



COUNCIL AGENDA: 12/10/2019
ITEM: 2.21
FILE NO: 19-1198

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: SEE BELOW

DATE: December 10, 2019

SUBJECT: Actions Related to the Proposed 2019-2021 Spending Plan for the Supplemental Law Enforcement Services Grant, Approval of the Revised 2018-2020 Spending Plan for the Supplemental Law Enforcement Services Fund Grant.

RECOMMENDATION:

(a) Approve the proposed 2019-2021 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of \$1,580,790 and authorize the Chief of Police to amend the Spending Plan in conformity to the budget priorities set out in the staff memorandum and in the event State SLES Grant payments are less or more than expected.

(b) Approve the revised 2018-2020 Spending Plan for the SLES Grant in the amount of \$2,491,761.

(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 \$1,281,085;

(2) Increase the appropriation to the Police Department for the SLES Grant 2018-2020 in the amount of \$893,942; and

(3) Establish an appropriation to the Police Department for the SLES Grant 2019-2021 in the amount of \$387,143.

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. (Police/City Manager)

RENUMBERED FROM ITEM 8.1 (19-1175)



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Edgardo Garcia
Jim Shannon

SUBJECT: SEE BELOW

DATE: November 26, 2019

Approved

D. D. S. L.

Date

11/26/19

SUBJECT: APPROVAL OF THE PROPOSED 2019-2021 SPENDING PLAN FOR THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES (SLES) GRANT, APPROVAL OF THE REVISED 2018-2020 SPENDING PLAN FOR THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND GRANT, AND ADOPTION OF RELATED APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND

RECOMMENDATION

- (a) Approve the proposed 2019-2021 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of \$1,580,790 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 2018-2020 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of \$2,491,761.
- (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 \$1,281,085;
 - (2) Increase the appropriation to the Police Department for the SLES Grant 2018-2020 in the amount of \$893,942; and
 - (3) Establish an appropriation to the Police Department for the SLES Grant 2019-2021 in the amount of \$387,143.

November 26, 2019

Subject: Approval of the 2019-2021 SLES Spending Plan, 2018-2020 SLES Revised Spending Plan and Related Appropriation Actions

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OUTCOME

The 2019-2021 SLES award allocated to San José is \$1,580,790. This allocation is the City of San José's (City) share of funds awarded to the County of Santa Clara for front-line law enforcement activities. Approval of the 2019-2021 Supplemental Law Enforcement Services (SLES) Spending Plan will provide additional resources to the City for front-line law enforcement activity. In addition, re-designating funds within the 2018-2020 SLES Spending Plan will allow 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 (COPS) Program via the County of Santa Clara. The Program began in 1996-1997 and continues to be funded. The use of the SLES funds is 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 (SLEOC) chaired by the Santa Clara County District Attorney's Office. Approval by SLEOC will occur once the City Council has approved the proposed Spending Plan.

ANALYSIS

2019-2021 SLES Grant Spending Plan

Funding for the 2019-2021 SLES Grant will be allocated through next fiscal year. The sunset date for expending or encumbering the 2019-2021 SLES Grant funds is June 30, 2021. In order for the Police Department to use these funds, approval of the proposed Spending Plan and related appropriation actions are required.

The Police Department proposes the following 2019-2021 SLES Spending Plan:

SLES 2019-2021 Spending Plan		
Project #	Item	Amount
1	Department Hardware, Software, and Technology Upgrades	\$195,700
2	Officer Safety Equipment and Enhancements in Investigative Abilities	\$1,361,686
3	Grants Administration Funding	\$7,904
4	Crime Prevention and Community Policing Program	\$15,500
	Total	\$1,580,790

Department Hardware, Software, and Technology: Funding in the amount of \$195,700 is being set aside to fund technology needs within the Police Department. This includes:

- **Computer Upgrades and Enhancements (\$35,700):** The project will upgrade computers, servers, trunked portable radios and other technology needs within the Department. The Department maintains over 900 desktop computers, 250 laptop computers, as well as over 30 computer servers. An assessment will be conducted to determine priority deployments.
- **Predictive Analytics (\$160,000) -** The project is to purchase a Crime and Mobile Predictive Analytics Software Suite to provide patrol staff with an accessible resource to proactively predict and prevent crimes. The tool will provide data through a web and mobile application and assist the Department in deploying resources accordingly.

Officer Safety Equipment and Enhancements in Investigative Abilities: Funding in the amount of \$1,361,686 is allocated in the Spending Plan for equipment to directly enhance the safety of the officers in the field and to enhance the investigative abilities of the officers in the detective bureau. This includes:

- **Briefing Room Upgrade – (\$100,000):** The project will renovate the briefing room of the Police Department to update technology and enhance office space.
- **Crime Data Intelligence Center (CDIC) – (\$100,000):** The project will provide startup cost for staffing, infrastructure, equipment, software, and training of the new division. The CDIC will serve as a data crime center, pooling resources (local, state, and national), sharing information with law enforcement partners, and more effectively managing voice, video and data inputs and translating them into the most critical intelligence to distribute directly to officers.
- **Axon Taser – (\$150,000):** The project will replace and upgrade the Axon Taser from the X26P product to the new Taser 7 device. The taser is assigned to every sworn officer to be used as a less lethal weapon when required. The useful life of the device is approximately 5 years and the last taser replacement was in 2014-2015. Therefore, the department will need to conduct a new round of replacement over the next couple years.
- **Non-lethal Restraints – (\$100,000):** The project is to purchase a non-lethal alternative for detaining an uncooperative suspect. The BolaWrap or similar tool is a lightweight wearable device designed to immobilize a suspect. It uses a cartridge to launch a Kevlar string with small fishing hooks attached to a post on the end. The string wraps around a suspect, with the hooks catching in their clothing, restraining their mobility.
- **Transcription Services (\$100,000):** The project will provide transcription services that include but not limited to, witness interviews, victim interviews, suspect interrogations, and crime scene investigations. It will enable staff to document interview statements to strengthen cases for a successful prosecution.
- **FF&E Bond Project (\$682,386):** The project will provide funding for Furniture, Fixtures and Equipment (FF&E) in preparation for a new training facility, a 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.

- **Additional Equipment (\$129,300):** The project will provide additional officer safety equipment, including but not limited to, rifles, shot-gun racks, trackers, cameras, ergonomic aides, chairs and safety wellness training, which will improve the working conditions and assist front line law enforcement officers address community needs.

Grants Administration: Funding is allocated to provide 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 2019-2021 SLES Grant, the administrative cap is **\$7,904**.

Crime Prevention and Community Policing Program: Funding in the amount of **\$15,500** is being set aside to expand the Community Policing Program to implement the Un Poco Mas project. The project will address crime in the Arbuckle and Poco Way Neighborhood and to support student success at the Arbuckle and Adelante II Elementary Schools. Community outreach materials will be purchased to distribute during crime prevention education events and walking beat efforts. This includes but not limited to, educational coloring books, crayons, bags, mugs, small balls, water bottles, and t-shirts. These items will help expand the community outreach by sharing information about neighborhood crime issues and improve the safety of the community.

Since October 2019, the City has received its initial monthly payments for the 2019-2021 SLES Grant totaling \$387,143. As part of this memorandum, budget actions are recommended to appropriate the funding received to date by the State. As additional payments are received, the Administration will return to the City Council to recommend budget actions to recognize and appropriate the remaining grant funds. This will ensure the Department does not spend more than the funds actually received, should the State funding fall short of the original grant award.

2018-2020 SLES Grant Spending Plan

The Spending Plan for the 2018-2020 SLES Grant was approved by City Council on November 27, 2018¹. Actual payments to the City for the 2018-2020 SLES Grant were greater than the original \$1,597,819. The City received an additional \$893,942, for a new total of \$2,491,761. These additional funds were received and are being recommended to be recognized and appropriated as part of this revised Spending Plan. The increase of \$893,942 was 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 2018-2020 Spending Plan.

¹ City Council Agenda November 27, 2018, Item 8.2 SLES 2018-2020:

<https://sanjose.legistar.com/LegislationDetail.aspx?ID=3753861&GUID=B3D01722-53F3-4A9C-B4DD-08B479BE9E11&Options=&Search=>

Of this additional funding, the Department is recommending \$225,000 be allocated to Project #1 for technology upgrades, such as upgrading the communication recording system and the fiber network connection between the Department's offsite locations. Also, the Predictive Analytics project, in the amount of \$160,000, originally planned in Project #1 was transferred to the SLES 2019-2021 spending plan and the funds instead were used to accommodate the need to replace the Department's network switch. For Project #2, \$668,942 of the funding will be used to purchase tasers, unmanned aerial system (UAS), cubical upgrades and chairs, an intercom for the Department's Police Administration Building campus; and other officer safety equipment to improve the working conditions of patrol officers.

The following table illustrates the changes to the original 2018-2020 Spending Plan:

SLES 2018-2020 Revised Spending Plan			
Project #	Item	Original Allocation	Revised Allocation
1	Department Hardware, Software, and Technology Upgrades	\$560,000	\$785,000
2	Officer Safety Equipment and Enhancements in Investigative Abilities	\$1,019,830	\$1,688,772
3	Grants Administration Funding	\$7,989	\$7,989
4	Crime Prevention and Community Policing Program	\$10,000	\$10,000
	Total	\$1,597,819	\$2,491,761

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 Spending Plans once approved by the City Council. For the 2018-2020 SLES Spending Plan, all funding must be expended or encumbered before June 30, 2020. For the 2019-2021 SLES Spending Plan, all funding must be expended or encumbered before June 30, 2021. As the remaining 2019-2021 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 recommend budget actions as part of a future budget process to appropriate the interest earned.

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CLIMATE SMART SAN JOSE

The recommendation in this memo 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 10, 2019 Council Meeting

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

COST SUMMARY/IMPLICATIONS

The computers and servers may have minor ongoing maintenance and repair expenses, and the Predictive Analytic Software Suite will have ongoing cloud subscription and support maintenance expenses. While these costs are anticipated to be absorbed within the Police Department's existing General Fund non-personal/equipment budget, an ongoing evaluation of these costs will be considered as part of future annual budget processes.

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	2019-2020 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
414	R100	Revenue from State of California	\$3,691,767	\$1,281,085	X-92	10/22/19, Ord No. 79270
414	209L	SLES Grant 2019-2021	N/A	\$387,143	N/A	N/A
414	205C	SLES Grant 2018-2020	\$1,563,846	\$893,942	X-92	10/22/19, Ord No. 30325

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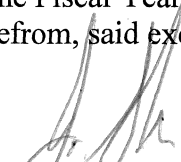
CEQA

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/
EDGARDO GARCIA
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 2019-2020 monies in excess of those heretofore appropriated therefrom, said excess being at least \$1,281,085.


JIM SHANNON
Budget Director

For questions please contact Lisa Perez, Chief Administrative Officer, at (408) 537-1624 or Heidi York, Assistant Administrative Officer, at (408) 537-1625.