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Title: Actions pertaining to the Supplemental Law Enforcement Services Account (SLESA) Grant program and Acquisition of new Military Equipment as required by Government Code sections 7070-7075:
1. ***RESOLUTION - Adopt the 47th Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 appropriating \$1,400,000 in the Supplemental Law Enforcement Services Account (SLESA) to continue supporting front line law enforcement operations in FY 2024 (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)
2. Approve the acquisition of several new pieces of military equipment as required by Government Code sections 7070-7075 in an amount not to exceed \$279,000, to enhance the safety of officers and the community and authorize the Chief of Police or designee to execute all related and necessary documents.

Sponsors: Police Department

Indexes:

Code sections:

Attachments: 1. 24-371 47th Annual Appropriation Resolution 2023-185

Date	Ver.	Action By	Action	Result
3/21/2024	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: PACO BALDERRAMA, Chief of Police
Police Department

BY: BURKE FARRAH, Deputy Police Chief
Administrative Division

BY: MINDY CASTO, Deputy Police Chief
Support Division

SUBJECT

Actions pertaining to the Supplemental Law Enforcement Services Account (SLESA) Grant program and Acquisition of new Military Equipment as required by Government Code sections 7070-7075:

1. ***RESOLUTION - Adopt the 47th Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 appropriating \$1,400,000 in the Supplemental Law Enforcement Services Account (SLESA) to continue supporting front line law enforcement operations in FY 2024 (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)
2. Approve the acquisition of several new pieces of military equipment as required by Government Code sections 7070-7075 in an amount not to exceed \$279,000, to enhance the safety of officers and the community and authorize the Chief of Police or designee to execute

all related and necessary documents.

RECOMMENDATIONS

It is recommended that the City Council authorize the 47th Amendment to the Annual Appropriation Resolution 2023-185 to appropriate \$1,400,000 in carryover into the FY 2024 budget and approve the spending plan; and approve the acquisition of new military equipment as defined by Government Code sections 7070-7075 in an amount not to exceed \$279,000, in accordance with the Fresno Municipal Code requirements, and authorize the Chief of Police or designee to execute all related documents necessary for said acquisition. The Government Code requires new military equipment purchases and acquisitions to be approved by the purchasing agency's governing body.

EXECUTIVE SUMMARY

The Supplemental Law Enforcement Services Account (SLESA) program is used for front-line law enforcement operations. The Fresno Police Department has received SLESA funds from the State of California every year since 1996. Funding amounts were dependent upon the State's receipt of revenue through Vehicle License Fees and any additional growth payments made. Due to the uncertainty of this revenue, the funding for the City of Fresno was not released until January of 2023; therefore, those funds were not included in the FY 2024 budget. The department has developed a spending plan with allowable expenditures that includes equipment, training and operational needs not included in the FY 2024 budget. The spending plan also includes the approval to procure new military equipment as defined under Government Code 7071.

Current California legislation requires all law enforcement agencies in the State of California to obtain their governing body's approval for the funding, acquisition, and use of military equipment. Government Code 7071 specifically defines the types of equipment that approval must be obtained for and mandates annual reporting to the governing body to ensure compliance with California law, the city's municipal code and police department policy.

Of the 15 categories of items defined as military equipment, the equipment currently being requested fall under the two following categories:

1. Category 1 Unmanned, remotely piloted, powered aerial or ground vehicles
2. Category 9 Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Codes § 30510 and §30515, with the exception of standard-issue service weapons.

BACKGROUND

State Citizens Option for Public Safety (COPS) funding is allocated by the State Controller to counties for deposit by the county auditor in a SLESA account established in each county. The county auditor is required to allocate this funding in the county's SLESA within 30 days of the receipt of those moneys from the State Controller.

Funds from the COPS program must be used exclusively to fund frontline municipal police services in accordance with written requests submitted by the chief administrator of the law enforcement agency that provides police services for the city, in this case the Chief of Police. The requests must identify the needs to be addressed and must specify the personnel, equipment, and programs that are

necessary to meet those needs. These funds must supplement existing services, and not be used to supplant any existing funding for law enforcement services.

The program requires the Chief of Police to submit a written spending plan for all new allocations to the City Council for consideration of approval and appropriate sufficient funds into the current fiscal year budget to commence with the expenditure and encumbrance requirements.

The amended plan includes funding toward the purchase of department equipment, training and operational needs not included in the FY 2024 budget; and the new pieces of military equipment.

Purchases under the Government Code:

- Unmanned Aerial Vehicles (UAV's): The Department is requesting the purchase of a total of 37 Unmanned Aerial Vehicles (UAV's) or drones with grant funding designated for this purchase. 13 of the requested UAV's are intended to satisfy the Organized Retail Theft (ORT) grant agreement and 24 are intended to upgrade the UAV fleet assigned to patrol, SWAT and other special assignments. The original UAV's were purchased around 2019 and are reaching the end of useful life. As new UAV's are brought online, existing UAV's will eventually transition into a training and back-up fleet. UAV's are useful for indoor and outdoor searches, locating suspects, recovering evidence and obtaining officer safety information before enforcement action is taken by officers. All FAA laws and regulations will be adhered to.
- Robot: In 2023, the Explosives Ordinance Disposal (EOD) team purchased a portable x-ray machine with donated funds to more quickly and safely examine suspicious objects (e.g., old ordinance, apparent pipe-bombs) and packages. The portability of the x-ray machine has served to save numerous hours of overtime during call-out situations, because EOD technicians can deploy it without conducting a full call out of the EOD truck and full-size robots. Currently, the x-ray machine is being deployed by an EOD technician wearing a bomb suit. To further enhance safety for EOD members and the public, a small, portable ICOR Mini-Caliber robot is being requested to deploy the x-ray machine remotely.
- MD11 Sniper Rifles: Approval to purchase five MD11 .308 rifles is being requested to replace the team's current aged sniper rifles. Sniper rifles are used to engage lethal threats with precision optics when necessary to preserve life from lethal threats. The existing rifles would be maintained for back-up and training purposes.

ENVIRONMENTAL FINDINGS

This is not a "project" for the purposes of CEQA, pursuant to CEQA Guidelines Section 15378.

LOCAL PREFERENCE

Local preference was not considered because accepting grant funds does not include a bid or award of a construction or service contract; and not implemented as this is only a request to approve the initiation of the purchase process.

FISCAL IMPACT

Approval of the proposed SLESA spending plan will result in a 'savings' since the items funded are essential to police operations and would have to be "General Fund" funded otherwise. There is no match for this grant project and funds are received in advance, deposited into an interest-bearing account, where accrued interest is used to support the same objectives of the grant's approved spending plan.

Attachment:

47th Annual Appropriation Resolution No. 2023-185