



CITY OF OAKLAND

# AGENDA REPORT


**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Floyd Mitchell  
Chief of Police

**SUBJECT:** Alcoholic Beverage Control Office Of  
Traffic Safety (OTS) Grant

**DATE:** October 17, 2024

City Administrator  
Approval

  
Jestin Johnson (Oct 31, 2024 10:26 PDT)

Date Oct 31, 2024

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Grant Award in the Amount of Thirty-Eight Thousand Dollars (\$38,000) From The California Department Of Alcoholic Beverage Control (ABBC) Office Of Traffic Safety (OTS), For Fiscal Year 2024-2025 For The Implementation Of The Oakland Police Department's ABC-OTS Grant Program, And Authorizing The City's General Purpose Fund To Contribute Four Thousand Nine Hundred Sixty Three Dollars (\$4,963) To Cover Associated Central Services Overhead Costs.**

## **EXECUTIVE SUMMARY**

Approval of the proposed resolution accompanying this report will allow the Oakland Police Department to receive \$38,000 in grant funding from the Department Of Alcoholic Beverage Control (ABC) for the Office Of Traffic Safety Grant (OTSS) Program. The grant funds will allow OPD's Alcoholic Beverage Action Team (ABAT) to perform the following actions during the period of October 01, 2024 – August 31, 2025:

- Identify, target, and abate problematic ABC licensed establishments.
- Expand training for merchants who sell alcoholic beverages.
- Collaborate efforts with CA Department Of Alcoholic Beverage personnel, the City Attorney's Office, and the District Attorney's Office to hold problem merchants accountable with civil and criminal penalties.
- Educate and enforce laws related to minors being sold and/or possessing/drinking alcoholic beverages.
- Conduct Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) inspections at ABC licensed establishments.

## **BACKGROUND AND LEGISLATIVE HISTORY**

The ABC-OTS grant program is specifically designated by ABC to provide financial resources to law enforcement agencies throughout California to reduce alcohol-related harm in California.

Public Safety Committee  
November 19, 2024

OPD wishes to leverage the ABC-OTS Grant Program to identify and prevent the unlawful sale of alcoholic beverages, including illegal sales to minors. OPD's ABAT focuses on regulating alcohol licensees and premises; this functional unit is housed within the Special Operations Division (SOD) within the Bureau of Field Operations Two.

The City of Oakland has also attempted to solve alcohol control enforcement issues through the enactment of local ordinances. In 1977, Oakland granted a blanket conditional use permit (CUP) for alcoholic beverage outlets, such as bars and stores selling alcohol (restaurants excluded). Liquor stores are regulated through conditions of approval, and these conditions are interpreted as performance standards. Liquor stores may lose their CUPs if they continuously violate these conditions. Oakland also requires that new liquor outlets be separated from existing ones by at least 1,000 feet.

The CUP program also requires that merchants adhere to a specific set of performance standards and provide education, monitoring, and enforcement efforts against licensed premises. While the CUP Program and ABAT efforts have produced some positive results, substantial problem areas remain.

OPD has implemented and maintains a practical system for tracking and documenting actions taken on nuisance alcohol establishments and illegal narcotics sales occurring near legal alcohol vendors. OPD identifies disorderly liquor operations by reviewing police crime reports and community complaints.

### **ANALYSIS AND POLICY ALTERNATIVES**

This policy action advances the citywide priority of **responsive, trustworthy government** because it will help educate both merchants and community members about responsible vending of alcoholic beverages. It is specifically targeted to reduce minor access to alcoholic beverages, which directly benefits the public health of youth and the community.

ABAT's limited funding restricts efforts to expand enforcement operations. This ABC grant provides an opportunity to confront underage alcohol consumption, ongoing illegal alcohol sales to minors, and retail operating standards.

OPD has received grant assistance from ABC for eleven of the past twelve years. Like in prior years, all work done for this grant will be folded into the work of ABAT. The grant term is from October 1, 2024, to August 31, 2025.

#### ***Grant Objectives:***

- Conduct no fewer than one Licensee Education on Alcohol and Drugs (LEAD) training by August 31, 2025;
- Conduct no fewer than ten night-inspection operations at ABC on-sale locations in high crime areas of Oakland by August 31, 2025;
- Conduct no fewer than eight Minor Decoy operations by August 31, 2025;

- Issue no fewer than 8 press releases regarding the grant and/or activities conducted under the grant by August 31, 2025.

**FISCAL IMPACT**

**Table 1** below outlines the overtime (OT) staffing costs of ABAT’s enforcement work during the 2024-25 fiscal year (FY); Table 2 outlines travel expenses; and Table 3 summarizes all costs.

**Table 1: Summary of Staffing Costs**

<b>Personnel Cost</b>	<b>FY 2024-25 Cost</b>
Sergeant of Police OT (50 hours over 1 year)	\$5,993
Police Officer OT (272 hours over 1 year)	\$28,260
Police Services Technician II OT (55 hours over 1 year)	\$3,311
<b>Total</b>	<b>\$37,564</b>

**Table 2: Travel Costs**

<b>Item</b>	<b>FY 2024-25 Cost</b>
ABC/OTS Training Conference	N/A
Lodging	\$ 150
Mileage Estimate @ .67 per mile	\$218
Per diem	\$68
<b>Total</b>	<b>\$436</b>

**Table 3: Summary of All Costs for the ABC OTS Grant**

<b>Item</b>	<b>FY 2024-25 Cost</b>
OT Staffing Costs	\$37,564
Travel Costs	\$436
<b>Total</b>	<b>\$38,000</b>

The ABC OTS grant program guidelines do not allow funds to be used for indirect costs. Therefore, OPD requests that the General Purposes Fund contribute \$4,963 (13.06 percent of the grant award). All of the ABC-OTS grant revenues will be allocated to the State of California Fund (2159); Special Operations Division Org (107710); Project (TBD); and Program (TBD), as illustrated below.

<b>Fund Source</b>	<b>Organization</b>	<b>Project</b>	<b>Program</b>	<b>Amount</b>
2159	107710	TBD	TBD	<b>\$38,000</b>

### **PUBLIC OUTREACH / INTEREST**

Upon receipt of the grant, several activities will go into motion as noted in the grant objectives (noted above in the Analysis section). These activities will produce a significant amount of public engagement by way of trainings, inspections, and other operations.

### **COORDINATION**

OPD consulted with the Budget Office and the Office of the City Attorney in developing this report and accompanying resolution.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic activities associated with this grant.

***Environmental:*** This project will help enforce alcoholic beverage control laws, which will benefit public health and address nuisance issues often associated with stores that vend alcoholic beverages. Increased inspections and compliance checks will lead to reduced amounts of litter around store locations.

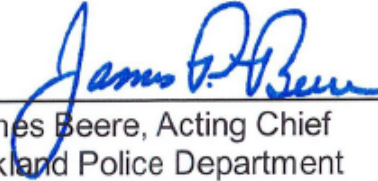
***Race and Equity:*** The grant will help further educate both merchants and community members about responsible vending of alcoholic beverages. It is specifically targeted to reduce minor access to alcoholic beverages with an overall goal of improving youth and community health.

### **ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE**

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Grant Award in the Amount of Thirty-Eight Thousand Dollars (\$38,000) From The California Department Of Alcoholic Beverage Control (ABBC) Office Of Traffic Safety (OTS), For Fiscal Year 2024-2025 For The Implementation Of The Oakland Police Department's ABC-OTS Grant Program, And Authorizing The City's General Purpose Fund To Contribute Four Thousand Nine Hundred Sixty Three Dollars (\$4,963) To Cover Associated Central Services Overhead Costs.

For questions regarding this report, please contact A/Sgt Jennifer Sena, Special Operations Division (SOD), ABAT, at (510) 777-8674.

Respectfully submitted,



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James Beere, Acting Chief  
Oakland Police Department  
On Behalf of Chief Mitchell

Reviewed by:

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OPD, Research and Planning Unit

Prepared by:  
A/Sergeant Jennifer Sena  
OPD, ABAT Unit