore, gun violence is the leading cause of death of male African American youth in Oakland; and much of this violence occurs in dangerously-close proximity to Oakland Public Schools.
- Human Trafficking of Children – The City of Oakland has been identified by the FBI as a national hub for human trafficking. Oakland has a large number of youth who have been identified as “at risk” due to broken family structures, prior physical and sexual abuse, parents addicted to drugs or who are incarcerated, and histories of being cycled through the foster care/group home system. These children provide a vulnerable victim base for predators looking to push them into the illicit sex trade business.
- Juvenile Delinquency – Chronic truancy remains an ongoing challenge for Oakland Public Schools. Statistics show that middle school age students are most vulnerable to becoming truant and engaging in criminal activities. However, this group can be influenced to remain in school and achieve improved attendance and grades when supported and encouraged by parents, teachers, and members of the community to stay in school.

SUSTAINABLE OPPORTUNITIES

Economic: Hiring additional law enforcement officers will benefit the local economy by providing employment, thereby stimulating local spending. Additional community policing officers will enhance crime prevention and economic growth. Increased economic activity will raise business tax and sales tax revenues to the City.

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

Social Equity: Additional community policing officers will enhance crime prevention; thereby facilitating short and long term economic growth in the City.

DISABILITY AND SENIOR ACCESS

The officers hired as a result of this grant will permit the Police Department to provide enhanced public safety services to Oakland residents, including those with disabilities and older Americans.

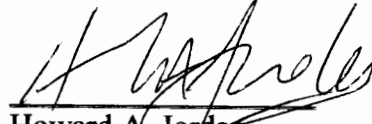
RECOMMENDATION

The Oakland Police Department recommends that the City Council adopt the resolution and authorize the City Administrator to accept the USDOJ/COPS grant funds to hire 25 police officers and appropriate said funds to the Police Department.

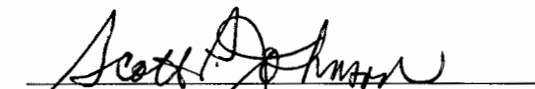
ACTION REQUESTED BY THE CITY COUNCIL

Staff recommends that the City Council adopt the resolution.

Respectfully submitted,


Howard A. Jordan
Interim Chief of Police

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Prepared by:
Gilbert Garcia
Deputy Director
Office of the Chief of Police

OAKLAND CITY COUNCIL

A. Macarley
City Attorney

RESOLUTION NO. _____ C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 OCT 27 PM 6:14

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED TEN MILLION SEVEN HUNDRED AND THIRTY NINE THOUSAND FIVE HUNDRED AND SEVENTY FIVE DOLLARS (\$10,739,575) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, (USDOJ/COPS) TO THE OAKLAND POLICE DEPARTMENT, TO FUND THE ENTRY-LEVEL SALARY AND FRINGE BENEFIT COSTS OF TWENTY-FIVE (25) POLICE OFFICERS FOR A THIRTY-SIX MONTH PERIOD FROM SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2014, AND APPROPRIATE SAID FUNDS TO THE POLICE DEPARTMENT, AND WAIVE THE CENTRAL SERVICES OVERHEAD CHARGES

WHEREAS, it is anticipated that grant funds totaling up to \$10,739,575 will be received from the U.S. Department of Justice, Office of Community Oriented Policing Services, (USDOJ/COPS), to fund the entry-level salary and fringe benefit costs of twenty-five (25) police officers for a thirty-six month period from September 1, 2011 through August 31, 2014; and

WHEREAS, the USDOJ/COPS grant funds are awarded through the COPS Hiring Program, a competitive grant program that provides funding directly to state, local and tribal law enforcement agencies to hire police officers to advance community policing nationwide; 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 salaries and benefits greater than those associated with entry level officers, the recruitment, police academy and other training costs for such officers; and

WHEREAS, the grant requires that the City retain the 25 officers with local funds for no less than 12 months after the end of the grant term on August 31, 2014; and

WHEREAS, administrative costs are specifically disallowed by the grantor; and

WHEREAS, funding will be appropriated in the Federal Grant Fund 2607, Bureau of Field Operations Division Org. 107010, Bureau of Field Operations Division Program PS01, in a Project Number to be established; now, therefore be it

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RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to accept and appropriate USDOJ/COPS FY 2011 Hiring Program grant funds in an amount not to exceed \$10,739,575; and be it

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FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to hire an additional 25 officers to fulfill the obligations of the grant; and be it

FURTHER RESOLVED: That the estimated costs to the City associated with the acceptance of the FY 2011 COPS Hiring Program grant funds are \$576,593 in year one, \$1,150,930 in year two, and \$1,529,557 in year three. The City’s estimated cost to retain the 25 officers in the fourth year is \$6,213,240; and be it

FURTHER RESOLVED: That Central Services Overhead associated with the 25 officers estimated at \$139,401 in year one, \$278,747 in year two, and \$289,386 in year three of the grant period is hereby waived; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as the agent of the City to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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

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