



# CITY COUNCIL STAFF REPORT



**November 14, 2023**

## **ITEM TITLE**

Agreement: Approve Modifications to the Agreement with the San Diego Association of Governments for the Proposition 64 Public Health and Safety Grant Program

**Report Number:** 23-0300

**Location:** No specific geographic location

**Department:** Police

**Environmental Notice:** The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

## **Recommended Action**

Adopt a resolution approving a modified agreement with the San Diego Association of Governments for the Proposition 64 Public Health and Safety Grant Program.

## **SUMMARY**

On July 25, 2023, the City Council approved an agreement with San Diego Association of Governments (SANDAG) to provide program evaluation services for the Proposition 64 Public Health and Safety Grant Program. Since then, SANDAG has requested modifications to the agreement, which require City Council approval.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable.

## DISCUSSION

In May 2021, the Police Department received Proposition 64 Public Health and Safety (Prop 64 PH&S) Grant Program funding in the amount of \$1,000,000 (over a three-year project period) to address local impacts due to the legalization of adult-use recreational cannabis in California. The Prop 64 PH&S grant is funded through the California State and Local Government Law Enforcement Account and administered by the Board of State and Community Corrections (BSCC). In December 2022, the Police Department applied for another round of Prop 64 PH&S funding and received notice of \$2,708,250 funding to cover a five-year period.

On July 25, 2023, the City Council accepted Prop 64 PH&S Grant and approved an agreement with SANDAG to provide program evaluation services for the grant program. Since then, SANDAG has requested modifications to the agreement, which require City Council approval.

The unexecuted form of agreement with SANDAG that was approved by the City Council on July 25, 2023 now includes redline markup of proposed modifications as outlined in Attachment 1.

The Prop 64 PH&S award covers a 5-year project period of May 1, 2023 to April 30, 2028. When the project activity period ends April 30, 2028, the 6-month period of May 1, 2028 to October 31, 2028 is for completion of Final Local Evaluation Report (conducted by SANDAG).

## DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

## CURRENT-YEAR FISCAL IMPACT

There is no current-year fiscal impact of accepting the modified agreement with SANDAG. Budget appropriations relating to the Proposition 64 Public Health and Safety Grant were processed as a result of Council Resolution 2023-103 approved on July 25, 2023.

## ONGOING FISCAL IMPACT

Because the grant period covers multiple fiscal years, subsequent budgets will include allocations as outlined in the chart below. Personnel costs for the associated Peace Officer position beyond the grant period (ending 4/30/2028) are contingent upon additional grant funding or available City funds. To retain this Officer position, the estimated fiscal impact is \$32,458 in FY 2027-28, and \$209,229 in FY 2028-29.

CATEGORY	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28	FY 28/29	5-YEAR TOTAL
Officer Salaries and Benefits	\$32,458	\$180,741	\$189,778	\$199,267	\$176,771		\$779,015
Overtime	\$101,093	\$78,825	\$78,825	\$78,825	\$78,825		\$416,393
Diversion/Intervention (SBCS)	\$84,835	\$171,356	\$175,468	\$182,624	\$190,019		\$804,302

<b>CATEGORY</b>	<b>FY 23/24</b>	<b>FY 24/25</b>	<b>FY 25/26</b>	<b>FY 26/27</b>	<b>FY 27/28</b>	<b>FY 28/29</b>	<b>5-YEAR TOTAL</b>
Program Evaluation (SANDAG)	\$87,135	\$37,755	\$37,755	\$37,755	\$37,755	\$6,845	<b>\$245,000</b>
Travel & Training	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000		<b>\$50,000</b>
Update/Repair Surveillance Van	\$85,000						<b>\$85,000</b>
Level 3 Body Armor	\$50,000						<b>\$50,000</b>
Vehicle Trackers, Cameras, Laptops	\$67,000						<b>\$67,000</b>
Detective Vehicle	\$50,000						<b>\$50,000</b>
Covert Vehicle Cameras	\$42,000						<b>\$42,000</b>
Indirect Costs	\$13,356	\$25,956	\$26,860	\$27,809	\$25,559		<b>\$119,540</b>
<b>TOTAL BSCC FUNDING</b>	<b>\$622,877</b>	<b>\$504,633</b>	<b>\$518,686</b>	<b>\$536,280</b>	<b>\$518,929</b>	<b>\$6,845</b>	<b>\$2,708,250</b>
Fiscal Impact - Officer Salaries and Benefits after 4/30/2028					\$32,458	\$209,229	

## **ATTACHMENTS**

1. Redline Modifications to Form of Agreement with San Diego Association of Governments to provide program evaluation services for the Proposition 64 Public Health and Safety Grant Program
2. Exhibit D of SANDAG agreement – BSCC Prop 64 Cohort 3 Grant Proposal

*Staff Contact: Chief Roxana Kennedy, Police Department  
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