

**Council Meeting: March 9, 2010****SUBJECT: Continuation of Supplemental Law Enforcement Funding****BACKGROUND**

Since 1996, DPS has received Council approval to accept Supplemental Law Enforcement Services (SLES) Funding in support of operational personnel costs. In the last several years, funding has been declining and in FY 2008/09, the City received the minimum amount of funding available from the Citizens' Option for Public Safety (COPS) Grant. Due to State budget reductions, the City received \$100,000, representing a significant decrease from the anticipated \$219,304. In FY 2009/10, it is anticipated SLES funding through COPS will again be \$100,000. Cities are required to appropriate COPS revenue to fund front line municipal services. The Department of Public Safety (DPS) requests the continued application of SLES supplemental funding to support a full-time Public Safety Officer in Police Field Operations for Traffic Education and Enforcement.

EXISTING POLICY

Policy 4.1A.5: Facilitate the safe movement of pedestrians, bicyclists and vehicles.

Action Statement 4.1A.5g: Participate in activities that enhance the successful detection, apprehension, rehabilitation and prevention of persons driving under the influence of alcohol/drugs.

Action Statement 4.1A5h: Participate in prevention and enforcement activities directed at minimizing personal injury in traffic collisions.

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 \$3.3 million to Santa Clara County. Using a formula based on population, Sunnyvale was originally scheduled to receive \$215,064 this fiscal year. A recent report was circulated to the cities that provided revised per capita estimates that indicated Sunnyvale will receive \$145,064. However, given the State's ongoing budget

issues and the fact that Sunnyvale received only the minimum amount due for all cities of \$100,000 in FY 2008/09, staff is anticipating that the City will only receive the minimum amount of \$100,000 again in FY 2009/10. This council report, as required by the Legislature, specifies Sunnyvale's front-line municipal police service needs and makes a request for the supplemental personnel 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 2009/2010 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 application of SLES supplemental funding to support a full-time Public Safety Officer in Police Field Operations for Traffic Education and Enforcement.

FISCAL IMPACT

Supplemental Law Enforcement Services funding provides supplemental funding for one Public Safety Officer assigned to Program 483 Community Safety Services – Traffic Education and Enforcement. Funding in FY 2009/10, estimated to be \$220,000, was based on estimates that assumed resolution of State budget issues. As noted previously, funding estimates have since been revised and staff believes actual funding will be reduced to the minimum of \$100,000 based on per capita allocations.

In addition to the COPS funding, there is additional funding provided for this position in the amount of \$92,584 from the Bureau of Justice Assistance Grant. Thus, there is a total amount of available funding for FY 2009/10 of \$192,584 to support this position. The cost for this fiscal year for an officer to perform the task of traffic education and enforcement is estimated to be \$206,098, meaning there is a \$13,514 shortfall in the amount of funding available. This shortfall will be absorbed this fiscal year within the current Program 483 Community Safety Services budget due to position vacancies that have not required immediate backfill. Future year funding will be contingent on continued grant funding.

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 Web site.

ALTERNATIVES

1. Appropriation of the full amount available from SLES into the City's Supplemental Law Enforcement Sub-Fund to assist in funding one Public Safety Officer position in patrol operations.

2. Do not approve the appropriation.
3. Other action as directed by Council.

RECOMMENDATION

Staff recommends Alternative #1: Appropriation of the full amount available from SLES into the City's Supplemental Law Enforcement Sub-Fund to assist in funding one Public Safety Officer position in patrol operations.

Reviewed by:

Don Johnson, Director, Public Safety
Prepared by: Jeffrey Hunter, Lieutenant

Reviewed by:

Mary J. Bradley, Director, Finance

Approved by:

Gary M. Luebbers
City Manager