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OAKLAND
2012 NOV 14 PM 4:06

AGENDA REPORT

TO: Deanna J. Santana
City Administrator

FROM: Chief Howard Jordan
Chief of Police

SUBJECT: Office of Traffic Safety DUI Grant

DATE: October 25, 2012

City Administrator
Approval

Deanna J. Santana

Date

11/12/12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Resolution authorizing the City Administrator to accept and appropriate grant funds in the amount of \$55,000.00 from the University of California, Traffic Safety Center, serving as a fiscal agent for the State of California, Office of Traffic Safety (OTS), for the 2012-2013 Sobriety Checkpoint Program to be conducted by the Oakland Police Department for the project term of October 1, 2012 through September 30, 2013 and waive the Central Overhead Charges.

EXECUTIVE SUMMARY

Staff has prepared a Report and Resolution authorizing the City Administrator or her designee to accept the grant funds in the amount of \$55,000.00 from OTS.

The City of Oakland City Council authorized the acceptance of this annual grant beginning in 2003 through 2012 with the passage of Resolution Nos. 78253, 78970, 80280, 80957, 81750, 83083, 83704 C.M.S.

In recent years, although the State of California has made positive strides in the fight against Driving Under the Influence (DUI), alcohol-related fatalities remain prevalent both nationally and in California. Studies conducted in California and other states have shown that cities which conduct sobriety checkpoints see substantial reductions in alcohol-involved crashes. Additionally, organizations such as Mothers Against Drunk Driving, the National Highway Traffic Safety Administration, and the National Transportation Safety Board call sobriety checkpoints one of the most important DUI counter-measures available to law enforcement.

The Police Department's Traffic Section is consolidated under a unified command and has taken steps to improve traffic safety through law enforcement, inclusive of sobriety checkpoint operations. Traffic officers and supervisors receive ongoing training in the establishment and

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operation of checkpoints and the Traffic Section has computerized its reporting and record-keeping procedures as they relate to DUI, blood-alcohol test results, and collision information.

The objective of this program is to reduce the number of alcohol related accidents, injuries, and fatalities through the use of education and enforcement.

OUTCOME

Staff will continue to operate the Sobriety Checkpoint Program in the City in accordance with Oakland Police Department policy and OTS grant document.

- Under the grant document, OTS requires a total of five checkpoint operations during the life-cycle of this grant. The first two must take place from December 14, 2012 to January 1, 2013 during the Winter Holiday Mobilization Period. The second two must take place from August 16, 2013 to September 2, 2013 during the Labor Day Mobilization Period. The remaining one is at the discretion of the Department.

BACKGROUND/LEGISLATIVE HISTORY

Since 2003, the Department has received a number of OTS grants specific to the operations of the Sobriety Checkpoint Program. We have consistently followed the procedures outlined in the grant documents and had no issues with reimbursement from the OTS.

The last implementation of the program was approved by the City Council on February 7, 2012 by Resolution No. 83704 C.M.S.

ANALYSIS

During the 2010-2011 grant cycle, the Department had (5) checkpoint operations, which saw over four thousand vehicles passing through the checkpoint, with about one thousand of them being screened. As a result of the operations, the Department conducted over twenty field sobriety tests and had seven DUI arrests.

During the 2011-2012 grant cycle, the Department had (5) checkpoint operations, which saw nearly twenty-five hundred vehicles passing through the checkpoint, with about five hundred of them being screened. As a result of the operations, the Department conducted two field sobriety tests and had no DUI arrest.

Had the Department not continued to receive this type of external grant funding the last two years, numerous vehicles would have gone unscreened and possible DUI violators unchecked, potentially impacting the citizens in a negative manner.

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POLICY ALTERNATIVES

Alternative #1	Accept the OTS grant
Pros	Vehicular safety benefits, crime deterrent
Cons	
Alternative #2	Do not accept the OTS grant
Pros	
Cons	Reduction in the Department's ability to educate the citizens about the dangers of DUI and DUI enforcement which may result in an increase in collisions and/or injuries

PUBLIC OUTREACH/INTEREST

This item did not require any additional public outreach other than the required posting on the City's website.

COORDINATION

Staff has consulted with OPD Fiscal, Budget and the City Attorney's Office for the preparation of this report.

COST SUMMARY/IMPLICATIONS

If the resolution is accepted the OTS will reimburse the City up to the amount of \$55,000.00 for the operation of the (5) checkpoints during the grant period of October 2012 through September 2013.

Expense allocations are as follows:

Use of Funds	Amount
O/T for Sworn and Professional Personnel Winter Holiday Mobilization Period (12/14/2012 to 01/01/2013)	\$22,000.00
O/T for Sworn and Professional Personnel Labor Day Mobilization Period (08/16/2013 to 09/02/2013)	\$22,000.00
Checkpoint outside the mobilization period	\$11,000.00
TOTAL	\$55,000.00

Based on a 13.64% calculation rate, Central Services Overhead (CSO) charges associated with the \$55,000.00 for salary and wages equals \$7,502.00. However, according to the granting agency, indirect costs (CSO) charges are disallowed; therefore, the Department requests a waiver of CSO charges.

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SOURCE OF FUNDING:

All revenues and appropriations for overtime will be allocated in the State of California Grant Fund (2999), Traffic Enforcement Division Organization (107510), Traffic Enforcement Program (PS14), in the Project to be determined. The program will be managed by the Traffic Operations Section Commander.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The following is a historical data table of DUI related collisions, injuries, and fatalities for the City:

	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012 (thru Sep)</i>
<i>DUI Arrests</i>	231	272	127	38
<i>DUI related collisions</i>	221	221	153	102
<i>DUI related injuries</i>	48	49	33	28
<i>DUI related fatalities</i>	9	8	1	4

As shown above, DUI related incidents continue to negatively impact the lives and safety of the citizens year after year.

SUSTAINABLE OPPORTUNITIES


Economic: The indirect economic benefits associated with removing and/or keeping alcohol-impaired drivers off City streets are significant in terms of life and property protection.

Environmental: There are no environmental opportunities identified in this report.

Social Equity: The services provided by the Police Department's participation in the Sobriety Checkpoint Program will assist the community through improved police services and enhanced police-community relations.

For questions concerning this report, please contact Lt. Peter Lau at 510-777-8637.

Respectfully submitted,



Howard A. Jordan
Chief of Police
Oakland Police Department

Prepared by:
Lt. Peter Lau
Special Operations Division
Oakland Police Department

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Priscilla Nieves
City Attorney

2012 NOV 14 PM 4:06 RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF FIFTY FIVE THOUSAND DOLLARS (\$55,000.00) FROM THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, BERKELEY, SCHOOL OF PUBLIC HEALTH, TRAFFIC SAFETY CENTER, SERVING AS THE FISCAL AGENT FOR THE STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY, FOR THE 2012-2013 SOBRIETY CHECKPOINT PROGRAM TO BE CONDUCTED BY THE POLICE DEPARTMENT. THE DEPARTMENT ALSO REQUESTS A WAIVER OF THE CENTRAL OVERHEAD CHARGES.

WHEREAS, grant funds totaling \$55,000.00 have been awarded by the State of California, Office of Traffic Safety, for the Police Department's continued participation in the Sobriety Checkpoint Program; and

WHEREAS, the Sobriety Checkpoint Program is designed to reduce the number of people injured or killed in alcohol-involved crashes through the combined efforts of the Office of Traffic Safety and local law enforcement agencies; and

WHEREAS, the Sobriety Checkpoint mobilization project dates are December 14 2012 – January 1, 2013 and August 16, 2013 – September 2, 2013;

WHEREAS, the proposed grant does not allow for indirect costs (Central Services Overhead) charges in the amount of \$7,502.00, and the Department is requesting a waiver of said charges; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 83704 C.M.S., dated February 7, 2012, Resolution No. 83083 C.M.S., dated December 7, 2010, Resolution No. 81750 C.M.S., dated January 6, 2009, Resolution No. 80957 C.M.S., dated December 4, 2007, Resolution No. 80280 C.M.S. dated December 5, 2006, Resolution No. 78970 C.M.S. dated December 21, 2004 and; Resolution No. 78253 C.M.S., dated December 16, 2003 now, therefore be it

RESOLVED: That the City Council does hereby authorize the City Administrator or her designee to accept and appropriate a grant in the amount of \$55,000.00 from the State of California, Office of Traffic Safety, and to increase revenues and appropriate said budget to the Police Department; and be it

FURTHER RESOLVED: That the grant funds shall be maintained in the State of California Grant Fund: 2999, Traffic Enforcement Division Org.: 107510; Traffic Enforcement Program: PS14, in a Project to be determined; and be it

FURTHER RESOLVED: That Central Services Overhead costs of \$7,502.00 are hereby waived; and therefore be it

FINALLY RESOLVED: That the City Council hereby authorizes the City Administrator as agent of the City to conduct all negotiations and related actions and to sign all applications and agreements that may be necessary for the completion of the aforementioned grant.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California