

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: April 28, 2015

**SUBJECT: AUTHORIZE AND APPROPRIATE THE ACCEPTANCE OF STATE AB 109 FUNDS IN THE AMOUNT OF \$126,907 TO FUND THE COST OF A NEW POLICE OFFICER TO PROVIDE COORDINATED SUPPORT OF AB 109 LAW ENFORCEMENT ACTIVITIES**

**Report in Brief**

This report requests Council approval of a contract with Contra Costa County Police Chief's Association to implement the AB 109 budget proposal submitted by the Contra Costa County Police Chief's Association (CCCPCA) to provide coordinated support of AB 109 related mental health law enforcement activities and requests that Council authorize the City Manager to execute the agreement. The contract will provide \$126,907 in funds to fund the costs of one full-time police officer to provide support of the AB 109 requirements in the City of Concord. Staff recommends the City Council adopt Resolution No. 15-30 approving the contract.

**Background**

“Realignment” is a shift of governmental responsibilities from state government to local government and dedicates a share of state revenues to support local efforts. In 2011, the California Legislature passed, and the Governor signed into law, the Public Safety Realignment Act (Assembly Bill 109), which transfers responsibility for supervising specific low-level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. Assembly Bill 109 (AB 109) took effect on October 1, 2011 and realigns three major areas of the criminal justice system. On a prospective basis, the legislation:

- Transfers the location of incarceration for lower-level offenders (specified non-violent, non-serious, non-sex offenders) from state prison to local county jail and provides for an expanded role for post-release supervision for these offenders;
- Transfers responsibility for post-release supervision of lower-level offenders (those released from prison after having served a sentence for a non-violent, non-serious, and non-sex offense) from the state to the county level by creating a new category of supervision called Post-Release Community Supervision (PRCS);
- Transfers the housing responsibility for parole and PRCS revocations to local jail custody.

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AB 109 also tasked the local Community Corrections Partnership (CCP) with recommending to the County Board of Supervisors a plan for implementing criminal justice realignment. The Board of Supervisors adopted the Contra Costa County Realignment Plan on October 4, 2011, as recommended by the Executive Committee of the CCP. The Executive Committee of the CCP is composed of the County Probation Officer (Chair), Sheriff-Coroner, a Chief of Police (represented by the Richmond Police Chief), District Attorney, Public Defender, Presiding Judge of the Superior Court or designee (represented by the Court Director of Business Planning, Information and Programs), and County Behavioral Health Director.

**Discussion**

The Contra Costa County Police Chief's Association submitted a budget proposal for the addition of 3.0 FTE police officer positions to provide a coordinated support of AB 109 related mental health law enforcement activities. Those positions will be allocated to the Cities of Richmond, Concord, and Pittsburg. The aggregate amount of the budget submitted by County Chief's Association is \$380,721. Each city will receive \$126,907.

The Concord Police Department will partner with the Contra Costa County Health Services-Behavioral Health Division to implement a Mental Health Evaluation Team (MHET). A CPD officer will work with a CCC Behavioral Health Clinical Specialist in the field to conduct welfare checks on specific individuals who have been identified as having serious and persistent mental illness (SPMI) as well as individuals who have been placed on multiple WI 5150's (danger to themselves or others) in the last 12 months, have a history of violence, access and use of weapons/firearms and/or have had multiple calls for service with the police department. This team will offer these individuals brief treatment, safety planning, and linkage to appropriate mental health services.

**Fiscal Impact**

There is a minor fiscal impact. The cost of a full time officer with benefits at the entry level is \$140,000. The police department will absorb the salary difference of \$13,000 over the amount of the AB109 monies. All onetime costs (vest, etc.) will be absorbed by the police department. This will increase the PD's staffing from 152 to 153. Should the AB109 funding end, the department will return back to its allotted budget of 152 positions.

**Public Contact**

Posting of the Council Agenda

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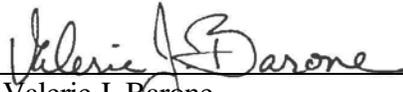
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**Recommendation for Action**

Staff recommends the City Council adopt Resolution No. 15-30 authorizing the execution of a contract between the City of Concord and Contra Costa County to provide coordinated support of AB 109 law enforcement requirements in the amount of \$126,907 for a new full-time police officer; and authorize the City Manager to execute the agreement.

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Chief of Police  
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Enclosures:

Attachment 1 – Resolution No. 15-30

**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution to Authorize and Appropriate the  
Acceptance of State AB 109 Funds in the Amount of  
\$126,907 to fund the Cost of One Police Officer to  
Provide Coordinated Support of AB 109 Law  
Enforcement Activities**

**Resolution No. 15-30**

**WHEREAS** Governor Jerry Brown signed AB 109, which realigns a number of state programs and responsibilities to the local level; and

**WHEREAS** the Contra Costa County Police Chief's Association submitted a budget proposal to provide coordinated support of AB 109 related mental health law enforcement activities; and

**WHEREAS**, the Contra Costa County Police Chief's Association budget proposal is for the addition of 3.0 FTE police officer positions to be allocated to the Cities of Richmond, Concord, and Pittsburg; and

**WHEREAS**, authorization of the contract with Contra Costa County Police Chief's Association will represent a savings of \$126,907 to the Police Department general fund budget for Fiscal Year 2015-16; and

**WHEREAS**, the City Council has approved the recommendation of the City Manager and City staff with regard to authorizing the execution of a contract between the City of Concord and the Contra Costa County Police Chief's Association to provide coordinated support of AB 109 mental health law enforcement requirements.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES  
RESOLVE AS FOLLOWS:**

**Section 1.** The City Council approves the execution of a contract between the City of Concord and the Contra Costa County Police Chief's Association to provide coordinated support of AB 109 mental health law enforcement requirements and authorizes the City Manager to execute the agreement.

**Section 2.** The City Council thereby authorizes the acceptance of the \$126, 907 related grant funds and appropriation of the funds to provide the cost of one additional full-time police officer for

1 Fiscal Year 2015-16.

2 **Section 3.** This resolution shall become effective immediately upon its passage and adoption.

3 **PASSED AND ADOPTED** by the City Council of the City of Concord on April 28, 2015, by  
4 the following vote:

5 **AYES:** Councilmembers -

6 **NOES:** Councilmembers -

7 **ABSTAIN:** Councilmembers -

8 **ABSENT:** Councilmembers -

9 **I HEREBY CERTIFY** that the foregoing Resolution No. 15-30 was duly and regularly  
10 adopted at a regular meeting of the City Council of the City of Concord on April 28, 2015.

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Joelle Fockler, CMC  
City Clerk

15 **APPROVED AS TO FORM:**

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Mark S. Coon  
City Attorney