



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Edgardo Garcia  
Jim Shannon

**SUBJECT:** SEE BELOW

**DATE:** October 16, 2020

Approved

Date

10/16/2020

**SUBJECT: APPROVAL OF THE PROPOSED 2020-2022 SPENDING PLAN FOR THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES (SLES) GRANT, APPROVAL OF THE REVISED 2019-2021 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 2020-2022 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of \$1,593,797 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 2019-2021 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of \$2,477,518.
- (c) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Supplemental Law Enforcement Services Fund:
  - (1) Establish an estimate for Revenue from State of California in the amount of \$1,646,728;
  - (2) Increase the appropriation to the Police Department for the SLES Grant 2019-2021 in the amount of \$896,728; and
  - (3) Establish the SLES Grant 2020-2022 appropriation to the Police Department in the amount of \$750,000.

## **OUTCOME**

This memorandum outlines the 2020-2022 Supplemental Law Enforcement Services (SLES) Spending Plan for Council consideration and approval. The 2020-2022 SLES award allocated to San José is estimated at \$1,593,797, 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 2019-2021 SLES award allocated to San Jose is \$2,477,518, an increase of \$896,728. 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 2020-2022 Supplemental Law Enforcement Services (SLES) Spending Plan and revised 2019-2021 Spending Plan will provide additional resources to the City for front-line law enforcement activity. In addition, reallocating funds within the 2019-2021 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. 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 (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**

### **2020-2022 SLES Grant Spending Plan**

Funding for the 2020-2022 SLES Grant will be allocated through next fiscal year. The sunset date for expending or encumbering 2020-2022 SLES Grant funds is June 30, 2022. 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 2020-2022 SLES Spending Plan:

<b>SLES 2020-2022 Spending Plan</b>		
<b>Project #</b>	<b>Item</b>	<b>Amount</b>
1	Department Hardware, Software, and Technology Upgrades	\$310,000
2	Officer Safety Equipment and Enhancements in Investigative Abilities	\$1,275,828
3	Grants Administration Funding	\$7,969
	<b>Total</b>	<b>\$1,593,797</b>

**Department Hardware, Software, and Technology:** Funding in the amount of \$310,000 is allocated in 2020-2022 SLES Spending Plan to fund technology needs within the Police Department. This includes:

- **Computer Upgrades and Enhancements (\$150,000):** 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.
- **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 \$1,275,828 is allocated in the 2020-2022 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 (\$94,745):** 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 (\$80,000):** 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 (PTSD) in themselves and in others.
- **Special Operations Vehicles (\$322,000):** The project will purchase seven SUV vehicles for the MERGE Unit, whose officers carry several City-issued weapons, specialized tools and equipment needed for tactical events. As the lower level of sworn vacancies has allowed the Department to redeploy its special units to better meet public safety

objectives, vehicle demand has increased. Due to the MERGE Unit's specialized equipment needs, a long-term objective of the Department is to issue a vehicle to each special operations officer responding to critical incidents, and ensuring that the tactical equipment is appropriately and safely stored.

- **Additional Equipment (\$676,096):** The project includes the purchase of an unmanned aerial system, as well as rifle plates, tactical vests, weapon lighting system, 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.
- **Vehicle Rental (\$86,000):** The project is to provide lease vehicles to the Burglary Prevention Unit (BPU) until the unit's new vehicles are received.
- **Police Administration Building (PAB) Parking Lot Restripe (\$16,987):** The project will restripe approximately 270 stalls throughout the PAB campus.

**Grants Administration:** Funding is allocated in the 2020-2022 SLES Spending Plan 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 2020-2022 SLES Grant, the administrative cap is **\$7,969**.

Of the total estimated 2020-2022 SLES Grant (\$1,593,797), the Department anticipates spending \$750,000 within 2020-2021, 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.

### **2019-2021 SLES Grant Spending Plan**

The Spending Plan for the 2019-2021 SLES Grant was approved by the City Council on December 10, 2019<sup>1</sup> in the amount of \$1,580,790. On September 23, 2020, the City was notified that an additional \$896,728 allocation will be granted for the 2019-2021 SLES Grant, for a revised total award of \$2,477,518. The increase of \$896,728 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 2019-2021 Spending Plan to maximize use prior to the June 30, 2021 deadline.

Of this additional funding, the Department is recommending the allocation of \$101,700 for Project #1 for technology upgrades, including upgrading and redesigning the Department's intranet website (\$100,000). For Project #2, \$795,028 of the funding will be used to purchase replacement tasers and other officer safety equipment to improve the working conditions of patrol officers. The Department's 1,160 tasers are approaching the end of their useful life and need to be replaced in the near future. 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

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<sup>1</sup> Link to December 10, 2019 memo: <http://sanjose.legistar.com/gateway.aspx?M=F&ID=58470cab-a2b6-499f-b190-dd113500b6fd.pdf>

to ensure their continued availability. With this grant funding, the Department can roll out replacements as they train officers on a new model of tasers. Additional discussion regarding the ongoing funding needs for tasers is discussed in the Cost Summary/Implications section below.

The following table illustrates the changes to the original 2019-2021 Spending Plan:

<b>SLES 2019-2021 Revised Spending Plan</b>			
<b>Project #</b>	<b>Item</b>	<b>Original Allocation</b>	<b>Revised Allocation</b>
1	Department Hardware, Software, and Technology Upgrades	\$195,700	\$297,400
2	Officer Safety Equipment and Enhancements in Investigative Abilities	\$1,361,686	\$2,156,714
3	Grants Administration Funding	\$7,904	\$7,904
4	Crime Prevention and Community Policing Program	\$15,500	\$15,500
	<b>Total</b>	<b>\$1,580,790</b>	<b>\$2,477,518</b>

**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 2020-2022 SLES Spending Plan, all funding must be expended or encumbered before June 30, 2022. As the additional 2020-2022 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 October 27, 2020 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**

Several of the purchases authorized by the recommended actions will have ongoing cost implications. The seven MERGE Unit vehicles will have an average annual maintenance and operations cost of approximately \$33,600, and will ultimately require replacement in five to seven years. The computers and servers will have minor ongoing maintenance and repair expenses, and the Predictive Analytic Software Suite will have ongoing cloud subscription and support maintenance expenses that has not yet been determined. Initial operations and maintenance costs will be absorbed within the Police Department's existing General Fund Non-Personal/Equipment budget. These ongoing costs will be evaluated during Base Budget development for 2021-2022 in consideration of other departmental resources, with the intent to minimize the need for additional ongoing General Fund resources.

Taser suppliers are transitioning to an annual subscription model. While this would allow for a more predictable payment schedule and avoid multimillion-dollar replacements every five years, the change in payment model alters the City's approach to leverage grant funding to make purchases that have a significant ongoing budget impact outside of the normal budget development cycle. Because the Police Department's entire 1,160 taser inventory needs replacement, funding of approximately \$795,000 is recommended in the revised 2019-2021 SLES spending plan for the first year of the annual subscription amount to replace all tasers. The funding for the subscription amounts in subsequent years will be prioritized from future SLES grants, which is an annual grant program, starting with the 2021-2022 SLES grant. As part of future budget development cycles, the Administration will evaluate the extent to which other funding sources, including the General Fund, could be allocated for ongoing taser subscription costs.

**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	2020-2021 Proposed Operating Budget Page*	Last Budget Action (Date, Ord. No.)
414	R100	Revenue from State of California	N/A	\$1,646,728	N/A	N/A
414	NEW	SLES Grant 2020-2022	N/A	\$750,000	N/A	N/A
414	209L	SLES Grant 2019-2021	\$1,351,296	\$896,728	IX-97	6/23/2020 Ord No. 304437

\*The 2020-2021 Proposed Operating Budget was adopted by the City Council on June 23, 2020.

**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 2020-2021 monies in excess of those heretofore appropriated therefrom, said excess being at least \$1,646,728.

  
 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.