



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: November 16, 2021

Approved

Date

11/18/21

SUBJECT: APPROVAL OF THE PROPOSED 2021-2023 SPENDING PLAN FOR THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT, APPROVAL OF THE REVISED 2020-2022 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 2021-2023 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of \$1,577,585 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 2020-2022 Spending Plan for the SLES Grant in the amount of \$2,570,553; and
- (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 \$1,726,756;
 - (2) Increase the appropriation to the Police Department for the SLES Grant 2020-2022 by \$976,756; and
 - (3) Establish the SLES Grant 2021-2023 appropriation to the Police Department in the amount of \$750,000.

OUTCOME

This memorandum outlines the 2021-2023 SLES Spending Plan for City Council consideration and approval. The 2021-2023 SLES award allocated to San José is estimated at \$1,577,585, of which \$750,000 is recommended to be recognized and appropriated at this time to expedite procurement activity within the grant term.

In addition, the revised 2020-2022 SLES award allocated to San Jose is \$2,570,553, an increase of \$976,756. This allocation is the City of San José (City) share of funds awarded to the County of Santa Clara for front-line law enforcement activities.

Approval of the 2021-2023 SLES Spending Plan and revised 2020-2022 Spending Plan will provide additional resources to the City for front-line law enforcement activities. In addition, reallocating funds within the 2020-2022 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 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 Supplemental Law Enforcement Oversight Committee will occur once the City Council has approved the proposed Spending Plan.

ANALYSIS

2021-2023 SLES Grant Spending Plan

Funding for the 2021-2023 SLES Grant will be allocated through next fiscal year. The sunset date for expending or encumbering 2021-2023 SLES Grant funds is June 30, 2023. Approval of the proposed Spending Plan and related appropriation actions are required for the Police Department to access these funds.

The Police Department proposes the following 2021-2023 SLES Spending Plan:

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

Department Hardware, Software, and Technology: Funding in the amount of \$496,600 is allocated in 2021-2023 SLES Spending Plan to fund technology needs within the Police Department. This includes:

- **Computer Upgrades and Enhancements (\$400,000):** The project will upgrade computers, servers, replace physical servers, firewalls, and other technology needs within the Department. In addition, funds will be used for the expansion of the virtual machine cluster. 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.
- **Badge Access System Upgrade (\$96,600):** The project will upgrade the key card system hardware and software in order to comply with the mandated Department of Justice key card audit conducted in 2020. The Department of Justice mandated that everyone with access to police facilities go through a Security Awareness Training.

Officer Safety Equipment and Enhancements in Investigative Abilities: Funding in the amount of \$1,073,097 is allocated in the 2021-2023 SLES 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:

- **Wellness Program Body Scan (\$228,000):** 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 officers' quality and length of their lives and career.
- **Training for Officers (\$100,000):** Funding will be used to increase training for police personnel to obtain specialized skills training, investigative training, and leadership skills. In addition, the project will include a post trauma retreat that will provide an educational experience designed to help first responders recognize the signs and symptoms of work-related stress including post-traumatic stress disorder in themselves and in others.
- **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.

- **Academic Research (\$175,000):** The project will include contracting with an independent academic research consultant to review, research, examine, and report on emerging matters of interest to policing in San José.
- **Additional Equipment (\$375,097):** The project includes the upgrade of range equipment, as well as the purchase of rifles and carbines, ergonomic aides, chairs and safety wellness training, and other officer safety equipment that will improve working conditions and assist front line law enforcement officers address community needs.
- **Axon Fleet (\$40,000):** This project installs a camera system with cameras mounted in four cargo vans with unlimited video storage and automatically integrate with the current CAD system.
- **DNA Testing (\$35,000):** This project will fund DNA testing of fired cartridge cases with new DNA extraction and recovery methods.
- **Carpet Replacement (\$20,000):** The project will replace the carpet in the Central Identification Unit.

Grants Administration: Funding is allocated in the 2021-2023 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 2021-2023 SLES Grant, the administrative cap is \$7,888.

Of the total estimated 2021-2023 SLES Grant (\$1,577,585), the Department anticipates spending \$750,000 within 2021-2022, 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.

2020-2022 SLES Grant Spending Plan

The Spending Plan for the 2020-2022 SLES Grant was approved by the City Council on October 27, 2020¹ in the amount of \$1,593,797. On September 30, 2021, the City was notified that an additional \$976,756 allocation will be granted for the 2020-2022 SLES Grant, for a revised total award of \$2,570,553. The increase of \$976,756 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 2020-2022 Spending Plan to maximize use prior to the June 30, 2022 deadline.

Of this additional funding, the Department is recommending the allocation of \$15,500 for Project #1 for technology upgrades to replace tablets for the property and evidence warehouse. The Department is recommending the allocation of \$961,256 for Project #2. For Project #2, \$912,456 of the funding will be used to fund the current year's subscription for tasers and other officer safety equipment to improve the working conditions of patrol officers. While the Department continues to conduct a review of its less lethal weapons as part of the City Council-

¹ Link to October 27, 2020 memo: <https://sanjose.legistar.com/View.ashx?M=F&ID=8860213&GUID=ED97EAEF-BB6E-4016-8C40-63C50A68128D>

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. In addition, \$48,800 is recommended to provide one-time professional cleaning of the interior of all marked police vehicles, as well as officer safety equipment.

The following table illustrates the changes to the original 2020-2022 Spending Plan:

SLES 2020-2022 Revised Spending Plan			
Project #	Item	Original Allocation	Revised Allocation
1	Department Hardware, Software, and Technology Upgrades	\$310,000	\$325,500
2	Officer Safety Equipment and Enhancements in Investigative Abilities	\$1,275,828	\$2,237,084
3	Grants Administration Funding	\$7,969	\$7,969
	Total	\$1,593,797	\$2,570,553

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 2021-2023 SLES Spending Plan, all funding must be expended or encumbered before June 30, 2023. As the additional 2021-2023 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 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 November 30, 2021 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

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 2020-2022 funding for the second-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 2022-2023 budget development process, the Department will prioritize taser subscription costs in the next SLES grant cycle should other ongoing sources remain unavailable.

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	2021-2022 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
414	R100	Revenue from State of California	\$2,895,926	\$1,726,756	1024	10/19/2021 Ord No. 80261
414	NEW	SLES Grant 2021-2023	N/A	\$750,000	N/A	N/A
414	214C	SLES Grant 2020-2022	\$1,443,369	\$976,756	1024	10/19/2021 Ord No. 30682

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 2021-2022 monies in excess of those heretofore appropriated therefrom, said excess being at least \$1,726,756.



JIM SHANNON
Budget Director

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