
  
City Attorney

 FILED  
 OFFICE OF THE CITY CLERK  
 OAKLAND

**OAKLAND CITY COUNCIL**
**RESOLUTION No. 77629 - C.M.S.**

03 JAN 23 PM 12:15

**RESOLUTION IMPLEMENTING CALIFORNIA GOVERNMENT CODE SECTIONS 30061 – 30065, WHICH REQUIRE THE ESTABLISHMENT OF A SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF) IN EACH COUNTY, WITH 39.7% OF THE MONEY RECEIVED BY SAID FUND DISTRIBUTED TO LOCAL CITIES FOR THE EXCLUSIVE USE OF FRONT LINE LAW ENFORCEMENT, AND APPROPRIATING EIGHT HUNDRED TWELVE THOUSAND, AND THREE DOLLARS (\$812,003) IN SEVENTH YEAR FUNDING FOR THE “CITIZEN’S OPTION FOR PUBLIC SAFETY” (COPS) GRANT TO THE POLICE DEPARTMENT AND APPROVING THE FY 2002-2003 SPENDING PLAN AS SUBMITTED BY THE CHIEF OF POLICE**

**WHEREAS**, the State legislature has allocated \$812,003 in 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 when the Chief of Police requests the local jurisdiction’s legislative body appropriate such funds solely for front-line law enforcement services, the legislative body shall conduct a public hearing and appropriate said funds within 60 days; 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**, the Government Code requires that the City report expenditure allocations on a monthly and annual basis to the Chief of Police, the City Council, and the Alameda County Supplemental Law Enforcement Oversight Committee; and

**WHEREAS**, the state Government Code limits administrative costs to one-half of one percent (0.5%) of the total award amount, normally allocated to offset accounting staff costs in the preparation of required financial reports; and

**WHEREAS**, the sum of \$812,003 in FY 2002-2003 COPS funds received must be made in accordance with the spending plan of the Chief of Police; and

**WHEREAS**, the aforementioned spending plan will incur Capital Projects Assessment Fee (CPAF) charges of approximately \$4,500 that are in excess of the administrative costs allowed under the Government Code; and

**WHEREAS**, the aforementioned spending plan will incur Central Service Overhead Charges of approximately \$70,730 that are in excess of the administrative costs allowed under the Government Code; and

**WHEREAS**, the requested spending plan of the Chief of Police was discussed and public comment was allowed at the public hearing conducted on February 4, 2003, prior to passage of this resolution; now therefore be it

**RESOLVED**: That the City Council hereby implements the provisions of the California Government Code by accepting and increasing estimated revenues and appropriations to the Police Department by \$812,003 in COPS funds, plus corresponding interest earnings, in accordance with the spending plan submitted by the Chief of Police and discussed at a public hearing prior to passage of the enabling legislation; and be it

**FURTHER RESOLVED**: That the \$812,003 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 Capital Projects Assessment Fee (CPAF) charges of approximately \$4,500 are hereby waived; and be it

**FURTHER RESOLVED**: That the Central Service Overhead Charges of approximately \$70,730 are hereby waived; and be it

**FURTHER RESOLVED**: That the Oakland Police Department Administrative and Technical Services Division shall provide all required reports regarding the COPS funds, as specified in the California Government Code; and be it

**FURTHER RESOLVED**: That the City Manager or his 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, FEB 04 2003, 20    


**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and ~~PRESIDENT DE LA FUENTE~~ - 7

NOES-

~~Excused~~  
~~ABSENT-~~ De la Fuente - 1

ABSTENTION-

ATTEST:   
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California