

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 APR 28 PM 5:16

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: May 11, 2004

Re: A Report and Proposed Resolution Authorizing the City Administrator to Accept and Appropriate Grant Funds in an Amount Not to Exceed One Hundred Thousand Dollars (\$100,000) from the State of California, Department of Alcoholic Beverage Control, For a One-Year Alcohol Control Enforcement Project Within the Police Department and Authorizing the Department to Enter into a Contract for Services with the State of California for Implementation of This Initiative

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate a grant in an amount not to exceed \$100,000 from the State of California, Department of Alcoholic Beverage Control, 2004/2005 Alcoholic Beverage Control grant program. The proposed program period is July 1, 2004 through June 30, 2005. The resolution also reflects that upon approval of the grant to the City, the State of California will issue a contract for services for implementation of the initiative.

Funding allocated through the Alcoholic Beverage Control grant program is specifically designated to provide financial resources to law enforcement agencies throughout the State of California to expand their efforts in addressing alcohol-related problems through a comprehensive alcohol beverage control program. The primary goal of the Police Department's initiative, through the Vice/Narcotics Section, is to increase the Department's ability to identify and prevent the unlawful sale of alcoholic beverages, including illegal alcohol sales to minors.

FISCAL IMPACT

It is anticipated that the Department will receive State of California grant funds of up to \$100,000 for the Police Department's Alcohol Control Enforcement Project. Funds will be allocated in the State of California Grant Fund: 2159, Org.: 105622; Program: PS12, in a Project Account to be determined. The funds will be allocated as follows:

Item: 3
Public Safety Committee
May 11, 2004

Description and Use of Funds	Amount
Police overtime charges	\$52,260
Civilian overtime charges	42,100
Buy Monies for Decoy and Shoulder Tap ¹	2,500
Equipment	1,080
Travel	2,060
TOTAL	\$100,000

The applicable costs of Central Services Overhead (CSO) charges associated with the \$94,360 charges for salary and wages equals \$16,767, based on a 17.77% calculation rate. However, the granting agency specifically disallows indirect cost (CSO) charges. Therefore, the Department requests a waiver for all Central Services Overhead charges

BACKGROUND

In August, 1993 the Oakland City Council adopted a "Deemed Approved" program (Ordinance No. 11624 C.M.S.) designed to improve enforcement against problem alcoholic beverage sale establishments through a cooperative effort of the Oakland Police Department, the Office of Planning and Building and other state and county agencies. The Deemed Approved Program not only subjects certain alcoholic beverage establishments to specific performance (sales) standards, it provides education, monitoring and enforcement to licensees and is designed to work as an administrative abatement mechanism.

Research conducted by the ABAT Unit has confirmed that the City of Oakland, like other municipalities, noted an increased occurrence of illegal sales of alcoholic beverages, including sales to minors.² These illegal sales have, and will continue to grow without additional law enforcement intervention. The Department has verified that a decrease in alcohol sales to minors occurs when targeted intervention initiatives are deployed. However, without ongoing external financial support, the issue of illegal alcohol sales to minors will remain problematic.

¹ Shoulder tap operations are conducted using the services of youth decoy participants. Youths are positioned outside of alcohol outlets and subsequently petition the assistance of adult patrons to purchase alcoholic beverages on their behalf. Once the adult has purchased the alcohol and delivers it back to the youth decoy, the adult is cited for the offense by a police officer.

² Based upon a total of 156 citizen reported complaints of sales to minors during the calendar year ended 2003 in comparison to the 2002 calendar year total of 60.

KEY ISSUES AND IMPACTS

The ABAT Unit, through enactment of the Alcohol Control Enforcement Project, is expected to conduct a minimum of 300 liquor store inspections; 250 minor decoy operations; 100 bar checks; 100 shoulder tap operations; 30 anti-loitering operations, and 3 liquor store operator trainings throughout the City of Oakland. ABAT will have more of the resources needed to expand not only the number of alcohol enforcement operations conducted annually (focusing upon problem outlets), but also the geographic focus, encompassing inclusion of establishments not previously reported and/or cited for violations.

SUSTAINABLE OPPORTUNITIES

Economic

- Supplies and reprographic needs will be purchased locally.
- The possible reduction in the amount of sales tax collected from alcohol products is offset by the improved opportunities for economic growth in areas where liquor stores are not known as "problem" stores.

Environmental

There are no environmental opportunities associated with this report.

Equity

Grant funds and other resources contributed to the initiative are directed toward achieving increased service levels and long-term benefits for communities throughout the City of Oakland.

DISABILITY AND SENIOR CITIZEN ACCESS


There are no ADA or senior citizen access issues contained in this report

RECOMMENDATION

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept grant funds in an amount not to exceed \$100,000 from the State of California, Department of Alcoholic Beverage Control, and authorizes the Department to enter


into a Contract for Services, to be issued by the State of California for implementation of the Alcohol Control Enforcement Program.

Respectfully submitted,


Richard L. Word
Chief of Police

Prepared by: Candice Jessie
Administrative and Technical Services Division
Bureau of Services

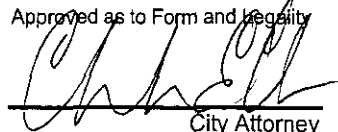
APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Item: 3
Public Safety Committee
May 11, 2004

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality

City Attorney

2004 APR 28 PM 5:15 **RESOLUTION No. _____ C.M.S.**

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000) FROM THE STATE OF CALIFORNIA, DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, FOR A ONE-YEAR ALCOHOL CONTROL ENFORCEMENT PROJECT WITHIN THE POLICE DEPARTMENT AND AUTHORIZING THE DEPARTMENT TO ENTER INTO A CONTRACT FOR SERVICES WITH THE STATE OF CALIFORNIA FOR IMPLEMENTATION OF THIS INITIATIVE

WHEREAS, it is anticipated that grant funds in an amount not to exceed one hundred thousand dollars (\$100,000) will be received from the State of California, Department of Alcoholic Beverage Control, for a one-year Alcohol Control Enforcement Project within the Police Department; and

WHEREAS, these State of California grant funds are to be used to expand law enforcement efforts to address alcohol-related problems through a comprehensive alcohol beverage control program within the City of Oakland; and

WHEREAS, the Police Department's primary goal through the Alcohol Control Enforcement Project is to identify and prevent the illegal sale of alcoholic beverages; and

WHEREAS, the proposed grant does allow for Central Services Overhead charges in the amount of \$16,767, and the Department has requested a waiver of said charges; now, therefore be

RESOLVED: That the City Council hereby authorizes the Administrator or her designee to accept up to \$100,000 in grant funds from the State of California, Department of Alcoholic Beverage Control and appropriate said funds to the Police Department; and be it

FURTHER RESOLVED: That the funds shall be maintained in the State of California Grant Fund: 2159; Org.: 105622; Program PS12; with a Project Number to be established; and be it

FURTHER RESOLVED: That the Central Services Overhead costs of \$16,767 (17.77%) are hereby waived; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the grant award; and be it

3

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MAY 11 2004

FURTHER RESOLVED: that upon approval of the grant to the City of Oakland, the State of California will issue a contract for services for implementation of the initiative, and that the City Administrator or her designee is hereby authorized to enter into said agreement in an amount not to exceed \$100,000 for the implementation of the Alcohol Control Enforcement Project.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

3

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MAY 1 1 2004