



ITEM NO. 11

STAFF REPORT

CITY OF OCEANSIDE

DATE: October 16, 2013

TO: Honorable Mayor and City Councilmembers

FROM: Police Department

SUBJECT: **APPROVAL TO ACCEPT \$219,578 IN GRANT FUNDS FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR DUI AND TRAFFIC ENFORCEMENT PROGRAMS**

SYNOPSIS

Staff recommends that the City Council accept \$219,578 in grant funds from the California Office of Traffic Safety awarded to the City of Oceanside for DUI Checkpoints and Traffic Enforcement Programs; approve the grant budget; appropriate the funds to the Police Department; and authorize the City Manager, or designee, to execute the grant documents.

BACKGROUND

In January 2013 the Oceanside Police Department (OPD) submitted a grant application to the California Office of Traffic Safety (OTS) and the University of California Berkeley (UC Berkeley) Safe Transportation Research & Education Center for the Selective Traffic Enforcement Program and the Sobriety Checkpoint Grant Program. In May 2013, OTS notified OPD that the grant application had been accepted for funding of \$108,450 for the Sobriety Checkpoint Grant Program and \$111,128 for the Selective Traffic Enforcement Program. The grant funds are to be expended during the grant period of October 1, 2013 through September 30, 2014. OTS will be administering the Selective Traffic Enforcement Program, and has assigned UC Berkeley to administer the Sobriety Checkpoint Grant Program.

ANALYSIS

The goal of this grant program is to decrease the number of fatal, injury, and hit-and-run collisions within the City of Oceanside by targeting the repeat DUI offenders who violate probation or fail to appear in court, and distracted drivers and motorcyclists who operate their vehicles unsafely. The strategies are designed to earn media attention thus enhancing the overall deterrent effect.

The Police Department's Traffic Services Unit has a long and successful history of working with the OTS with the goal of making Oceanside's streets safer. This grant will

allow the Department to continue its efforts in removing DUI drivers from our roads, and holding drivers and motorcyclists accountable for operating their vehicles safely in the City limits.

FISCAL IMPACT

The Police Department plans to use the funds for the following projects within the Field Operations Division:

- Funding of \$99,000 for overtime and benefits for 10 DUI Checkpoints.
- Funding of \$9,450 for checkpoints supplies.
- Funding of \$107,128 for DUI driver enforcement operations such as warrant, stakeout and court sting operations; and traffic enforcement operations such as motorcycle, distracted driver, and general traffic enforcement.
- Funding of \$4,000 for related conference travel expenses.

OTS and UC Berkeley will reimburse the City of Oceanside for overtime worked by officers on specific operations, travel to conferences and seminars, educational items, and supplies purchased during each quarter. Administrative costs are not reimbursable under the conditions of this grant. There is no requirement for matching funds from the City of Oceanside.

The appropriations by business unit and object code are detailed below. Due to each grant program being administered by two separate entities, there are separate business units for the Sobriety Checkpoint Grant Program and the Selective Traffic Enforcement Program. 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 general fund that is not to exceed 60 business days.

Sobriety Checkpoint Grant Program – UC Berkeley 2013-14	Appropriation	Business Unit/Object Code
Overtime for DUI Operations	\$97,564	817133200273.5120
Benefits for Overtime	\$1,436	817133200273.5207
DUI Checkpoint Supplies	\$9,450	817133200273.5330
Total Expenditures	\$108,450	
Total Revenue	\$108,450	817133200273.4382

Selective Traffic Enforcement Program - OTS 2013-14	Appropriation	Business Unit/Object Code
Overtime for Operations	\$105,595	817133500273.5120
Benefits for Overtime	\$1,533	817133500273.5207
Travel & Conference Expenses	\$4,000	817133500273.5345
Total Expenditures	\$111,128	
Total Revenue	\$111,128	817133500273.4382

COMMISSION OR COMMITTEE REPORT

The Police and Fire Commission will be advised of this matter at its regular meeting on October 17, 2013.

CITY ATTORNEY'S ANALYSIS

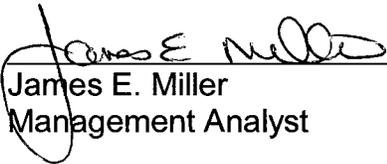
The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council accept \$219,578 in grant funds from the California Office of Traffic Safety awarded to the City of Oceanside for DUI Checkpoints and Traffic Enforcement Programs; approve the grant budget; appropriate the funds to the Police Department; and authorize the City Manager, or designee, to execute the grant documents.

PREPARED BY:

SUBMITTED BY:


James E. Miller
Management Analyst


Peter A. Weiss
City Manager

REVIEWED BY

Michelle Skaggs-Lawrence, Deputy City Manager
Frank S. McCoy, Chief of Police
Michael Blazenski, Interim Financial Services Director



STATE OF CALIFORNIA

EDMUND G. BROWN JR., GOVERNOR

OFFICE OF TRAFFIC SAFETY

2208 KAUSEN DRIVE, SUITE 300
ELK GROVE, CA 95758

www.ots.ca.gov

(916) 509-3030

(800) 735-2929 (TT/TDD-Referral)

(916) 509-3055 (FAX)



May 16, 2013

Grant No. PT1419

Yaday Velazco
Program Specialist
Oceanside Police Department
3855 Mission Avenue
Oceanside, CA 92058

Dear Ms. Velazco:

Congratulations! Through a competitive process, the Office of Traffic Safety (OTS) has tentatively approved your funding request for the proposal titled "Selective Traffic Enforcement Program" in the amount of approximately \$111,128.00.

Your OTS Coordinator will contact you, to discuss your proposal and explain the Grant Agreement process. It is our goal to have all new grants start no later than October 1, 2013. If approval from a City Council or the Board of Supervisors is required, you should begin that process now. Do not incur grant reimbursable costs prior to the receipt of your official approval packet from OTS or before your grant start date.

OTS will initiate a statewide media news release regarding 2014 proposals selected for funding. Your agency *should not* publically announce this tentative award until the grant agreement is fully negotiated and signed by OTS.

Again, congratulations on the success of your proposal. If you have any questions, please contact Julie Schilling, Regional Coordinator, at (916) 509-3018 or e-mail at julie.schilling@ots.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Chris Murphy".

CHRISTOPHER J. MURPHY
Director

JS:kn



The Regents of the University of California
 School of Public Health, Berkeley,
 with Primary Funding from the
 California Office of Traffic Safety

GRANT NUMBER
SC14291

GRANT

1. Title of Program

SOBRIETY CHECKPOINT GRANT PROGRAM FOR 2013-2014

2. Name of Applicant Agency

OCEANSIDE, CITY OF

4. Period of Grant

Month - Day - Year

From: 10/01/13

To: 09/30/14

**3. University of California Berkeley, Safe Transportation Research and Education Center
 DAVID RAGLAND, PRINCIPAL INVESTIGATOR, UC BERKELEY SAFE TRANSPORTATION
 RESEARCH AND EDUCATION CENTER**

5. Description of Program

The goal of the Sobriety Checkpoint Grant Program for 2013-2014 is to reduce the number of victims killed and injured in alcohol-involved crashes in participating cities. The period of this grant contract ("contract"), October 01, 2013 to September 30, 2014, encompasses two national mobilization periods: the Winter Holiday Mobilization period, December 13, 2013 - January 01, 2014, and the Labor Day Mobilization period, August 15, 2014 - September 01, 2014. The **Oceanside Police Department** will conduct sobriety checkpoints in **Oceanside** in accordance with this contract. The contract includes the attached Schedule A - Descriptions, Schedule B - Detailed Budget Estimate, Schedule B-1 - Budget Narrative, and Schedule C - Terms and Conditions.

6. Federal Funds Allocated Under This Grant Shall Not Exceed:

\$108,450.00

7. Approval Signatures (By signing this page, Agency agrees to the terms and conditions which follow and are attached)

A. The Regents of the University of California Authorized Signature

Name: David Ragland **Phone:** (510) 642-0655

Title: Director, SafeTREC **Fax:** (510) 643-9922

Address: UC Berkeley
 Safe Transportation Research and Education Center
 2614 Dwight Way #7374
 Berkeley, CA 94720-7374

Email: davidr@berkeley.edu

 (Signature)

 (Date)

B. Authorizing Official For Applicant Agency

Name: Frank S. McCoy **Phone:** (760) 435-4488

Title: Chief of Police **Fax:** (760) 435-4477

Address: 3855 Mission Avenue
 Oceanside, CA 92058

Email: FMcCoy@ci.oceanside.ca.us

 (Signature)

 (Date)

C. Agency Office Authorized to Receive Payments

Agency: Oceanside, City of **Phone:** (760) 435-3839

Office: Finance Department

Address: 300 North Coast Highway
 Oceanside, CA 92054

Tax ID #: 95-1688570

Contact Person: Michael Blazenski

Email: mblazenski@ci.oceanside.ca.us

D. Optional: Individuals Authorized to Sign Claims (in addition to the Authorizing Official For Applicant Agency)

Name: Thomas Aguigui **Title:** Captain

 (Signature)

 (Date)

Name: Ray Bechler **Title:** Captain

 (Signature)

 (Date)

**Schedule A - Description
Sobriety Checkpoint Grant Program for 2013-2014**

GOALS

1. To reduce the number of victims killed in alcohol-involved crashes.
2. To reduce the number of victims injured in alcohol-involved crashes.
3. To reduce nighttime (2100 hours to 0259 hours) fatal crashes.
4. To reduce nighttime (2100 hours to 0259 hours) injury crashes.
5. To reduce hit and run fatal crashes.
6. To reduce hit and run injury crashes.

AGENCY OBJECTIVES

1. To conduct a total of 10 sobriety checkpoints by September 30, 2014 (should be a minimum of one checkpoint per mobilization).

NOTE: If a department elects to combine a Driver License (DL) checkpoint with a sobriety checkpoint, the department should: 1) inform the public (via the press release) that driver licenses will be checked and 2) conduct DUI/DL checkpoint operations with signs reading, "DUI/Driver License Checkpoint Ahead".

To better identify and apprehend drug-impaired drivers in addition to alcohol-impaired drivers, it is highly recommended that all personnel assigned to staff the greeting lane of the checkpoint be Drug Recognition Experts (DREs) and/or Advanced Roadside Impaired Driving Enforcement (ARIDE) trained sworn officers. At the very minimum, all officers contacting drivers in the greeting lane should be National Highway Traffic Safety Administration (NHTSA) Standardized Field Sobriety Test (SFST) trained and certified.

To maximize effectiveness, checkpoint operations may be conducted at more than one location on any evening. Each checkpoint should be highly publicized and visible. **The Office of Traffic Safety (OTS) does not fund or support independent DL checkpoints.**

Only on an exception basis and with OTS pre-approval will OTS fund checkpoint operations that begin prior to 1800 hours. When practicable it is recommended that checkpoint operations run until 0300 hours.

2. If appropriate, a supervisor(s) should attend OTS-sponsored "DUI Checkpoints - Planning and Management" eight-hour, POST-certified training by December 31, 2013. Officers are encouraged to attend this training as well.
3. To collect and report checkpoint statistics on-line for checkpoints conducted during the Winter and Labor Day mobilization periods and submit the data by the deadlines established by the Safe Transportation Research and Education Center (SafeTREC).
4. To collect and report checkpoint statistics on-line for checkpoints conducted outside the mobilization periods and to submit the data by the end of the applicable quarter(s).

**Schedule A - Description (continued)
Sobriety Checkpoint Grant Program for 2013-2014**

MEDIA OBJECTIVES

1. After the statewide kick-off press event, issue a press release announcing the kick-off of this grant, using the OTS kick-off press release template provided by SafeTREC.
2. During the mobilization periods (December 13 - January 1 and August 15 - September 1), if an AVOID media campaign is active in the county, grantee should notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator should issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.
3. For each checkpoint operation, grantee should distribute a separate press release using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, grantee should forward press releases, media advisories, alerts and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, grantee should submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review. Optimum lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to SafeTREC. For post-operational media communications that report the results of checkpoints, grantee does not need to have the release approved by OTS.
4. Grantee should use OTS's tagline "Report Drunk Drivers. Call 911" on all news releases and checkpoint publication materials.
5. To use the following standard language in all press, media, and printed materials: "Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration."
6. Grantee should issue to the media a post-operational news release reporting the results of the checkpoint (do not submit to OTS media communications reporting the results of checkpoints). Any drug-impaired driving arrests (23152(a)) and other drug arrests (possession, transportation, for sale) made as the result of the checkpoint operation should be incorporated into the post-operational media release.

METHOD OF PROCEDURE

Phase I: Program Preparation (October 1, 2013 – December 12, 2013)

1. Review the contract to ensure compliance with contract provisions.
2. Notify SafeTREC of any changes in contact information. The contract, purchase order number, and Fact Blasts are emailed to the contact person listed in the agency application.
3. Attend OTS-sponsored "DUI Checkpoints – Planning and Management" eight-hour, POST-certified training by December 31, 2013.
4. Plan checkpoint staffing, e.g., supervisors, officers, clerical staff, or community service officers as needed to staff each sobriety checkpoint on an overtime basis.
5. Send a written request to SafeTREC to seek approval of any changes to grant funded work or deliverables.
6. Order grant approved checkpoint supplies, if applicable.

Schedule A - Description (continued)
Sobriety Checkpoint Grant Program for 2013-2014

Phase II: Mobilization (December 13, 2013 – January 1, 2014 and August 15, 2014 – September 1, 2014)

7. After the statewide kick-off press event in December, grantee should issue a press release announcing the kick-off of this grant using the OTS kick-off press release template provided by SafeTREC.

8. If an AVOID media campaign is active in the county, grantee should notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator should issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.

9. For each checkpoint operation, grantee should distribute a separate press release using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, grantee should forward press releases, media advisories, alerts, and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, grantee should submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review. Optimum lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to SafeTREC. For post-operational media communications that report the results of checkpoints, grantee does not need to have the release approved by OTS.

10. Use OTS's tagline, "Report Drunk Drivers. Call 911" on all news releases and checkpoint publication materials.

11. Conduct roll call training. Roll call training costs are not reimbursable.

12. To better identify and apprehend drug-impaired drivers in addition to alcohol-impaired drivers, it is highly recommended that all personnel assigned to staff the greeting lane of the checkpoint be Drug Recognition Experts (DREs) and/or Advanced Roadside Impaired Driving Enforcement (ARIDE) trained sworn officers. At the very minimum, all officers contacting drivers in the greeting lane should be NHTSA SFST trained and certified.

13. Begin the checkpoint no earlier than 1800 hours and if possible and practicable, operate the checkpoint until 0300 hours.

14. Conduct the last checkpoint no later than September 30, 2014.

Phase III: Post Operational Data Reporting (at the end of each mobilization period and each applicable calendar quarter)

15. Submit post-operational data on-line for checkpoints conducted during the Winter Holiday and Labor Day mobilizations. Submit data by the SafeTREC deadlines.

16. Submit post-operational data on-line for checkpoints conducted outside the mobilization periods. Submit the data by the end of the applicable quarter. If multiple checkpoints are conducted during the quarter, summarize (total) the checkpoint statistics.

17. Issue to the media a post-operational news release reporting the results of the checkpoint. Any drug-impaired driving arrests (23152(a)) and other drug arrests (possession, transportation, for sale) made as the result of the checkpoint operation should be incorporated into the post-operational media release.

Phase IV: Claim Submission (at the end of the applicable calendar quarter)

18. Compile actual overtime and checkpoint supply costs incurred for operating the grant-funded checkpoints.

19. Download the claim form from the SafeTREC web site at:
http://www.safetrec.berkeley.edu/checkpointgrants/2013_2014checkpoint.html

20. Complete the claim form for the applicable quarter in accordance with Schedule B – Detailed Budget Estimate and Schedule B-1 – Budget Narrative.

21. Mail the claim forms for the quarter, with the required supporting documentation (specified in Schedule B-1) to SafeTREC following the end of the applicable calendar quarter.

**Schedule B - Detailed Budget Estimate
Sobriety Checkpoint Grant Program for 2013-2014**

The Oceanside, City of will conduct a total of 10 sobriety checkpoints in Oceanside as described in Table B below.

Table B

	Number of Checkpoints	Cost Per Checkpoint	Total Cost
Winter Holiday Mobilization, December 13, 2013 – January 01, 2014 (should be a minimum of one checkpoint)	1	\$9,900.00	\$9,900.00
Labor Day Holiday Mobilization, August 15, 2014 – September 01, 2014 (should be a minimum of one checkpoint)	1	\$9,900.00	\$9,900.00
Number of checkpoints outside the mobilization periods	8	\$9,900.00	\$79,200.00
Total Number of Checkpoints	10	Maximum Reimbursable Amount for Checkpoints	\$99,000.00

The cost per checkpoint includes overtime benefits. Only actual benefits accrued from overtime hours will be covered (e.g., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

Maximum Reimbursable Amount for Checkpoint Supplies	\$9,450.00
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Only OTS-approved supplies will be reimbursed. The prices of supplies will be reimbursed in accordance with policies established by the OTS.

Grant Total Amount (Maximum Reimbursable Amount for Checkpoints + Maximum Reimbursable Amount for Checkpoint Supplies)	\$108,450.00
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**Schedule B-1 - Budget Narrative
Sobriety Checkpoint Grant Program for 2013-2014**

Oceanside, City of will be reimbursed for overtime personnel costs and checkpoint supplies to conduct the checkpoints.

Overtime reimbursement will reflect actual costs (overtime hourly rate and overtime benefit rates) of the personnel conducting the appropriate operation(s) up to the amount of the approved cost per checkpoint and the grant total stated in Schedule B- Detailed Budget Estimate. Only actual benefits accrued from overtime hours will be covered (e.g., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

Budgeted grant activities will be conducted by personnel on an overtime basis; supplanting is not allowable. The grant covers only the costs of police department personnel. Grants do not cover contractual services. Grant-funded operations may be conducted by personnel such as an officer, sergeant, corporal, deputy, community service officer, dispatcher, clerical/administrative, etc. depending on the titles used by the agency. Personnel will be deployed as needed to accomplish the grant goals and objectives. Administrative/clerical personnel are allowable only if they worked on the checkpoint operation, e.g., to process the larger than normal volume of citations, towing records, and arrest/incident reports. These reports must be a result of the operation and required to be processed quickly for distribution to the courts and the District Attorney's Office, or to meet statutory time limits. Clerical overtime incurred before the checkpoint or more than one business day after the last day of the checkpoint is not allowable. Costs for preparing claims are not reimbursable.

OTS-approved checkpoint supplies (cones, signage, vests, PAS devices/supplies and lighting equipment) are reimbursable provided that: 1) the total cost of supplies, including tax and shipping, does not exceed the awarded amount specified in Schedule B; and 2) the unit prices of checkpoint supplies do not exceed OTS-established unit costs. Download the Checkpoint Supply Policy from the SafeTREC website to ensure compliance of checkpoint supply purchases. Other direct costs are not reimbursable, except for OTS-approved checkpoint supplies.

Indirect costs are not reimbursable.

Reimbursements are contingent upon the following (exceptions must be approved by SafeTREC):

- i. The applicable post-operational data have been submitted using SafeTREC's on-line reporting system.
- ii. The claim form is correctly filled out, using the SafeTREC Excel-based form.
- iii. The claim amounts do not exceed the limits set forth in *Schedule B - Detailed Budget Estimate*.
- iv. The information in the overtime slips and the ledger report are consistent and fully support the claim.
- v. A ledger report(s) supporting the claim amount is attached to the claim. Only source documents are accepted to support the claim amount. Explanatory documentation such as spreadsheets may be submitted to provide additional information but cannot be accepted in lieu of a ledger report(s).
- vi. An invoice(s) for the amount of checkpoint supplies is attached to the claim. The invoice must contain a sufficient description of the purchased item(s), quantity, and unit cost.
- vii. The claim is signed by the Authorizing Official (Box B of the grant cover page) or Individuals Authorized to Sign Claims (Box D) as designated in the grant cover page.
- viii. Changes in the Authorizing Official For the Applicant Agency or the designation of any other additional individual(s) to sign claims are documented in accordance with SafeTREC documentation requirements.
- ix. The final claim is submitted no later than October 31, 2014.

**Schedule C - Terms and Conditions
Sobriety Checkpoint Grant Program for 2013-2014**

A. INDEMNIFICATION

Applicant Agency agrees to indemnify, defend, and save harmless the State of California, its officers, agents, and employees, the Regents of the University of California, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this contract, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by Applicant Agency in the performance of this contract.

B. GOVERNING LAW

This Contract shall be governed by and construed in accordance with the laws of the State of California.

C. NON-ASSIGNABILITY

The obligations of the applicant agency under this Contract are not assignable to any third party.

D. USE OF UNIVERSITY NAME/TRADEMARKS

Applicant Agency shall not use the name of the University of California, or any abbreviation thereof, or any name of which "University of California" is a part, or any trademarks of the University, in any commercial context, such as may appear on products, in media (including web sites) and print advertisements in cases when such use may imply an endorsement or sponsorship of the Applicant Agency, its products, or services. All uses of the University's name and trademarks, therefore, must first receive prior written consent of The Regents of the University of California through the Office of Marketing & Business Outreach. This policy is in compliance with the State of California Education Code Section 92000.

E. TERMINATION

Each party has the right to suspend, terminate or abandon the execution of any work by the Applicant Agency without cause at any time upon giving prior written notice. In the event that this contract is suspended, terminated, or abandoned, the Regents of the University of California shall pay the Applicant Agency for services provided hereunder prior to the effective date of said suspension, termination, or abandonment. Said payment shall be computed in accordance with Schedules B and B-1, provided that the maximum amount payable to the Applicant Agency for its services shall not exceed the Grant Total Amount on Schedule B for services provided hereunder prior to the effective date of suspension, termination, or abandonment.

F. STATE OF CALIFORNIA TERMS, CONDITIONS, AND CERTIFICATIONS

Applicant Agency agrees to abide by the General Terms, Conditions, and Certifications contained in OTS Grant Program Manual, Chapter 8.