



Agenda Report

25-974

Agenda Date: 1/14/2025

**REPORT TO CITY COUNCIL**

**SUBJECT**

Action on Approval of the Spending Plan for the Supplemental Law Enforcement Services Fund and the Related Budget Amendment

**COUNCIL PILLAR**

Deliver and Enhance High Quality Efficient Services and Infrastructure

**BACKGROUND**

In 1996, Assembly Bill 3229 established the Citizen’s Option for Public Safety (COPS) program’s Supplemental Law Enforcement Services Fund (SLESF). The Legislature determined that there was a compelling need for additional resources at the local level for the purpose of ensuring public safety and established the COPS program to advance community policing in all counties. The COPS program awards non-competitive and non-matching grants to law enforcement agencies to fund frontline municipal police services. The City has used these funds in prior years to purchase officer safety and duty equipment, communications equipment and vehicles, among other things, that are all used directly and solely in the provision of frontline police services to the community.

Per Government Code §§ 30061-30063, cities are allocated a proportionate share of COPS funds by the California Department of Finance, through Santa Clara County. Proportionate shares are based on population estimates determined by the California Department of Finance.

This is not a fixed amount grant. Under the standard grant program allocation, the City of Santa Clara is eligible to receive a minimum of \$100,000 annually. Each fall, the California Department of Finance estimates the allocation for each law enforcement agency in the county; the actual amount paid varies from the projection and is unknown until the payment cycle is complete. Monthly distributions are received via wire transfer and the City’s Finance Department deposits these funds into a separate grant account. These distributions are not received in equal installments from month-to-month; therefore, spending over the course of the payment cycle can be unpredictable.

In recent years, the City of Santa Clara has received COPS funding as follows:

Funding Cycle	Minimum Amount to be Allocated	Projected Allocation *	Actual Amount Received **
COP 11 - 12	\$100,000	\$224,246	\$169,674
COP 12 - 13	\$100,000	\$191,055	\$200,160
COP 13 - 14	\$100,000	\$191,913	\$205,650
COP 14 - 15	\$100,000	\$191,446	\$219,432

COP 15 - 16	\$100,000	\$189,093	\$244,542
COP 16 - 17	\$100,000	\$190,585	\$270,027
COP 17 - 18	\$100,000	\$196,976	\$282,165
COP 18 - 19	\$100,000	\$196,976	\$307,179
COP 19 - 20	\$100,000	\$195,075	\$305,734
COP 20 - 21	\$100,000	\$196,119	\$327,071
COP 21 - 22	\$100,000	\$200,298	\$331,035
COP 22 - 23	\$100,000	\$200,980	\$374,141
COP 23 - 24	\$100,000	\$205,975	\$400,959

\*The Projected Allocation column shows the California Department of Finance’s initial estimated grant allocation

\*\*This column reflects the actual amount received by the Police Department.

The COPS/SLESF grant does not have any application or other requirements; the monies are transferred to local entities through the County by operation of law (Government Code §§30061-30063) and are to be expended in accordance with the requirements of those code sections. The Government Code contains the following requirements for a recipient agency:

- The funds shall be used exclusively for front line law enforcement services
- The funds cannot be used to supplant other existing funding sources for general law enforcement services
- The City Council shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the Chief of Police
- Moneys in the fund shall not be transferred to, or intermingled with, the moneys in any other fund in the City treasury, except to the extent necessary to facilitate the appropriation and expenditure of those transferred moneys
- Once the appropriation of the grant funds is made, it cannot be subsequently altered by the City Council
- Administrative overhead costs cannot exceed of 0.5% of the City’s allocation
- The funds cannot be used for a capital or construction project that does not directly support front line law enforcement services

**DISCUSSION**

Santa Clara County’s estimated allocation for front-line law enforcement equipment for FY 2024/25 is \$3,348,985. Based on the January 2024 population estimate of 132,048, the City of Santa Clara expects to receive \$203,918 in COPS funding 0.06% of the available amount for the county and 0.23% of the statewide total (Attachment 1).

In addition, in FY 2023/24, the Police Department received a further allocation for COP24. The original allocation and funding plan were approved by City Council on December 12, 2023 (RTC #23-915) in the amount of \$205,975, with the understanding the Police Department would return to the City Council should additional funds become available. Staff has received \$194,984 in additional funds and recommends recognizing and appropriating these additional funds along with the FY 2024/25 funds for a total of \$398,902.

In accordance with grant requirements, the Police Department hereby requests that the City Council

appropriate existing and anticipated grant moneys to support front line municipal law enforcement services, such as:

- Duty and protective equipment (e.g., helmets, vests, body armor, gas masks, body cameras, etc.)
- Barriers (e.g., portable shields, mobile vehicle barriers, etc.)
- Less lethal equipment (e.g., conducted energy devices, launchers, etc.)
- Surveillance and interception technologies (e.g., devices to collect video evidence, trackers, unmanned aerial vehicles, signal jammers, throwable devices, etc.)
- Services to support operations (e.g. contract for canine training)
- Technology and software (e.g., digital forensic, etc.)

The items listed above are already in use to prevent, combat, and solve crimes in our community; however, many are now due for replacement. Since their original purchase, technological developments and innovative uses by agencies have enhanced these tools’ ability to improve public safety, apprehend criminals, and save lives. Such purchases have not been otherwise budgeted. Staff will ensure that all purchases comply with grant requirements, the City’s procurement policies and Assembly Bill 481 as appropriate.

**ENVIRONMENTAL REVIEW**

This action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

**FISCAL IMPACT**

In September 2024, the City of Santa Clara received official notice from the California Department of Finance that its expected Citizens’ Option for Public Safety allocation for FY 2024/25 is \$203,918. In addition, in FY 2023/24, the Police Department received funding in excess of its FY 2024 allocation by \$194,984. The Department recommends recognizing and appropriating the total \$398,902 in available resources in the Police Operating Grant Trust Fund, as detailed in the table below.

	<b>Budget Amendment FY 2024/25</b>		
	<b>Current Budget</b>	<b>Increase / (Decrease)</b>	<b>Revised Budget</b>
<b>Police Operating Grant Trust Fund</b>			
<u>Revenue</u>			
Grant Funding - COP24	\$0	\$194,984	\$194,984
Grant Funding - COP25	\$0	\$203,918	\$203,918

Expenditures

Citizen's Option for Public Safety FY 2023/2024	\$204,945	\$194,984	\$399,929
Citizen's Option for Public Safety FY 2024/2025	\$0	\$203,918	\$203,918

### **COORDINATION**

This report has been coordinated with the Finance Department, City Attorney's Office and Police Department.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

1. Approve the spending plan for funds received from the Citizen's Option for Public Safety Programs Supplemental Law Enforcement Services Fund; and
2. Approve the following related FY 2024/25 budget amendments in the Police Operating Grant Trust Fund:
  - a. Recognize grant revenue in the amount of \$203,918 and establish a COP25 grant appropriation in the amount of \$203,918 (**five affirmative Council votes required to appropriate additional revenue**); and
  - b. Recognize grant revenue in the amount of \$194,984 and increase the COP24 grant appropriation in the amount of \$194,984 (**five affirmative Council votes required to appropriate additional revenue**).

Reviewed by: Cory Morgan, Chief of Police

Approved by: Jovan D. Grogan, City Manager

### **ATTACHMENTS**

1. Letter from the California Department of Finance with Citizens' Option for Public Safety percentages and allocation