



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Continuation of Supplement Law Enforcement Services (SLES) Funds and Approval of Budget Modification No. 31 to appropriate \$81,330 in SLES Funding to Support Sworn Staff Regular and Overtime Costs and for the Purchase of identified Police Services Equipment

BACKGROUND

Each year, the State Legislature appropriates money to Santa Clara County local law enforcement agencies for supplemental police funding. This funding is a continuation of the Supplemental Law Enforcement Services funding program (SLES) that was first provided in FY 1996/97 via Assembly Bill 3229 (AB 3229, Brulte). SLES funds are only to be used 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. In previous years, the Department of Public Safety (DPS) has used SLES allocations for the purchase of law enforcement equipment, to pay for sworn personnel costs or a combination of both. The distribution mechanism of funds is through the Citizens' Option for Public Safety (COPS) Program.

Changes to the administrative requirements of the COPS Program occurred late 2012 when Santa Clara County's Supplemental Law Enforcement Oversight Committee (SLEOC) was disbanded. Recipient agencies are no longer required to submit year-end reports or submit minutes of their Council's approval of their appropriations related to SLES allocations. FY 2012/13 marked the last year DPS was required to formulate a detailed spending plan to the SLEOC. At that time, the decision was also made to redirect SLES funds from equipment to personnel.

In FY 2016/17, City Council approved RTC No. 16-1016 appropriating SLES Funds to support regular and overtime costs for sworn staff and for the purchase of identified police service equipment.

EXISTING POLICY

California Government Code Sections 30061 - 30065 govern these grants and their distribution. The provisions require each municipal law enforcement agency to submit a request to its governing body to formally appropriate SLES monies. Additionally, funds not expended in the appropriation year must be expended or encumbered no later than June 30 of the following fiscal year. Any unspent funds are to be remitted back to the State.

ENVIRONMENTAL REVIEW

This budget modification does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378 (b) (4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

DISCUSSION

SLES guidelines require a review of public safety needs and that the Chief Law Enforcement Officer for a municipality, through Council, make a formal request for the application of SLES funding. The Director of Public Safety has reviewed the Department of Public Safety's needs and requests to utilize SLES funds to support regular and overtime costs for a Public Safety Lieutenant in the Investigations Unit and sworn staff overtime costs for burglary suppression efforts.

Between the FY 2016/17 and FY 2017/18 SLES funding amounts, a total adjustment to the budget of \$81,330 is required. Budget Modification No. 31 is comprised of the following actions:

a) Appropriation of FY 2016/17 unencumbered SLES fund balance of \$5,337.

In December 2016, City Council approved RTC No. 16-1016 appropriating SLES Funds to support regular and overtime costs for a Public Safety Lieutenant assigned to Investigations in the Community Crimes Unit (CCU), sworn overtime costs for burglary suppression efforts, and police services equipment. The full amount of SLES funding was not expended and these funds must be expended no later than June 30, 2018. As appropriations lapse at the end of the fiscal year, the FY 2016/17 funds fell to reserve and must be re-appropriated. Total fund balance consists of two portions, \$5,337 for operating activities in the CCU, and \$16,031 in Project 832460 for police services equipment. The carryover and appropriation for equipment was completed with the carryover actions approved as part of Budget Modification No. 32 by Council on December 19, 2017.

b) Increase the existing FY 2017/18 SLES appropriation by \$75,993.

The City's FY 2017/18 SLES allocation was initially estimated at \$243,316. This amount was included and approved through the City's annual budget process. The City's actual allocation is \$229,242, reflecting a decrease of \$14,074. Additionally, the City received additional onetime SLES funding in the amount of \$90,067 for a total amount of \$319,309. The one-time amount reflects a growth payment from the State that relates to FY 2016/17 but is received in the subsequent fiscal year. This funding will be allocated to the operating budget and the police services special project as demonstrated in Budget Modification No. 31.

Funds allocated to the police services special project will be used to purchase Conducted Electrical Weapons (\$12,715) for Community Services Officers (CSOs). CSOs are assigned to patrol teams and provide additional support in the Bureau of Police Services. Conducted Electrical Weapons, otherwise known as CEWs or Tasers, currently used by sworn and CSOs only allow for a single discharge. Since the Taser is the only means of security and defense for a CSO, the Department of Public Safety would like to purchase CSOs Tasers that allow for a secondary discharge. Funds will be used for the initial purchase of eight (8) new Tasers.

FISCAL IMPACT

SLES funds will be used to support regular and overtime costs for a Public Safety Lieutenant currently assigned to Investigations in the Community Crimes Unit (CCU) and sworn staff overtime costs for burglary suppression efforts. Any costs exceeding the SLES amount will be funded by the General Fund. The initial purchase of the Tasers will include the Tasers, accessories, cartridges and the first year of a five-year assurance plan. Years two to five (estimated at \$1,906 annually) will be incorporated into the Department's future Operating Budget and the replacement cost incorporated into the City's Public Safety Equipment Replacement account.

Budget Modification No. 31 has been prepared to appropriate SLES funds in the amount of \$81,330.

**Budget Modification No. 31
FY 2017/18**

	Current	Increase/ (Decrease)	Revised
Police Services Augmentation Fund			
<u>Revenues</u>			
FY 2017/18 SLES Funds	\$243,316	(\$14,074)	\$229,242
FY 2016/17 SLES Funds	\$0	\$90,067	\$90,067
<u>Reserves</u>			
<u>FY 2016/17 Fund Balance</u>	\$5,337	(\$5,337)	\$0
<u>Expenditures</u>			
FY 2017/18 Program 471-Police Services	\$243,316	\$68,615	\$311,931
832460 - FY 2017/18 Police Services Special Project (SLES)	\$16,031	\$12,715	\$28,746

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

RECOMMENDATION

Approve Budget Modification No. 31 to appropriate \$81,330 in Supplemental Law Enforcement Services funding to support sworn regular and overtime costs and for the purchase of identified police services equipment.

Prepared by: Nancy M. Thome, Senior Management Analyst

Reviewed by: Phan S. Ngo, Director of Public Safety

Reviewed by: Timothy J. Kirby, Director of Finance

Reviewed by: Teri Silva, Interim Assistant City Manager

Approved by: Kent Steffens, City Manager