

2008 MAR 27 AM 11:53 **CITY OF OAKLAND**
AGENDA REPORT

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: April 8, 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 Two Hundred Twenty-One Thousand One Hundred Forty-Seven Dollars (\$221,147) from the State of California, Office of Traffic Safety, for the Fiscal Year 2009 Implementation of the Vehicle Occupancy Protection and Bicycle Traffic Safety Program, and Authorizing a Waiver of the Competitive Request for Proposal/Qualification Process and Authorizing the City Administrator, on Behalf of the City of Oakland, to Enter Into Professional Services Agreements with the Oakland Police Activities League in an Amount Not to Exceed Twenty Thousand Dollars (\$20,000) and with the Community Health Academy in an Amount Not to Exceed Fifteen Thousand Dollars (\$15,000), and with the East Bay Community Recovery Project in an Amount Not to Exceed Fifteen Thousand Dollars (\$15,000) for Services Associated with the Initiative, and Appropriate Said Funds to the Police Department

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 \$221,147 from the State of California, Office of Traffic Safety, for the fiscal year 2009 implementation of the Vehicle Occupancy Protection and Bicycle Traffic Safety Program, and authorizing waiver of the competitive Request for Proposal/Qualification Process. The proposed program period is October 1, 2008 through September 30, 2009. The funds will be used to provide vehicle occupancy protection (car seats) and bicycle traffic safety equipment and informational forums to reduce the number of persons killed and injured in traffic collisions in the City of Oakland.

FISCAL IMPACT

It is anticipated that the State of California, Office of Traffic Safety, shall approve the Police Department's vehicle occupancy protection and bicycle traffic safety application and award the City of Oakland up to \$221,147 in state grant funds. Revenues and appropriations will be allocated in the State of California Grant Fund: 2999, Traffic Administration Division Org.: 107510; Traffic Program: PS14, in a Project to be determined. There is no match requirement. Expense allocations are as follows:

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Description and Use of Funds	Amount
Police Services Technician(s) (Program Coordination and Community Outreach) (\$26.78/hr x 1.5 x 40/hrs/mo x 12/mos x 2/persons)	38,563
Neighborhood Services Coordinator(s) (Community Education and Training) (\$32.31/hr x 1.5 x 30/hrs/mo x 12/mos x 2/persons)	34,894
Subtotal:	\$73,457
Bicycle and Child Passenger Safety Education: (Contracts for Service)	
Oakland Police Activities League	20,000
Community Health Academy	15,000
East Bay Community Recovery Project	15,000
Subtotal:	\$50,000
Travel	3,690
Bicycles (Adult and Child)	50,000
Infant/Child Safety Seats and Booster Seats	25,000
Child Safety Seat Check-Up Supplies	3,000
Front/Rear Bicycle Light Combos and Other Related Supplies	7,500
Educational Brochures and Other Safety Presentation Supplies	7,000
City-Mandated Contract Assessment Fee (\$50,000 x 3%)	1,500
Total:	\$221,147

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Central Services Overhead (CSO) charges associated with the \$73,457 for salary and wages equals \$13,053, based on a 17.77% calculation rate. However, the granting agency specifically disallows CSO charges. Therefore, the Department requests a waiver for applicable Central Services Overhead charges.

BACKGROUND

Traffic, inclusive of vehicle occupancy protection and bicycle traffic safety, remains one of the top three concerns of neighborhoods throughout Oakland. Police personnel assigned to the Traffic Enforcement Unit respond to accidents, focus on traffic concerns at hazardous intersections, respond to citizen complaints, participate in traffic awareness presentations to local groups, and conduct general traffic enforcement activities.

The Traffic Unit works in conjunction with the Police Service Area commanders and the Crime Prevention Teams (CRT) to address these quality of life issues by saturating locations plagued by unsafe traffic conditions and/or impaired or unlawful drivers.

KEY ISSUES AND IMPACTS

Child Safety Seats

The public's lack of general use and proper installation of child safety seats is an ongoing concern of both public safety professionals and child service providers throughout the State of California. Nationally, during calendar year 2006, there were 8,145 vehicle occupants under age 15 who were involved in fatal automobile crashes. For child occupants where restraint use was known, 36% were unrestrained; among those who were fatally injured, 56% were unrestrained. Based upon data provided by the National Center for Statistics and Analysis, restraint use by passenger vehicle occupants involved in fatal crashes by age group during calendar year 2006 was as follows:

Age Group	0-4	5-9	10-14	15-20	All Other
Percentage Unrestrained	27%	36%	44%	52%	41%

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Additionally, there were 529 passenger vehicle occupant fatalities among children under 5 years of age. Of those 529 fatalities, an estimated 251, or 47%, were totally unrestrained:

Type of Restraint	Infants (Under Age 1)	Toddlers (Age 1-4)	Total
None Used	64	187	251
Child Seat	66	153	219
Adult Seatbelt	1	58	59
Total	131	398	529

Bicycle Traffic Safety

According to the National Highway Traffic Safety Administration (NHTSA), bicyclists ages 15 to 24 account for 35% of all bicyclists injured and killed in 2006. Teens and young adults also have a notoriously low rate of helmet use. Based on a helmet survey conducted in Oakland in 2006, teens and young adults age 13-24 years who were observed had a helmet use rate of only 18 percent; indicating a need to continue helmet distribution efforts for this age range throughout the City.

According to the NHTSA, adults age 45 years and above accounted for 34 percent of all bicyclists injured and killed in 2006. This age group might include adult recreational cyclists and those without a drivers license. Based on these numbers, the Police Department shall implement a program that focuses on increasing safety awareness and on-road skills training for older adult cyclists.

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Vehicle Occupancy Protection and Bicycle Traffic Safety Program

The Police Department's Vehicle Occupancy Protection and Bicycle Traffic Safety Program is designed to strengthen and expand our collaborative relationships with community-based providers to increase public awareness as it pertains to bicycle and car seat traffic safety. To accomplish these goals, the following programs/services shall be enacted throughout the program term:

- Delivery of bicycle education safety classes at elementary, middle, and high schools throughout Oakland. Free bicycles and related safety equipment shall be distributed as incentives for public participation.
- Car seat education and training forums and demonstrations for adults and their children at targeted sites throughout the City. Free child safety seats shall be distributed as incentives for public participation.

Sole Source Justification for Community-Based Partnerships

In the context of the Police Department's grant proposal submission to the State of California, Office of Traffic Safety for implementation of the Vehicle Occupancy Protection and Bicycle Traffic Safety Program, three community-based organizations were identified to assist our agency with the coordination and ongoing implementation of the program. These agencies are:

- **The Oakland Police Activities League**
- **The Community Health Academy**
- **The East Bay Community Recovery Project**

These partnering agencies shall assist the Program Manager(s) and Neighborhood Services Coordinator(s) assigned to the initiative with a wide variety of program tasks, including:

- Conduct workshops on bicycle safety for school-aged youth and their parents/caregivers throughout Oakland.
- Conduct workshops on child safety seats (including booster seats) for parents, other caregivers, and community groups.
- Distribution and fitting of bicycles and safety helmets to students and other community members throughout the grant term.
- Education on proper placement/positioning of child safety seats and distribution of car seats and booster seats to income-qualified persons at community events/forums.

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An overview of each of the community-based partners is referenced below:

Oakland Police Activities League

The Oakland Police Activities League (Oakland PAL) was formally established in 1981 as part of the California Police Activities League (CAL PAL). CAL PAL provides multiple programs for disadvantaged and at-risk youth in California. CAL PAL unites law enforcement and the youth of the communities in positive environments, creating a healthy bilateral understanding between both parties. In keeping with these values, the mission of Oakland P.A.L. is to provide school-based youth recreational, educational and mentoring programs which serve as a common platform for positive interaction between Oakland's youth and its Police Officers, while fostering a mutual bond of respect, trust and understanding.

Community Health Academy

The Community Health Academy (CHA) was established in 1993 as a project of the Oakland Community-based Public Health Initiative (OCBPHI). OCBPHI was funded by the W.K. Kellogg Foundation to pursue the foundation's vision of a new approach to public health. The OCBPHI mission was to 1) undertake a variety of local community development and institutional reform efforts, 2) seek improvements in community health status, and 3) impact public health systems and practitioners. The Community Health Academy continues to be an instrument through which public institutions can partner with community groups to implement the following goals:

- Encourage local neighborhood development with community meetings, mini-grants, technical assistance, and support services.
- Promote community partnerships and networks in neighborhoods.
- Convene community forums and interface with key decision-makers about community health and public policy issues.
- Promote capacity building, multi-cultural competence, and community health leadership training for local residents and service provider staff.

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East Bay Community Recovery Project

The East Bay Community Recovery Project (EBCRP) is a non-profit, drug and alcohol rehabilitation program which provides substance abuse treatment, relapse prevention, and domestic violence advocacy programs throughout Oakland and Alameda County. The organization has two locations - one in Oakland and one in Hayward. EBCRP's organizational philosophy is captured in the following statement, made by its Executive Director, Dr. Joan Ellen Zweben: "We have a broad view of our mission; successful treatment has effects which expand outward. The recovering person needs to take responsibility for his or her own life, and also join in creating a new social environment. Staff and clients join in this task, influencing our families, neighborhoods, and the urban area around us."

SUSTAINABLE OPPORTUNITIES

Economic

Traffic problems negatively impact property value and business opportunities. Efforts to address these problems will lead to improvements of these public safety issues.

Environmental

There are no environmental issues associated with this report.

Social Equity

The services provided by the Police Department's participation in the Vehicle Occupancy Protection and Bicycle Traffic Safety Program will assist the community through improved police services and enhanced police-community relations.

DISABILITY AND SENIOR CITIZEN ACCESS

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

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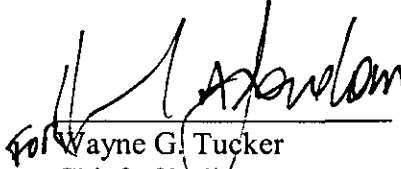
RECOMMENDATION

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept grant funds in an amount not to exceed \$221,147 from the State of California, Office of Traffic Safety, and appropriate said funds to the Police Department.

ACTION REQUESTED BY THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



Wayne G. Tucker
Chief of Police

Prepared by: Stacey Perry
Police Services Technician
Support Operations Division
Bureau of Field Operations
And
Candice Jessie
Budget and Grants Administrator
Bureau of Administration

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

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FILED
OFFICE OF THE CITY CLERK
OAKLAND**OAKLAND CITY COUNCIL**
City Attorney

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RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-ONE THOUSAND ONE HUNDRED FORTY-SEVEN DOLLARS (\$221,147) FROM THE STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY, FOR THE FISCAL YEAR 2009 IMPLEMENTATION OF THE VEHICLE OCCUPANCY PROTECTION AND BICYCLE TRAFFIC SAFETY PROGRAM, AND AUTHORIZING A WAIVER OF THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ENTER INTO PROFESSIONAL SERVICE AGREEMENTS WITH THE OAKLAND POLICE ACTIVITIES LEAGUE IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND DOLLARS (\$20,000), AND WITH THE COMMUNITY HEALTH ACADEMY IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000), AND WITH THE EAST BAY COMMUNITY RECOVERY PROJECT IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000) FOR SERVICES ASSOCIATED WITH THE INITIATIVE, AND APPROPRIATE SAID FUNDS TO THE POLICE DEPARTMENT

WHEREAS, it is anticipated that the Police Department shall be awarded grant funds in an amount not to exceed \$221,147 from the State of California, Office of Traffic Safety for the grant period October 1, 2008 to September 30, 2009 implementation of the Vehicle Occupancy Protection and Bicycle Traffic Safety program; and

WHEREAS, the Vehicle Occupancy Protection and Bicycle Traffic Safety program is geared toward focusing public attention on seatbelt and bicycle safety information; and

WHEREAS, the Police Department requests a waiver of the competitive request for proposal/ qualifications process to facilitate entering into professional services agreements with the Oakland Police Activities League in an amount not to exceed \$20,000, the Community Health Academy in an amount not to exceed \$15,000, and the East Bay Community Recovery Project in an amount not to exceed \$15,000 for the enactment of services associated with the initiative; and

WHEREAS, the City Council finds that the services provided pursuant to said agreements with the Oakland Police Activities, the Community Health Academy, and the East Bay Community Recovery Project are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that said agreements shall not result in a loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the grant does not allow for any indirect costs (Central Services Overhead) charges in the amount of \$13,053 (based on a calculation rate of 17.77% for salary and wages of \$73,457), and the Department has requested a waiver of said charges; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to accept and appropriate grant funds in an amount not to exceed \$221,147 for the grant period October 1, 2008 to September 30, 2009, 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 monies shall be maintained in the State of California Grant Fund: 2999, Traffic Administration Division Org.: 107510; Traffic Program: PS14, in a Project be determined; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the competitive request for proposal/ qualifications process for the proposed agreements between the Police Department and the Oakland Police Activities League, the Community Health Academy, and the East Bay Community Recovery Project, relative to the delivery of vehicle occupancy and bicycle safety services, and authorizes the City Administrator, or her designee, to enter into said agreements; and, be it

FURTHER RESOLVED: That the City Central Services Overhead costs of \$13,053 (17.77%) are hereby waived; and be it

FURTHER RESOLVED: That the City-mandated contract assessment fee in the amount of \$1,500 will be charged to the grant and drawn from the account referenced above; and be it

FURTHER 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; and be it.

FURTHER RESOLVED: That the City Attorney shall review and approve said agreements as to form and legality and copies of said agreements shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

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