

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 OCT 30 PM 3:47

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Police Department
DATE: November 12, 2008

RE: **A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Grant Funds in An Amount Not to Exceed Seventy-Seven Thousand Five Hundred Forty-One Dollars (\$77,541) from the State of California, Office of Traffic Safety, to be Administered Through the University of California-Berkeley Traffic Safety Center, To the Oakland Police Department Participation in the Implementation of the California Seat Belt Compliance Campaign "Click It or Ticket" Mini-Grant Program for Local Law Enforcement Agencies for the Program Periods of November 17 - 30, 2008 and May 18 - 31, 2009**

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate grant funds in an amount not to exceed \$77,541 from the State of California, Office of Traffic Safety, to be administered through the University of California-Berkeley Traffic Safety Center. The funds will be used to offset Department overtime and reporting costs for participation in a California Seat Belt Compliance Campaign for seat belt enforcement during the periods of November 17-30, 2008, and May 18-31, 2009, in support of the "Click It or Ticket" national mobilization.

FISCAL IMPACT

Approval of this proposed resolution will authorize the application, acceptance, and appropriation of State of California, Office of Traffic Safety grant funds in an amount not to exceed \$77,541 for a "Click It or Ticket" Mini-Grant for Local Law Enforcement Agencies for the program period of November 17 - 30, 2008, and May 18 - 31, 2009. Revenues and appropriations shall be allocated in the State of California Grant Fund (2999), Traffic Administration Division Organization (107510), Traffic Program (PS14), in a Project to be determined. The Traffic Operations Section Commander will manage the program. There is no match requirement.

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Expense allocations are as follows:

Use of Funds	Cost
1 – Lieutenant of Police (\$62.94/hr. X 1.5 X 24 hrs)	\$2265.84
1 – Sergeant of Police (\$54.41/hr. X 1.5 X 104 hrs)	\$8488.48
5 – Police Officers (\$47.16/hr. X 1.5 X 877 hrs)	\$62038.98
1 – Police Service Technician II – CSO (\$26.79/hr X 1.5 X 96 hrs)	\$3858.24
1 – Accountant (\$34.86/hr X 1.5 X 17 hrs)	\$888.93
GRAND TOTAL	\$77,540.47

Central Services Overhead (CSO) charges associated with the \$77,541 for staff salaries are \$13,779 (based on an approved rate of 17.77%). According to the granting agency, indirect costs are disallowed. Therefore, the Department requests a waiver of CSO charges¹.

BACKGROUND

The goal of the 2008 “Click It or Ticket” Mini-Grant Program is to increase seatbelt use statewide in order to achieve a 94 % compliance rate through the combined efforts of the California Highway Patrol, Office of Traffic Safety, and local law enforcement. The “Click It or Ticket” Program focuses on a combined strategy of raising public awareness through public education notices, press releases, and targeted enforcement of seatbelt laws on persons who fail to use seatbelts during the Buckle Up America/Operation Alcohol Beverage Control Mobilization period.

¹ Indirect Costs were not offered in the 2007/2008 OTS grant solicitation for Grants Made Easy (GME) or Click it or Ticket (CIOT) mini-grants. Please refer to the following links:
<http://www.ots.ca.gov/Grants/files/2009/GME/OTS-5%20GME%20OTS%20Proposal%20Instructions%202009.doc>
(see OTS-45 Proposal Instructions - Indirect Cost, page 3)
http://www.tsc.berkeley.edu/checkpointminigrants/2007_2008checkpoint.html (see What Costs Does the Mini-Grant Cover?).

KEY ISSUES AND IMPACTS

Since October 2000, the Police Department has taken numerous steps to improve enforcement of traffic codes including seat belt compliance statutes. Traffic officers and supervisors have received extensive training in the establishment and operation of checkpoints and the Traffic Section has computerized reporting and record-keeping procedures related to seat belt compliance, DUI, blood alcohol test results, and collision data. Research conducted by the National Highway Traffic Safety Administration has shown seat belts to be the single most effective safety device in the prevention of serious injury and reducing fatalities in motor vehicle crashes. Lap and shoulder restraints, when used properly, reduce the risk of fatal injury to front-seat passenger occupants by 45 % and the risk of moderate-to-critical injury by 50 %. Ejection from a vehicle is one of the most deadly results of failure to wear a seat belt in a vehicle crash. Data show that 75 % of passenger car occupants who were totally ejected in a vehicle crash were killed. Seat belts are effective in preventing ejection from a vehicle during a crash, which is demonstrated by the fact that only 1 % of the occupants using safety restraints in a vehicle crash were ejected.

PROGRAM DESCRIPTION

Seat belt compliance operations will be performed on overtime and in addition to the usual traffic enforcement activities. The public will be notified through a press release regarding the dates of the seat belt compliance campaign in accordance with the mandates of the “Click It or Ticket” grant program guidelines. Reports will be prepared to document the effectiveness of the campaign and the results will be provided by deadline to the granting agency according to the grant requirements.

SUSTAINABLE OPPORTUNITIES

Economic: By decreasing the number of serious injuries due to seatbelt violations, opportunities to reduce accident/injury claims are increased, thereby reducing insurance premiums for citizens of Oakland, leaving more money to spend as consumers in the City.

Environmental: There is no environmental impact for this program.

Social Equity: This program will assist in making the streets of Oakland safer, thereby enhancing the quality of life within the City.

DISABILITY AND SENIOR CITIZEN ACCESS

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

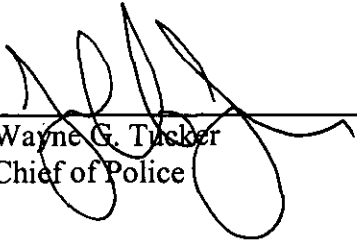
RECOMMENDATION(S) AND RATIONALE

The Oakland Police Department recommends that the City Council approve the proposed resolution authorizing the City Administrator, on behalf of the City of Oakland, to accept grant funds in an amount not to exceed \$77,541.00 from the State of California, Office of Traffic Safety, to be administered through the University of California-Berkeley Traffic Safety Center, and appropriate said funds to the Police Department.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

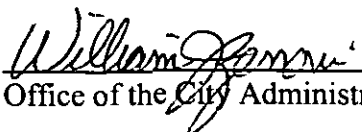
Respectfully submitted,



Wayne G. Tusker
Chief of Police

Prepared by :
Lt. Anthony Banks, Sr.
Traffic Operations Section
Oakland Police Department

APPROVED AND FORWARDED TO THE
PUBLIC SAFETY COMMITTEE:

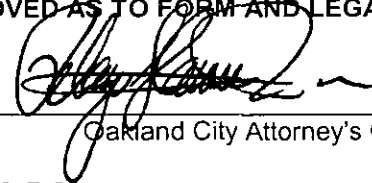


Office of the City Administrator

Item: _____
Public Safety Committee
November 12, 2008

FILED
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APPROVED AS TO FORM AND LEGALITY



Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED SEVENTY-SEVEN THOUSAND FIVE HUNDRED FORTY-ONE DOLLARS (\$77,541.00) FROM THE STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY, TO BE ADMINISTERED THROUGH THE UNIVERSITY OF CALIFORNIA-BERKELEY TRAFFIC SAFETY CENTER, TO THE OAKLAND POLICE DEPARTMENT PARTICIPATION IN THE IMPLEMENTATION OF THE CALIFORNIA SEAT BELT COMPLIANCE CAMPAIGN "CLICK IT OR TICKET" MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES FOR THE PROGRAM PERIODS OF NOVEMBER 17 - 30, 2008 AND MAY 18 - 31, 2009

WHEREAS, it is anticipated that grant funds in the amount of \$77, 541.00 will be awarded by the State of California, Office of Traffic Safety, for participation in the 2008 California Seat Belt Compliance Campaign "Click It or Ticket" Mini-Grant Program; and

WHEREAS, the California Seat Belt Compliance Campaign is geared toward focusing public attention on seatbelt safety information and enforcement on persons who fail to use seat belts during the periods of November 17 - 30, 2008 and May 18 -31, 2009 in support of the "Click It or Ticket" national mobilization; and

WHEREAS, the California Seat Belt Compliance Campaign is a collaborative effort between the California Highway Patrol, the Office Traffic Safety and local law enforcement agencies; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 78137 C.M.S. dated October 21, 2003, and Resolution No. 79115 C.M.S., dated March 15, 2005, and Resolution No. 79857 C.M.S. dated May 2, 2006, and Resolution No. 80577 C.M.S. dated May 15, 2007; and

WHEREAS, the grant does not cover, and prohibits use of the funds for, Central Services Overhead charges in the amount of \$13,799.00 (based on a calculation rate of 17.77% for salary and wages of \$77,541.00), and the Department requests a waiver of said charges; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to accept grant funds in an amount not to exceed \$77,541.00 from the State of California, Office of Traffic Safety, administered through the University of California-Berkeley Traffic Safety Center for implementation of the 2008/2009 Seat Belt Compliance Campaign and appropriate said funds to the Police Department; and be it

FURTHER RESOLVED: That grant funds shall be maintained in the State of California Grant Fund (2999), Traffic Administration Division Organization (107510), Traffic Program (PS14), in a Project Account to be established; and be it

FURTHER RESOLVED: That the City Central Services Overhead costs associated with the grant award of \$77,541.00 in the amount of \$13,799.00 (17.77%) are hereby waived; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, and extend this grant award, except for any increase in the award amount without returning to the City Council; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said grant agreement as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California