



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Larry D. Lisenbee
Robert L. Davis

SUBJECT: SEE BELOW

DATE: March 22, 2004

Approved

Date

Council District: City-Wide

**SUBJECT: APPROVAL OF AN INCREASE TO THE 2002-2004
SPENDING PLAN FOR THE SUPPLEMENTAL LAW
ENFORCEMENT SERVICES FUND GRANT AND
ADOPTION OF RELATED APPROPRIATION AND
FUNDING SOURCES ACTIONS FOR FISCAL YEAR 2003-
2004**

RECOMMENDATION

1. It is recommended that the City Council approve the proposed increase of \$69,200 to the 2002-04 Spending Plan for the Supplemental Law Enforcement Services (SLES) Fund.
2. It is also recommended that the City Council adopt the following amendments to the annual appropriation ordinance and the annual funding sources resolution in the Supplemental Law Enforcement Services Fund (Fund 414) for Fiscal Year 2003-04:
 - a) Increase the SLES 2002-2004 Grant appropriation for the Police Department in the amount of \$69,200;
 - b) Increase the Earned Revenue by \$30,274.
 - c) Decrease the Ending Fund Balance by \$38,926.

BACKGROUND

Supplemental Law Enforcement Services (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 Fiscal Year 1996-97 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. The initial SLES 2002-04 Spending Plan and the related appropriation in the amount of \$1,823,431 was approved by City Council on April 29, 2003, Council Agenda Item 9.2(b). The Spending Plan was subsequently approved by a separate five-member Supplemental Law Enforcement Oversight Committee (SLEOC) that is chaired by the Santa Clara County District Attorney's Office.

The SLES 2002-2004 allocation has been accruing interest in the City's SLES Fund 414 since the funds were deposited in November 2002. The Police Department may spend the interest earned under the same restrictions as the original SLES allocation, i.e. only for supplemental front-line municipal police services. The sunset date for expending or encumbering the 2002-04 allocation of SLES funds including earned interest is June 30, 2004. In order for the Police Department to utilize the earned interest accrued during the life of the grant, approval of the Spending Plan increase and a related appropriation of funds are required.

ANALYSIS

The Police Department is constantly evaluating and recommending various methods to resolve conflict in a safe and effective manner. Providing the equipment and training necessary to develop a toolkit to draw from when officers are asked to resolve these conflicts is in line with this goal. Developments in the law enforcement industry have resulted in the Police Department's ability to obtain technologically improved less-lethal weapons such as Tasers or stun guns. These technological upgrades are eligible for funding from law enforcement grant funds such as SLES.

The Department is currently in the process of upgrading Tasers from the M-26 model to the X-26 model and increasing its inventory. The X-26 model is more effective and has additional features that improves usage in the field. The X-26 model is smaller and lighter for efficient carrying on the Officer's duty belt. The X-26 battery pack is self-contained, has a longer shelf life, and provides approximately 300 five-second firings per battery pack. The Department has conducted extensive evaluation of the X-26 Model and has already been approved to upgrade and increase the existing Taser inventory to this particular model. Purchase of 574 X-26 Tasers has already been funded by different grant sources including SLES 2002-2004 (\$435,000), SLES 2003-2005 (\$100,000), and the Local Law Enforcement Block Grant (LLEBG) 2002-2004 (\$181,000) as technology or safety equipment upgrades. Training on the use of this new model has also been funded through SLES.

Interest earned by the SLES 2002-2004 grant in Fiscal Year 2002-03 totaled \$38,926. An additional \$30,274 is projected to be earned in the current fiscal year for a total of \$69,200 in SLES 2002-2004 interest. The Police Department proposes to utilize these funds for the purchase of 55 additional Model X-26 Tasers. This will bring the total X-26 Taser purchase to 629 for the current fiscal year.

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PUBLIC OUTREACH

The City is required to report on the expenditure of SLES funds to the five-member Santa Clara County SLES Oversight Committee. Members include representatives from the Santa Clara County District Attorney's Office, the Sheriff's Office, the County Executive's Office, a City Manager and a Police Chief from a city within Santa Clara County.

COORDINATION

This memorandum has been coordinated with the City Manager's Office; the Manager's Budget Office; the Office of the City Attorney; and the Department of Planning, Building and Code Enforcement.

COST IMPLICATIONS

The tasers will have some ongoing costs beyond next fiscal year for replacement of firing cartridges and battery packs. This cost will be addressed as a base budget adjustment request beginning in Fiscal Year 2005-06.

This Council agenda item is in line with the General Principles of the Mayor's Budget Strategy in that special grant funds are being utilized to enhance or improve systems and thereby providing more efficient and cost-effective delivery of Police services.

CEQA REFERENCE

The purchase of Tasers is not a project.

ROBERT L. DAVIS
Chief of Police

LARRY D. LISENBEE
Budget Director

I hereby certify that there will be available for appropriation in the Supplemental Law Enforcement Services Fund in the Fiscal Year 2003-04, moneys in excess of those heretofore appropriated therefrom, said excess being at least \$30,274.

LARRY D. LISENBEE
Budget Director