

# CITY OF OAKLAND

## AGENDA REPORT

2004 MAR 11 PM 2:58

TO: Office of the City Manager  
ATTN: Deborah Edgerly  
FROM: Police Department  
DATE: March 23, 2004

RE: **A Report and Proposed Resolution Implementing California Government Code Sections 30061-30065, Establishing in Each County Treasury a Supplemental Law Enforcement Services Fund (SLESF) to Distribute "Citizen's Option for Public Safety" Funds to Local Jurisdictions, and Appropriating Six Hundred Fourteen Thousand Twenty-Seven Dollars (\$614,027) in Eighth Year Funding for the "Citizen's Option for Public Safety" (COPS) Spending Plan Submitted by the Chief of Police**

### SUMMARY

For the eighth consecutive year, the State Legislature has authorized supplemental funding for front-line law enforcement. Funding for the "Citizen's 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 \$614,027 in COPS funds as set forth in the spending plan (Table 1).

### FISCAL IMPACT

The City has received \$614,027 in State COPS funds on a pass-through from the County of Alameda. The grant ends on June 30, 2005. 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 \$614,027 (plus interest earned) in additional funding to the Police Department.

The entire amount (\$614,027), 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 \$610,956.86 in proposed personnel costs amounts to \$108,567.03. The grant limits indirect costs to 0.5% of the

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total grant, or \$3,070.14. If the funds are to be used as outlined below, the City Council must waive the unallowable indirect costs of \$105,496.89.

### 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 Chief of Police for the COPS VIII award of \$614,027 (plus earned interest) is outlined below in Table 1.

**TABLE 1.**

<b>DESCRIPTION</b>	<b>PROPOSED FUNDING</b>
Civilian Support Personnel	\$70,136
Violence Suppression	540,821
Indirect Cost (Central Service Overhead)	3,070
<b>(YEAR 8 AWARD) TOTAL</b>	<b>\$ 614,027</b>

#### ***Civilian Support Personnel***

This resolution will authorize salary and fringe benefit costs for one full time equivalent (FTE) Accounting Technician for 12 months (salary \$50,115 x fringe and retirement at 39.95%). The Accounting Technician is required to provide support for the Police Department's grant accounting services and purchasing requirements

The Accounting Technician will meet specialized, complex federal, state and foundation accounting conditions set forth by the grantor in the Conditions of Award and Acceptance. The Accounting Technician will obligate funds in accordance with acceptance procedures, award documents and special conditions. He/she will monitor the expenditure of funds and match requirements, program income, project modifications, reprogramming of funds, and acquisition of equipment. The Accounting Technician will be responsible for all reporting requirements, proper retention of records, audit and grant close-out requirements.

Currently, the Police Department employs an Accountant II and an Accounting Technician to administer 37 grants totaling in excess of twenty-two million dollars (\$22,425,023). Additional accounting services are needed by the Department to meet standards for financial management and comply with the accounting requirements as set forth by grantors.

**Violence Reduction Plan**

This grant will provide additional funding for the Chief's Violence Reduction Plan, Supplemental And Focused Enforcement (S.A.F.E.). The primary objective of the Violence Reduction Plan is to reduce incidences of street-level violence. A detailed report of Project S.A.F.E. is attached. The total annual, estimated cost of the project is \$1,305,642. The \$540,821 in State Cops VIII funding will partially fund the supplemental focused enforcement portion of the plan.

The Oakland Police Department's Violence Reduction Plan consists of four phases. Each phase addresses interrelated violent crime issues faced by the City of Oakland. It is necessary to implement the Violence Reduction Plan in phases, as each phase requires training and the development of partnerships and working agreements with allied agencies (including State Parole, the Probation Department, and the Alameda County District Attorney's Office). When fully implemented in Spring 2004, the combined phases will form a comprehensive and sustainable violence reduction strategy.

It is essential that the Violence Reduction Plan be implemented as a sustainable, long-term strategy. The effectiveness of the combined phases will increase over time as many of the elements will have progressive, deterrent effects on both individuals and groups engaged in activities related to violent crime. In order to realize reductions in violent crime, the Oakland Police Department must focus its enforcement efforts on eradicating street-level drug dealing, targeting high-risk and repeat offenders, and disrupting violent criminal networks within Oakland. The following is a summary of the Plan's four phases.

***PHASE I – Coordinated, Supplemental and Focused Enforcement***

On October 1, 2003, the Oakland Police Department implemented Phase I of its Violence Reduction Plan. Project S.A.F.E. (Supplemental And Focused Enforcement), the foundation of the Violence Reduction Plan, is designed to coordinate and focus Department resources toward well-defined violent crime objectives. The plan increases the effectiveness of specialized and undercover operations by conducting coordinated criminal suppression activities within small, well-defined geographic boundaries.

***PHASE II – Creating a Strategic Partnership with the Department of Corrections, Parole Division***

On November 19, 2003, the Oakland Police Department entered into a partnership agreement with the California Department of Corrections, Parole Division. The partnership will enhance the supervision of parolees most likely to be involved in violent criminal activity. The partnership has increased communication between Oakland police officers and the State parole agents. Officers in the field can recommend the modification of conditions of parole for

individuals who engage in activity indicative of more serious criminal behavior. Additionally, the partnership provides parolees with access to a wide range of counseling and support services sponsored by the Oakland Police Department and offers a variety of alternatives to incarceration.

***PHASE III – Enhancing the Effectiveness of Probation in Oakland***

On February 5, 2004, the Oakland Police Department reached an agreement with the Office of the Alameda County District Attorney to enhance the effectiveness of probation as a deterrent to violent crime. Scheduled to begin in the Spring of 2004, offenders who receive probation for crimes such as narcotics, firearms, and violent felony convictions will be subject to a curfew (9:00 p.m. – 6:00 a.m. or 8:00 p.m. – 6:00 a.m., actual hours to be determined) in the City of Oakland. A process is being developed to modify the probation conditions of individuals who violate their current conditions of probation to add the curfew restrictions.

***PHASE IV – Federal Targeted Enforcement of Violent Street-Level Narcotics Groups***

There is a clear nexus between street-level narcotics activity, gun violence and homicides in the City of Oakland. The Oakland Police Department has attempted to address this problem since the mid-1980s using a variety of enforcement techniques, with some isolated successes, but minimal impact overall.

In order to achieve effective and sustained results in eliminating/reducing street-level narcotics trafficking and associated violence, the systematic identification and elimination of violent trafficking groups at targeted locations is required (Targeted Enforcement). The ability of a unit to devote all its enforcement efforts exclusively toward a violent, street-level narcotics trafficking group will lead to the dismantling of entire criminal organizations.

The Oakland Police Department negotiated a partnership with the United States Office of the Attorney General and the United States Drug Enforcement Agency to prosecute select street-level narcotics trafficking groups in Federal Court. This Federal Targeted Enforcement Task Force is scheduled to begin operations by March 14, 2004.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** The reduction of street level violence through coordinated and sustained actions of the Police Department and community resources will improve the City's image as a safe place in which to conduct business, social and recreational activities.

***Environmental:*** None noted.

***Equity:*** Additional officer presence on the street will enhance crime prevention and economic growth throughout the City.

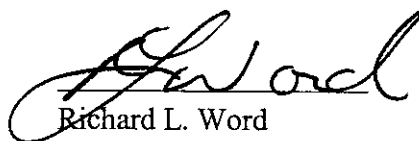
**DISABILITY AND SENIOR CITIZEN ACCESS**

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 8<sup>th</sup> year State COPS funding in the amount of \$614,027.

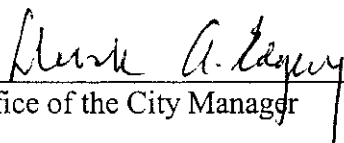
Respectfully submitted,



Richard L. Word  
Chief of Police

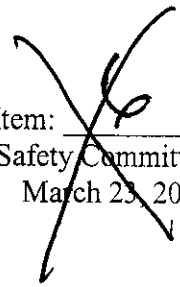
Prepared by: Sgt. Peter Sama, Chief of Staff  
Office of the Chief of Police and  
Catherine McMahon  
Administrative and Technical Services Division  
Bureau of Services

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE

  
Office of the City Manager

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*Charles E. ...*  
City Attorney

OFFICE OF THE CLERK

# OAKLAND CITY COUNCIL

2004 MAR 11 PM 2:59

RESOLUTION No. \_\_\_\_\_ C.M.S.

2004 MAR 11 PM 2:59  
OAKLAND

**RESOLUTION IMPLEMENTING CALIFORNIA GOVERNMENT CODE SECTIONS 30061-30065, ESTABLISHING IN EACH COUNTY TREASURY A SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF) TO DISTRIBUTE "CITIZEN'S OPTION FOR PUBLIC SAFETY" FUNDS TO LOCAL JURISDICTIONS, AND APPROPRIATING SIX HUNDRED FOURTEEN THOUSAND TWENTY-SEVEN DOLLARS (\$614,027) IN EIGHTH YEAR FUNDING FOR THE "CITIZEN'S OPTION FOR PUBLIC SAFETY" (COPS) GRANT TO THE POLICE DEPARTMENT AND APPROVING THE FY 2003 – 2005 SPENDING PLAN SUBMITTED BY THE CHIEF OF POLICE**

**WHEREAS**, the State legislature has allocated \$614,027 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 \$614,027 in FY 2003-2005 COPS funds received must be allocated in accordance with the spending plan of the Chief of Police; and

**WHEREAS**, the aforementioned spending plan will incur Central Service Overhead Charges of approximately \$108,567, of which \$105,497 are in excess of the administrative costs allowed under the Government Code; and

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**WHEREAS**, the requested spending plan of the Chief of Police was discussed and public comment was allowed at the public hearing conducted on March 23, 2004, 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 \$614,027 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 \$614,027 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 \$105,497, are hereby waived; and be it

**FURTHER RESOLVED**: That the City Council authorizes the salary and fringe benefit costs for 12 months for one Accounting Technician; 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 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, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

~~ATTEST: \_\_\_\_\_~~  
CEDA FLOYD  
Clerk and Clerk of the Council  
of the City of Oakland, California 4.4  
**PUBLIC SAFETY COMTE**  
**MAR 23 2004**  
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**APR 06 2004**