

CITY OF OAKLAND
AGENDA REPORT

2011 JUN 30 PM 2: 54

TO: Office of the City Administrator
ATTN: P. Lament Ewell
FROM: Police Department
DATE: July 12, 2011

RE: A Report and Proposed Resolution Authorizing the City Administrator, On Behalf of the City of Oakland, to Accept and Appropriate a State of California "Citizens Options for Public Safety" (State COPS) Grant in an Amount Not to Exceed Five Hundred Seventeen Thousand (\$517,000) for Front Line Policing

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 \$517,000 from the State of California, "Citizen's Options for Public Safety" (State COPS) grant program, for use by the Oakland Police Department for the granting period of July 1, 2010 through June 30, 2012.

FISCAL IMPACT

The Police Department anticipates receiving State COPS grant funds on a pass-through basis from Alameda County in an amount not to exceed \$517,000. The entire grant amount and accrued interest is *restricted by statute for front-line law enforcement services*. Under existing law, the Chief of Police is required to submit a spending plan and conduct a public hearing prior to City Council's acceptance and appropriation of the \$517,000 plus any interest earned.

Approval of this resolution will authorize the Police Department to accept, and appropriate State COPS grant funds for the 15th year. This program's funding in an amount not to exceed \$517,000, plus accrued interest, begins July 1, 2010 Upon approval of this resolution, funding will be appropriated to the City of Oakland's State of California Grant Fund, (2158), Office of the Chief of Police Division Organization (101110), Administration Program (PS01), and a Project number to be determined. There is no matching fund requirement for this grant. The appropriation is solely an addition to City funds and cannot be used to supplant City funding from any other fund.

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The proposed expense allocations are:

<u>Description and Use of Funds</u>	<u>Amount</u>
Police Overtime for Specialty Operations	\$ 273,500
Ammunition	80,000
Specialized Training/Travel	89,133
Vehicle Replacement	73,000
Central Services Overhead (Total Grant Amount of \$273,500 x 0.5%)	1,367
Total	\$ 517,000

The Oakland Police Department's Central Services Overhead (CSO) rate for salaries and wages is 13.64%, which exceeds the allowable, direct cost amount of 0.5% under this grant. Applying the full CSO rate of 13.64% would create a cost of \$37,305 [273,500 x 13.64%]. Whereas, the allowable rate of 0.5% produces a cost of \$1,367 [273,500 x 0.5%], therefore, the Oakland Police Department seeks a waiver of \$35,938 [37,305 – 1,367] to fund customary CSO charges.

The Deputy Director of Department's Bureau of Services is the project manager of this grant.

BACKGROUND

For the 15th consecutive year, the State Legislature has authorized supplemental funding of front-line law enforcement through the State COPS grant program. Funds are received by Alameda County Treasury and distributed to local jurisdictions through the Supplemental Law Enforcement Services Fund.

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KEY ISSUES AND IMPACTS

Per the State COPS legislation, AB 1913, Alameda County re-distributes State COPS funding allocated to local law enforcement jurisdictions within the County in order to ensure that all law enforcement jurisdictions receive a base allocation of at least \$100,000. As a result, although the Oakland Police Department anticipated an allocation of \$685,500 in FY 2009-11 State COPS XIV funding, after the re-allocation, the Department received \$272,042. The anticipated FY 2008-10 State COPS XIIV allocation was \$669,982 and the Department received \$412,470 after the re-allocation. Further, it should be noted that the .15% temporary Vehicle License Fee that funds the State COPS grant is set to expire on June 30, 2011 and no other funding source has been identified by the State Legislature at this time. Therefore, the future of State COPS funding is uncertain.

In past years the Oakland Police Department has prioritized State COPS grant funds for equipment, training, and contract services for front line law enforcement. The majority of the funding was appropriated to increase and enhance crime prevention services and to fund special crime suppression projects. The focus of past efforts will not change with this year's grant. An overview of the spending plan proposed by the Chief of Police, Assistant Chief of Police, and Deputy Chief's of Police for the State COPS XV award in an amount not to exceed \$517,000, plus earned interest, is outlined below.

Spending Plan

Enhanced Law Enforcement Operations: \$273,500

A portion of the funding will be used to strengthen and enhance long-term law enforcement efforts throughout the City of Oakland (generally) and throughout the greater County of Alameda (specifically). Resources will be utilized to strengthen and expand existing enforcement operations; targeting violent crime throughout the jurisdiction, with emphasis placed on anti-gang violence, narcotics trafficking, gun violence abatement, as well as other violent crimes. The goals of these operations are to:

- Reduce the level of violent crime, gang activity, and drug-related crimes throughout Oakland through enhanced long-term enforcement efforts
- Reduce violence associated with turf battles through community policing efforts
- Reduce the number of locations considered "hot spots" for gang violence, drug sales and use through a joint federal and local law enforcement task force
- Develop a cohesive strategy to suppress gang activity and violence in our communities through a joint federal and local law enforcement task force

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- Decrease gun possession, gun crime, and violent crime throughout Oakland and Alameda County using the combined forces of a joint federal and local law enforcement task force

Ammunition: \$80,000

The Department will purchase ammunition to facilitate Police Officer training and firearms skill qualifications throughout the year. Frontline peace officers need to maintain a high level of firearm skills in order to readily protect themselves and the lives of others.

Specialized Training/Travel: \$89,133

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.

Vehicle Replacement: \$73,000

Oakland Police Department vehicles have an average age of 6.3 years and are in constant need of repair causing front line peace officers to double up in vehicles or seek other duties other than patrol. Additionally, task force operations described above may require the use of vehicles not readily available with the Police Department fleet, so these funds will be used to obtain two additional police cruisers.

Central Service Overhead: \$1,367

This cost is the reduced 0.5% direct cost allowed per the grantor for City of Oakland salaries and wages overhead.

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.

DISABILITY AND SENIOR CITIZEN ACCESS

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

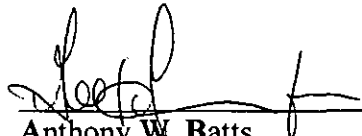
RECOMMENDATION(S) AND RATIONALE

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept State COPS XV grant funds in an amount not to exceed \$517,000, approve the proposed spending plan, and appropriate these grant funds to the Police Department.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the Council approve this resolution.

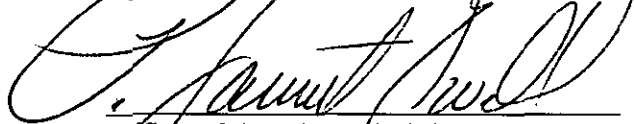
Respectfully submitted,


Anthony W. Batts
Chief of Police

Prepared by:
Mr. Gilbert Garcia
Deputy Director
Oakland Police Department

Reviewed by:
Ms. Cynthia Perkins
Assistant to the Director
Oakland Police Department

**APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:**


Office of the City Administrator

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DRAFT

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

A REPORT AND PROPOSED RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE A STATE OF CALIFORNIA "CITIZENS OPTIONS FOR PUBLIC SAFETY" (STATE COPS) GRANT IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED SEVENTEEN THOUSAND (\$517,000) FOR FRONT LINE POLICING

WHEREAS, the Oakland Police Department anticipates that the State Legislature shall allocate grant funds in an amount not to exceed \$517,000 in pass through funding for the State of California "Citizen's Options for Public Safety " (State COPS) grant to be distributed through the Alameda County Supplemental Law Enforcement Services Fund to supplement, not supplant, existing local law enforcement funding; and

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

WHEREAS, Government Code Section 30062(d) defines front-line law enforcement services to include community crime prevention programs; and

WHEREAS, the sum of \$517,000 in FY 2011-2013 State COPS funds received must be allocated in accordance with the State COPS XV spending plan; and

WHEREAS, Central Services Overhead charges associated with the \$273,500 for salaries and wages aligned with the initiative equals \$37,305; and

WHEREAS, State legislation limits administrative costs (Central Services Overhead) to one-half of one percent (0.5%) of the total grant award; and

WHEREAS, the Oakland Police Department has requested a waiver of the remaining Central Services Overhead charges (beyond the 0.5% provision) in the amount of \$35,938; now, therefore be it

RESOLVED: That the City Council does hereby implement the provisions of the California Government Code by accepting and increasing estimated revenues and appropriations to the Police Department by \$517,000 in State COPS grant funds, plus accrued 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 revenues and appropriations will be allocated to the State of California Grant Fund: 2158, Organization: Office of the Chief of Police 101110, Administration: PS01, in a Project Account to be determined; and be it

FURTHER RESOLVED: That Central Services Overhead charges in excess of the 0.5% of the total award as allowed by State legislation is hereby waived; and be it

FURTHER RESOLVED: That the Office of the Chief of Police shall provide all required reports regarding the State COPS funds, as specified in the California Government Code; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator as agent of the City, or his 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.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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