SUBJECT: Budget Modification No. 35 to Appropriately $120,709 of Supplemental Law Enforcement Services Funding from Fund Reserves

BACKGROUND
Since 1996, Council has approved Supplemental Law Enforcement Services (SLES) Funding to support front-line police services. SLES monies are appropriated annually by the State Legislature to Santa Clara County for distribution to local law enforcement agencies. The distribution mechanism is Citizens’ Option for Public Safety (COPS) Grants. The distribution formula provides for a minimum $100,000 for each law enforcement agency in the county. Additional monies are distributed based on population.

The SLES Funding Program’s enabling legislation (1996 AB 3229) requires each municipal law enforcement agency to submit a formal request to its governing body so that SLES monies are formally appropriated. Council took this action on March 1, 2001 (RTC 11-044).

DISCUSSION
At the end of FY 2009/2010, the SLES Fund had a reserve of $120,709. Staff is requesting approval to appropriate this reserve amount to support a full-time Public Safety Officer in Police Field Operations for Traffic Education and Enforcement in FY 2010/2011. Funding for the COPS program is not in the State’s FY 2011/2012 budget, and therefore this position has not been budgeted past the current fiscal year.

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

Policy 4.1D.2: Provide effective and efficient management of Public Safety resources in order to meet the needs of: the community, the internal organization, and those mandated by regional, State, and Federal agencies.

FISCAL IMPACT
All SLES monies partially fund one Public Safety Officer position assigned to Police Field Operations for Traffic Education and Enforcement. Other financing sources include a Bureau of Justice Assistance Grant, and the General Fund.
Grant revenues to pay for the position were approved as part of the Long Term Financial Plan for the Police Services Augmentation Fund.

During FY 2010/2011, funding for the position will be supplemented by a fund balance carried forward from the previous fiscal year. The balance resulted from the position being open for a brief time between when the assigned officer was deployed on active duty military service and when another officer was reassigned to that position. Future year funding for this position will be contingent on continued grant funding. The FY 2010/2011 Adopted Budget states:

_The FY 2010/2011 Budget again identifies the grant funds to defray a portion of the cost of a Public Safety Officer position in Traffic Enforcement. The remainder of the position is funded in the General Fund portion of the Department of Public Safety operating budget._

_The Long-Term Financial Plan for the Police Services Augmentation Fund reflects revenue only for FY 2010/2011 because the grants are speculative in nature. If the grant funds are eliminated or reduced significantly, it is important to note that this Public Safety Officer position would be vulnerable to reduction. At that time, staff would review priorities within the department to ensure that all critical functions are funded with ongoing resources. (Volume I, page 63)_

Since this position is currently filled, appropriating the remaining SLES Fund reserves relieves this General Fund of supplementing this year’s $100,000 grant funding to fully fund this position. Budget Modification No. 35 has been prepared to appropriate $120,709 from the SLES Fund reserve to supplement FY 2010/2011 grant funds to fully fund the Traffic Officer position this fiscal year.

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<th>FY 2010/2011</th>
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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. Approve Budget Modification No. 35 to appropriate $120,709 of Supplemental Law Enforcement Services Funding from Fund Reserves.

2. Do not approve Budget Modification No. 35 to appropriate $120,709 of Supplemental Law Enforcement Services Funding from Fund Reserves.

RECOMMENDATION
Staff recommends Alternative 1: Appropriate $120,709 of Supplemental Law Enforcement Services Funding from Fund Reserves.

Reviewed by:

Dayton Pang, Interim Chief of Public Safety
Prepared by: Ann Durkes, Manager

Reviewed by:

Grace Leung, Director of Finance

Approved by:

Gary M. Luebbers
City Manager