



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: November 16, 2022

Approved

Date

11/21/22

SUBJECT: ACTIONS RELATED TO THE PROPOSED 2022-2024 SPENDING PLAN FOR THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT AND REVISED 2021-2023 SPENDING PLAN FOR THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT

RECOMMENDATION

- (a) Approve the proposed 2022-2024 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of \$1,508,164 and authorize the Chief of Police to amend the Spending Plan in conformity to the budget priorities set out in this memorandum and in the event State SLES Grant payments are less or more than expected.
- (b) Approve the revised 2021-2023 Spending Plan for the SLES Grant in the amount of \$2,607,295.
- (c) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Supplemental Law Enforcement Services Fund:
 - (1) Increase the estimate for Revenue from State of California by \$1,779,710;
 - (2) Establish the SLES Grant 2022-2024 City-Wide Expenses appropriation to the Police Department in the amount of \$750,000; and
 - (3) Increase the SLES Grant 2021-2023 City-Wide Expenses appropriation to the Police Department by \$1,029,710.

OUTCOME

This memorandum outlines the 2022-2024 SLES Spending Plan for City Council consideration and approval. The 2022-2024 SLES award allocated to the City of San José (City) is \$1,508,164, of which \$750,000 is recommended to be recognized and appropriated in Fiscal Year 2022-2023 to expedite procurement activity within the grant term.

In addition, the revised 2021-2023 SLES award allocated to San José is \$2,607,295, an increase of \$1,029,710. This allocation is the City's share of funds awarded to the County of Santa Clara for front-line law enforcement activities.

Approval of the 2022-2024 SLES Spending Plan and revised 2021-2023 Spending Plan provides additional resources to the City for front-line law enforcement activities. In addition, reallocating funds within the 2021-2023 SLES Spending Plan allows the City to use the funding based on the priority of projects, given their respective time frames.

BACKGROUND

SLES Grant funding is received from the State of California's Citizen's Option for Public Safety Program via the County of Santa Clara. The program began in 1996-1997 and continues to be funded. SLES funds may be used only for front-line, municipal police services and should supplement, not supplant, current front-line law enforcement services. Funds must be encumbered or spent within the two-year grant cycle. The Spending Plan for these funds is approved by a separate, five-member Supplemental Law Enforcement Oversight Committee chaired by the Santa Clara County District Attorney's Office; approval by the committee will occur once the City Council has approved the proposed Spending Plan.

ANALYSIS

2022-2024 SLES Grant Spending Plan

Funding for the 2022-2024 SLES Grant will be allocated through next fiscal year. The sunset date for expending or encumbering 2022-2024 SLES Grant funds is June 30, 2024. Approval of the proposed Spending Plan and related appropriation actions are required for the San José Police Department (Department) to access these funds.

The Department proposes the following 2022-2024 SLES Spending Plan:

SLES 2022-2024 Spending Plan		
Project #	Item	Amount
1	Department Hardware, Software, and Technology Upgrades	\$968,663
2	Officer Safety Equipment and Enhancements in Investigative Abilities	\$531,960
3	Grants Administration	\$7,541
	Total	\$1,508,164

Department Hardware, Software, and Technology: Funding in the amount of \$968,663 is allocated in 2022-2024 SLES Spending Plan to fund technology needs within the Police Department. This includes:

- **Computer Upgrades and Enhancements (\$640,363):** The project will upgrade computers, servers, replace physical servers, firewalls, and other technology software needs within the Department. The Department maintains over 900 desktop computers, 250 laptop computers, as well as over 30 servers. An assessment will be conducted to determine priority deployments.
- **Cellular Communication Interception Technology (\$328,300):** The project will upgrade current cellular communication interception technology to 5G function with cell phone service providers that are upgrading to 5G service. The current cellular communication interception technology is limited to 3G, 4G, and LTE technology.

Officer Safety Equipment and Enhancements in Investigative Abilities: Funding in the amount of \$531,960 is allocated in the 2022-2024 SLES Spending Plan for equipment to directly enhance the safety of officers in the field and to enhance the investigative abilities of officers in the Detective Bureau. This includes:

- **Wellness Program Body Scan (\$220,000):** The project will provide screening and physician consultations for diseases of greatest concerns in the public safety sector, such as heart and cardiovascular diseases, lower back and neck pathologies, over 20 different types of cancer, chronic lung disease, and many others. The goal is to improve employees' quality and length of their lives and career.
- **Additional Equipment (\$181,101):** The project will provide additional officer safety equipment, including but not limited to trackers, automated license plate reader camera replacements, additional Unmanned Aircraft Systems Unmanned Aerial System program, ergonomic aides, wellness equipment, and wellness trainings. The procurement of the trackers will have an ongoing annual maintenance cost of \$2,000 that will include updates; these costs will be funded by other funding sources.
- **Furniture, Fixtures, and Equipment for Measure T Projects (\$60,959):** The project will provide partial funding for furniture, fixtures, and equipment in preparation for the new training facility, the new air support unit hanger, a state-of-the-art 911 communications center, and the upgrade of other urgent infrastructure needs to improve public safety that are funded by the Measure T General Obligation Bond. It is important to note that the total furniture, fixtures, and equipment need for these facilities is approximately \$6 million, the funding for which will need to be identified as part of a future budget process.
- **Tactical Negotiation Unit Throw Phones (\$31,400):** This project will purchase a specialty phone system to assist with negotiations out in the field. The current throw phone has not been upgraded since 2016. This acquisition will allow for up-to-date communication, audio, and video technology.
- **Tactical Emergency Medical Technician Program (\$20,000):** Funding will be used to establish a collateral Tactical Emergency Medical Technician program to support and assist in critical incidents. The tactical emergency medical technician can provide

immediate basic life support to victims, suspects, and officers. The project hopes to train at least 10 officers within the department to become tactical emergency medical technicians.

- **Throwbot (\$18,500):** The project will allow the department to purchase one remote controlled wheeled camera systems that will allow officers to safely search for hidden suspects, threats, and potential hazards from a safe distance.

Grants Administration: Funding is allocated in the 2022-2024 SLES Spending Plan to fund a portion of salary and benefits, as allowed under the grant guidelines, for grant administrative duties such as planning, development, procurement, and financial reporting. The SLES grant limits administrative costs to 0.5% of the total grant award. For the 2022-2024 SLES Grant, the administrative cap is **\$7,541**.

Of the total estimated 2022-2024 SLES Grant (\$1,508,164), the Department anticipates spending \$750,000 within 2022-2023, and is therefore requesting only the recognition and appropriation of this partial allocation. The Administration will return to the City Council to recommend additional budget actions, as needed, to recognize and appropriate the remaining grant funds.

2021-2023 SLES Grant Spending Plan

The Spending Plan for the 2021-2023 SLES Grant was approved by the City Council¹ on November 30, 2021, in the amount of \$1,577,585. On September 21, 2022, the City was notified that an additional \$1,029,710 allocation will be granted for the 2021-2023 SLES Grant, for a revised total award of \$2,607,295. The increase of \$1,029,710 will be received due to allocation adjustments at the State level, causing overall SLES Grant funding increases. With this increase in grant funding and a shift in priorities, the Department is recommending changes to the original 2021-2023 Spending Plan to maximize use prior to the June 30, 2023 deadline.

Of this additional funding, the Department recommends the allocation of \$1,029,710 for Project #2. For Project #2, \$913,500 of the funding will be used to fund the current year's subscription for tasers, and \$17,199 of the funds will be used to support health and wellness of all Department members. In addition, the Department recommends the allocation of \$99,011 for the lease of vehicles to the Burglary Prevention Unit. While the Department continues to conduct a review of its less lethal weapons as part of the City Council-directed police reforms effort, tasers will continue to play a role in law enforcement activities, and the City will need to identify ongoing resources to ensure their continued long-term availability.

¹ November 30, 2021 City Council memorandum:

<https://sanjose.legistar.com/View.ashx?M=F&ID=10074073&GUID=788C3F46-471D-4B10-843A-0B5D147FEA9D>

The following table illustrates the changes to the original 2021-2023 Spending Plan:

SLES 2021-2023 Revised Spending Plan			
Project #	Item	Original Allocation	Revised Allocation
1	Department Hardware, Software, and Technology Upgrades	\$496,600	\$496,600
2	Officer Safety Equipment and Enhancements in Investigative Abilities	\$1,073,097	\$2,102,807
3	Grants Administration Funding	\$7,888	\$7,888
	Total	\$1,577,585	\$2,607,295

CONCLUSION

The grant award provides critical funding to the Department to support and enhance the safety of the officers in field and the community.

EVALUATION AND FOLLOW-UP

Expenditures will be made according to the respective Spending Plans once approved by the City Council. For the 2022-2024 SLES Spending Plan, all funding must be expended or encumbered before June 30, 2024. As the additional 2022-2024 SLES grant funds are received, recommended budget actions will be brought forward for City Council approval to recognize and appropriate these funds. According to the grant guidelines, interest earned must be used in the same manner as the grant funds for front-line municipal law enforcement; the Department will bring forward recommended budget actions as part of a future budget process to appropriate the interest earned.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the December 6, 2022 City Council meeting.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

COST SUMMARY/IMPLICATIONS

The recommended actions authorize the recognition and appropriation of \$1,779,710 of SLES resources in the General Fund for 2022-2023. An additional \$758,164 will be recommended for allocation in 2023-2024 as part of a future budget process.

Taser suppliers have transitioned to an annual subscription model. While this allows for a more predictable payment schedule and avoids multimillion-dollar replacements every five years, the change in payment model alters the City's approach that previously relied on grant funding to make large purchases. On December 1, 2020, the City Council approved a competitively procured agreement with Axon for a five-year annual subscription for tasers to replace the old equipment at the end of their useful life. Due to the lack of ongoing funding, the SLES grant funding was prioritized for the subscription costs until another source of ongoing funding could be identified. In this memorandum, the Department recommends SLES 2021-2023 funding for the third-year subscription costs. While the Administration will evaluate the extent to which other funding sources, including the General Fund, could be allocated for ongoing taser subscription costs as part of the 2023-2024 budget development process, the Department will prioritize taser subscription costs in the next SLES grant cycle should other ongoing sources remain unavailable.

Annual ongoing amount of \$2,000 dollars is required for the trackers acquisition. This cost will be incurred annually to cover the costs of updates necessary for the trackers to function properly, and will be incorporated into the Department's Base Budget.

BUDGET REFERENCE

The table below identifies the fund and appropriations recommended to be amended as part of this memorandum.


Fund #	Appn. #	Appn. Name	Current Appn.	Rec'd. Budget Action	2022-2023 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
414	R100	Revenue from State of California	\$3,273,021	\$1,779,710	1050	10/18/2022 Ord No. 80717
414	NEW	SLES Grant 2022-2024	N/A	\$750,000	N/A	N/A
414	220Y	SLES Grant 2021-2023	\$1,300,487	\$1,029,710	1050	10/18/2022 Ord No. 30833

CEQA

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment, and File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application.


/s/

ANTHONY MATA
Chief of Police



JIM SHANNON
Budget Director

I hereby certify that there will be available for appropriation in the Supplemental Law Enforcement Services Fund in the Fiscal Year 2022-2023 monies in excess of those heretofore appropriated therefrom, said excess being at least \$1,779,710.



JIM SHANNON
Budget Director

For questions, please contact Lisa Perez, Division Manager, at (408) 537-1624 or Jennifer Otani, Administrative Officer, at (408) 537-1625.