

**Council Meeting: January 27, 2009****SUBJECT: Continuation of Supplemental Law Enforcement Funding****REPORT IN BRIEF**

The State Legislature has appropriated approximately \$3.4 million to the Santa Clara County local law enforcement agencies for supplemental police funding in FY 2008/2009. This is a continuation of the Supplemental Law Enforcement Services funding program (SLES) that was first provided in FY 1996/1997 via Assembly Bill 3229 (AB 3229). Using a formula based on population, Sunnyvale will receive an allocation of \$219,304 for FY 2008/2009. The payment mechanism has been changed for this year, as cities will now receive payment in four installments (September, December, March and June), rather than one lump sum as in years past. So far this fiscal year, the first two quarterly payments have been received. The final two scheduled payments, however, could be in jeopardy as the State looks for solutions to its current fiscal crisis.

This report, as required by the Legislature, specifies Sunnyvale's frontline municipal police service needs and makes a request for the supplemental personnel, equipment, and programs necessary to meet those needs. In order to be eligible for the funding, the City Council must consider these written requests each year and appropriate existing or anticipated monies from the County.

BACKGROUND

In September 1996, Council approved the establishment of the Supplemental Law Enforcement Services Fund to receive SLES monies and directed staff to use the funds to pay for one Patrol Team Captain and to partially fund two Internal Affairs Investigators. This allocation continued through FY 2002/2003. In FY 2003/2004, the Legislature decreased the amount of SLES funding available to cities. At that time, Council used the SLES monies to fund only the Patrol Team Captain position. One of the Internal Affairs Investigators was financed by the Department of Public Safety operating budget, and the second Internal Affairs Investigator position was discontinued. Since FY 2002/2003, the amount of SLES monies received has fluctuated each year and is expected to do so in the future.

EXISTING POLICY

Policy 4.1D.2: Provide effective and efficient management of Public Safety resources.

DISCUSSION

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 1996/1997 via Assembly Bill 3229 (AB 3229).

This year, the State Legislature has appropriated approximately \$3.4 million to Santa Clara County. Using a formula based on population, Sunnyvale will receive \$219,304. This report, as required by the Legislature, specifies Sunnyvale's front-line municipal police service needs and makes a request for the supplemental personnel, equipment, and programs necessary to meet those needs. In order to be eligible for the funding, the City Council must consider these written requests each year and appropriate existing or anticipated monies from the County.

FY 2008/2009 Written Request for Supplemental Law Enforcement Needs:

The Director of Public Safety has reviewed the Department of Public Safety Outcomes and, as required by law, requests the continued application of SLES supplemental funding to support a full-time Patrol Team Captain in Patrol Operations.

FISCAL IMPACT

The FY 2008/2009 Adopted Budget includes \$234,881 in anticipated SLES funding in the Police Services Augmentation Fund, which represents a 10% reduction from FY 2007/2008 SLES funding. Because the anticipated reduction in SLES funding would not cover the cost of the Patrol Team Captain position, a one-time transfer from the General Fund in the amount of \$34,205 was budgeted to ensure the position could be funded through FY 2008/2009 while the Department of Public Safety looked for a long-term solution to the reduced funding level. The actual grant award of \$219,304 is approximately 16% below the FY 2007/2008 amount and creates a \$15,577 gap between estimated revenues and estimated expenditures. This gap will be absorbed within the Department of Public Safety's operating budget in the Police Services program. As noted above, the Department of Public Safety is currently looking into a long-term solution to address what is expected to be a permanent reduction in SLES funding that will no longer cover the full cost of the Patrol Captain position. This solution will be incorporated into the FY 2009/2010 Recommended Budget and will be structured so that it will not increase costs to the General Fund.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center, and Department of Public Safety; posting the agenda and report on the City's Web

site; and making the report available at the Library and the Office of the City Clerk.

ALTERNATIVES

1. Appropriation of the full amount available from SLES into the City's Supplemental Law Enforcement Sub-Fund to fully fund one Patrol Team Captain.
2. Do not approve the appropriation.
3. Direct staff to conduct further study.

RECOMMENDATION

Staff recommends Alternative #1: Appropriation of the full amount available from SLES into the City's Supplemental Law Enforcement Sub-Fund to fully fund one Patrol Team Captain.

Reviewed by:

Don Johnson, Director, Public Safety

Prepared by: Heather Tannehill, Management Analyst

Reviewed by:

Mary J. Bradley, Director, Finance

Approved by:

Gary M. Luebbers

City Manager

Attachments

None.