

STAFF REPORT*CITY OF OCEANSIDE*

DATE: May 28, 2014

TO: Honorable Mayor and City Councilmembers

FROM: Police Department

SUBJECT: **ACCEPTANCE OF \$104,627 IN FUNDS FOR SECOND DISBURSEMENT OF THE AB109 ENFORCEMENT**

SYNOPSIS

Staff recommends that the City Council approve acceptance of the second disbursement of \$104,627 in funds from the Board of State and Community Corrections (BSCC) allocated to the City for AB109 enforcement; approve to appropriate these funds to the Police Department; and authorize the City Manager, or designee, to execute all award documents.

BACKGROUND

On January 17, 2012, BSCC provided \$24 million in state funds to front line law enforcement as part of California Assembly Bill 109. On June 5, 2013, City Council accepted \$91,490 as the first disbursement of funds. Oceanside Police Department will now receive funds from the second disbursement for AB 109 enforcement

Under AB109, the burden of monitoring a significant number of convicted felons shifted from state to local law enforcement jurisdictions. Subjects who fall under the provisions of AB109 receive reduced sentences, serve no time in custody or are released from prison early in order to address overcrowding. As of May 2014, the City of Oceanside is monitoring approximately 120 subjects.

ANALYSIS

Each County Chiefs Association has identified one city to act as the fiscal agent. The City of San Diego has received funding for the county, and will distribute the allocated funds to each city. Oceanside Police Department (OPD) will receive \$104,627 from the second disbursement for AB109 enforcement. OPD will use the funds for overtime details to conduct probation checks on AB109 subjects and for investigation and crime suppression details when there is a strong indication that the suspect(s) are AB109 offenders.

The Financial Services Department created business unit account 817131800217 to track revenue and expenditures of these funds. This is an interest-bearing account and the investment income will be expended as it is accrued in a manner consistent with the program guidelines. CPCA does not provide an expiration date on the use of these funds, nor local administrative regulations or requirements for allocation of funds.

FISCAL IMPACT

The City of San Diego will disburse \$104,627 to the City of Oceanside. If there is a negative cash balance at fiscal year-end due to a pending reimbursement from the grantor, the business unit will receive a temporary advance from the OPD general fund that is not to exceed 60 days. There is no matching fund requirement.

The funds will be deposited into the revenue account 817131800217.4376, and appropriated to the business unit for the City's fiscal year 2014-15 as detailed in the following table.

Expenditures	Appropriation	Business Unit
Overtime	\$103,110	817131800217.5120
Fringe Benefits	\$1,517	817131800217.5207
Total Expenditures	\$104,627	
Revenues	Appropriation	Business Unit
Total Revenue Budget	\$104,627	817131800217.4376

INSURANCE REQUIREMENTS

Does not apply.

COMMISSION OR COMMITTEE REPORT

The Police and Fire Commission will review this matter during their next meeting on July 17, 2014.

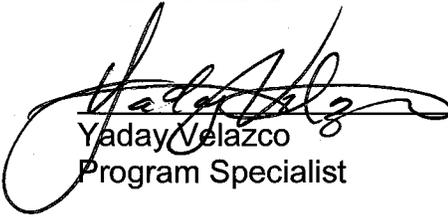
CITY ATTORNEY'S ANALYSIS

City Attorney analysis does not apply.

RECOMMENDATION

Staff recommends that the City Council approve acceptance of the second disbursement of \$104,627 in funds from the Board of State and Community Corrections (BSCC) allocated to the City for AB109 enforcement; approve to appropriate these funds to the Police Department; and authorize the City Manager, or designee, to execute all award documents.

PREPARED BY:

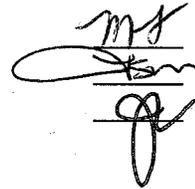

Yaday Velazco
Program Specialist

SUBMITTED BY:


Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Frank McCoy, Police Chief
James Riley, Financial Services Director



EXHIBITS/ATTACHMENTS

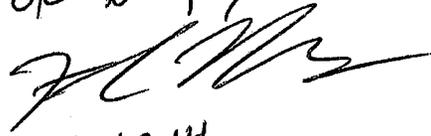
Attachment A – Letter of Notification
Attachment B – Memorandum of Agreement

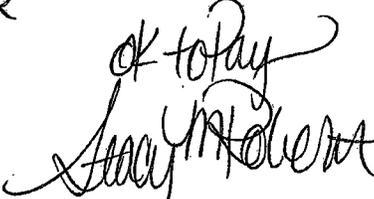
AB 109 Disbursement 2 Allocations By Jurisdiction

Jurisdiction	Recipient	Address	Amount
City of Carlsbad	Gary Morrison (760) 931-2134/2131	2560 Orion Way Carlsbad, CA 92010	\$66,876
City of Chula Vista	David Bejarano (619) 691-5150	315 Fourth Avenue Chula Vista, CA 91910	\$155,451
City of Coronado	Jon Froomin (619) 522-7355	700 Orange Avenue Coronado, CA 92118	\$14,319
County of San Diego	Bill Gore (858) 974-2240	P.O. Box 939062 San Diego, CA 92193-9062	\$561,042
City of El Cajon	Jim Redman (619) 579-3351	100 Civic Center Way El Cajon, CA 92020	\$62,066
City of Escondido	Bob Benton (760) 839-4706	1163 N. Centre City Parkway Escondido, CA 92026	\$90,144
City of La Mesa	Ed Aceves (619) 667-7514/7515	8085 University Avenue La Mesa, CA 91942	\$35,984
City of National City	Manuel Rodriguez (619) 336-4432	1200 National City Blvd. National City, CA 91950	\$36,351
City of Oceanside	Frank McCoy (760) 435-4488	3855 Mission Avenue Oceanside, CA 92058	\$104,627
Total			\$1,126,859

Note: Allocations for Cities of Del Mar, Encinitas, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, Solana Beach, and Vista are included in the County of San Diego allocation

Fund 100000
 CC 1914151101
 G/L 204002

OK to pay

 4-10-14

OK to pay

 4/10/14



THE CITY OF SAN DIEGO

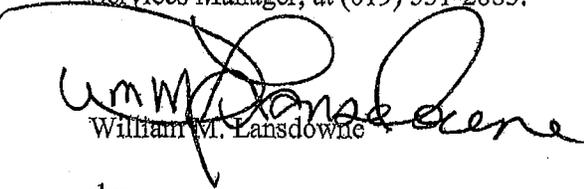
M E M O R A N D U M

DATE: October 23, 2013
TO: Ken Whitfield, City Comptroller
FROM: William M. Lansdowne, Chief of Police
SUBJECT: Disbursement of Assembly Bill (AB) 109 Funds -- 2nd Disbursement

On July 30, 2013, City Council voted to authorize the City of San Diego to serve as the fiscal agent and accept AB 109 funds specifically provided by the California Board of State and Community Corrections to provide enhanced front-line intervention programs. The City of San Diego was also authorized to accept, appropriate, and expend funds specifically provided by the California Board of State and Community Corrections. The City has received the second disbursement of \$1,946,230. The Police Department is to receive \$819,371 and the remainder of \$1,126,859 is to be disbursed to other agencies.

As fiscal agent, the City of San Diego is to distribute pertinent funds to the County of San Diego and the other police agencies within the County of San Diego (Attachment 1), per the Memorandum of Agreement (Attachment 2). I am requesting that your office remit disbursements to each jurisdiction's respective Chief. For cities that contract with the San Diego County Sheriff's Department, funds should be remitted to the County of San Diego, as indicated.

If you require additional information on this issue, please contact Ron Villa, Administrative Services Manager, at (619) 531-2883.


William M. Lansdowne

rhv

Attachments 1. AB 109 Allocations By Jurisdiction
2. Memorandum of Agreement

cc: David Ramirez, Executive Assistant Chief of Police
Jeff Sturak, Financial Management Director
Ron Villa, Administrative Services Manager
Alia Khouri, Supervising Management Analyst

MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF SAN DIEGO, AND PARTICIPATING CITIES IN
THE COUNTY OF SAN DIEGO AND THE COUNTY OF SAN DIEGO, FOR THE
PURPOSE OF DISBURSING CALIFORNIA BOARD OF STATE AND
COMMUNITY CORRECTIONS POLICE GRANT FUNDS AMONGST THE
PARTIES

THIS AGREEMENT, made and entered into this 24 day of June 2013, by and between the City of San Diego, California, herein referred to as FISCAL AGENT, and the cities of Carlsbad, Chula Vista, Coronado, El Cajon, Escondido, National City, La Mesa, and Oceanside, and the County of San Diego, herein after referred to, and all jointly referred to as PARTIES, acting by and through their respective law enforcement agencies, and authorized representative(s) from those agencies,

WHEREAS, the State of California, has recognized the need for state support for city law enforcement due to the steady erosion of funding for city police agencies over the last several years; and

WHEREAS, the California Board of State and Community Corrections (BSCC), in consultation with the California Department of Finance, is authorized to disburse grant funds included in the 2013-14 Governor's Budget specifically to enable front-line law enforcement intervention services; and

WHEREAS, the funding awards were determined on an approved formula-based allocation proposed by the California Police Chiefs' Association based on local need; and

WHEREAS, it is agreed that disbursement of these funds shall be the collective decision of the local enforcement agencies within the county; and

WHEREAS, each authorized agent finds that the performance of this AGREEMENT is in the best interests of all PARTIES, that the undertaking will benefit the public, and that the division of funds fairly allocates amounts to the PARTIES in accordance with the intended purpose of the grant; and

WHEREAS, the PARTIES agree it to be in their best interests to systematically allocate BSCC Police Grant funds, and agree to an allocation based on jurisdictional general citizen population estimates; and

WHEREAS, the PARTIES agree that any additional fund allocation from BSCC or other state entity with similar purpose, for the next 5 years, will be similarly distributed by FISCAL AGENT.

NOW THEREFORE, FISCAL AGENT agrees to distribute from BSCC Police Grant funds received, as follows:

Section 1. The PARTIES agree that fund allocations will be equal to the percentage of population as determined by the California Department of Finance published as of January 1, 2012. (Attachment D)

Section 2. The PARTIES agree that the City of San Diego shall serve as FISCAL AGENT only for the receipt and then disbursement of funds in accordance with this AGREEMENT, and that no other legal relationship or agency is intended.

Section 3. The PARTIES agree to use the BSCC Police Grant funds in accordance with the collective agreement (majority) of the San Diego Police Chiefs' and Sheriff's Association to enable front-line law enforcement intervention services.

Section 4. Nothing in the performance of this AGREEMENT shall impose any liability for claims against the FISCAL AGENT or any PARTY relating to the disbursement and spending of funds.

Section 5. Each of the PARTIES to this AGREEMENT will be responsible for its own actions in the acceptance and disbursement of funds and for providing services under this AGREEMENT, and shall not be liable to each other for any liability that may arise from acts under this AGREEMENT.

Section 6. Each of the PARTIES to this AGREEMENT will be responsible for maintaining official records or documents accounting for the receipt and use of this funding, and shall make available to any state official requesting to review such documents.

Section 7. The PARTIES to this AGREEMENT do not intend for any third party to obtain a right by virtue of this AGREEMENT.

Section 8. By entering into this AGREEMENT, the parties do not intend to create any obligations, expressed or implied, other than those set out herein.

Section 9. The term of this AGREEMENT is intended to be for the one time disbursement of allocated funds, however all PARTIES agree that if additional funding of same or similar from BSCC or other similar state entity, with similar disbursement guidelines, for a period of five years from the date of this AGREEMENT, will be handled in accordance with this AGREEMENT.

Section 10. Any disputes under this AGREEMENT in reference to disbursement shall be adjudicated through the collective (majority) decision of the San Diego Police Chiefs' and Sheriff's Association.

Section 11. The PARTIES further stipulate that the signatory to this AGREEMENT is an authorized agent of the respective jurisdiction and their signature and authority is binding on the jurisdiction.

CITY OF SAN DIEGO, CALIFORNIA

William M. Lansdowne 6/24/13 William M Lansdowne City
SIGNATURE DATE PRINTED NAME AND TITLE

CITY ATTORNEY FOR FISCAL AGENT
APPROVED AS TO FORM AND CORRECTNESS

[Signature] 6/24/13 Down G. [Signature] AGENCY
SIGNATURE DATE PRINTED NAME AND TITLE
CITY
ATTORNEY

[Signatures of PARTIES on following page]

CITY OF CARLSBAD, CALIFORNIA

[Signature]
SIGNATURE DATE 6/17/13

Charles W. Morrison / Chief
PRINTED NAME AND TITLE

CITY OF CHULA VISTA, CALIFORNIA

[Signature]
SIGNATURE DATE 6/13/13

Orlando Botello / Chief
PRINTED NAME AND TITLE

CITY OF CORONADO, CALIFORNIA

[Signature]
SIGNATURE DATE 6/24/13

Blair King, City Manager
PRINTED NAME AND TITLE

CITY OF EL CAJON, CALIFORNIA

[Signature]
SIGNATURE DATE 6/24/13

Jim Redman / Chief
PRINTED NAME AND TITLE

COUNTY SHERIFF OF SAN DIEGO, CALIFORNIA
REPRESENTING LAW ENFORCEMENT FOR
COUNTY OF SAN DIEGO, CALIFORNIA
CITY OF DEL MAR, CALIFORNIA
CITY OF ENCINITAS, CALIFORNIA
CITY OF IMPERIAL BEACH, CALIFORNIA
CITY OF LEMON GROVE, CALIFORNIA
CITY OF POWAY, CALIFORNIA
CITY OF SAN MARCOS, CALIFORNIA
CITY OF SANTEE, CALIFORNIA
CITY OF SOLANA BEACH, CALIFORNIA
CITY OF VISTA, CALIFORNIA

William D. Gore 6/14/13
SIGNATURE DATE

William D. Gore Sheriff
PRINTED NAME AND TITLE

CITY OF ESCONDIDO, CALIFORNIA

[Signature] 6/13/13
SIGNATURE DATE

Cory Nolas / ACT COP
PRINTED NAME AND TITLE

CITY OF LA MESA, CALIFORNIA

[Signature] 6/14/13
SIGNATURE DATE

Ed Aceves, Chief of Police
PRINTED NAME AND TITLE

CITY OF NATIONAL CITY, CALIFORNIA

[Signature]
SIGNATURE DATE

Manuel Rodriguez, Chief of Police
PRINTED NAME AND TITLE

CITY OF OCEANSIDE, CALIFORNIA

[Signature] 6/13/13
SIGNATURE DATE

Frank S. McCoy Chief of Police
PRINTED NAME AND TITLE

Board of State and Community Corrections Fiscal Year 2013/2014 Police Grant Funds
Disbursement 2

Based on Population estimates from Dept. of Finance 1/1/13

City	Law Enforcement Agency	Total Population 01/01/2013	Percentage	FY 13/14 Allocation
Carlsbad	Carlsbad PD	108,246	3.44%	\$66,876
Chula Vista	Chula Vista PD	251,613	7.99%	\$155,451
Coronado	Coronado PD	23,176	0.74%	\$14,319
Del Mar	San Diego Sheriff	4,199	0.13%	\$2,594
El Cajon	El Cajon PD	100,460	3.19%	\$62,066
Encinitas	San Diego Sheriff	60,482	1.92%	\$37,367
Escondido	Escondido PD	145,908	4.63%	\$90,144
Imperial Beach	San Diego Sheriff	26,496	0.84%	\$16,370
La Mesa	La Mesa PD	58,244	1.85%	\$35,984
Lemon Grove	San Diego Sheriff	25,554	0.81%	\$15,788
National City	National City PD	58,838	1.87%	\$36,351
Oceanside	Oceanside PD	169,350	5.38%	\$104,627
Poway	San Diego Sheriff	48,559	1.54%	\$30,001
San Diego	San Diego PD	1,326,238	42.10%	\$819,371
San Marcos	San Diego Sheriff	87,040	2.76%	\$53,775
Santee	San Diego Sheriff	55,033	1.75%	\$34,000
Solana Beach	San Diego Sheriff	12,987	0.41%	\$8,024
Vista	San Diego Sheriff	95,264	3.02%	\$58,856
Balance of County	San Diego Sheriff	492,491	15.63%	\$304,269
Total		3,150,178	100.00%	\$1,946,230

Authorized by Item 5227-102-0001 of the Budget Act 2013

Chapter 20, Statutes of 2013 appropriates \$27.5 million for cities for law enforcement activities.

Wednesday, October 23, 2013

Prepared by: SDPD Administrative Services