

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2005 SEP 29 PM 6:18

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: October 11, 2005

Re: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Enter into a Contract for Services with, and Receive Twenty-Five Thousand Dollars (\$25,000) from, the California Highway Patrol for Increased Enforcement Operations Targeted at Preventing Reckless Driving and Exhibitions of Speed Commonly Referred to as Sideshows

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to enter into a contract with, and receive \$25,000 from, the California Highway Patrol. The proposed program period is February 16, 2005 through March 30, 2006. The funds will be used to support the Police Department's efforts to curb reckless driving, exhibitions of speed, unlicensed vehicle operation, and driving under the influence (DUI); behaviors that typically occur at gatherings known as Sideshows. Grant funds will be allocated from the CHP pass-through grant operation from the State of California, Office of Traffic Safety, which is part of a larger state grant entitled "California's Statewide Driving Under the Influence Enforcement Program/Sideshows and Street Racing" (Grant #AL0511).

FISCAL IMPACT

The Police Department will enter into a Contract for Services and receive \$25,000 from the CHP for increased traffic enforcement operations targeted toward the prevention of reckless driving and exhibitions of speed. Revenues and appropriations for overtime will be allocated in the State of California Miscellaneous Grant Fund: 2999, Traffic Division Org.: 105647; Traffic Enforcement Program: PS14, in a Project to be determined. The program will be managed by the Traffic Operations Section Commander. There is no match requirement. Expense allocations are as follows:

Description and Use of Funds	Amount
Police Officer Overtime (\$39.91/hr x 1.5 x 8.5/hrs x 8 Officers)	\$4,070
Sergeant Overtime (\$46.05/hr x 1.5 x 8.5/hrs x 1 Sergeant)	585
Police Service Technician II Overtime (\$35.00/hr x 1.5 x 6.5/hrs x 1 PST)	345
<i>Subtotal - Cost per Operation</i>	\$5,000
Total Cost (5 Operations)	\$25,000

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Based on a 17.77% calculation rate, Central Services Overhead (CSO) charges associated with the \$25,000 for salary and wages equals \$4,443. CSO charges will be expensed to General Fund 1010, in Special Operations Group Org. Code: 101140, for Sideshows Program P819.

BACKGROUND

Since 1988, late-night cruising activity has been broadly referred to as the “Sideshow.” This appellation has been widely applied to the activity by participants, officials tasked with abating with the problem, and members of the media. Over the past few years the number of sideshow participants has significantly decreased in size. However, reckless driving and exhibitions of speed that typify these events continue on a more random basis. Though these incidents do not have the large crowds of spectators, nor occupy locations for extended periods of time as in past years, they continue to generate complaints to the Police Department. The incidents also result in collisions, often with serious injury.

KEY ISSUES AND IMPACTS

The demographics of Sideshow participants remain relatively consistent:

- Men and women
- Average 26 years of age
- Employed
- 35% participants are not Oakland residents

At a minimum, problems associated with the Sideshow include noise, litter, and the defacement of city streets and off-street parking areas from black tire skid marks. Neighborhood residents also complain of disorderly conduct, vandalism, public intoxication, and public urination.

Stolen vehicles, firearms, and illegal drugs are routinely recovered during Sideshow activity. Since 1988, seven traffic fatalities have been linked to the illegal exhibitions of speed and racing that occur during the Sideshow. Though the major Sideshow gatherings of the past have become very rare, a maintenance plan is required in order to sustain and build upon the successes of the enforcement program.

PROJECT DESCRIPTION

The CHP has been a valuable partner in the City’s effort to abate the problems associated with Sideshows. Their expertise in DUI enforcement has resulted in the arrest of hundreds of impaired drivers during the last year of their Operation Impact Program in Oakland. The CHP was the lead agency in developing and applying for the OTS grant that will provide funds for this program. This grant will enable OPD and CHP officers to work together on five unique operations designed to prevent and address the problems (reckless driving, exhibitions of speed, unlicensed operation, DUI) associated with the Sideshow.

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SUSTAINABLE OPPORTUNITIES

Economic - The reckless driving, exhibitions of speed, unlicensed operation, DUI, and other problems associated with the Sideshow negatively impact property value and business opportunities. Efforts to address those problems will lead to improvements of these public safety issues.

Environmental - The toxic and noxious fumes produced by vehicles during Sideshows are a health hazard. The efforts to abate the problem will result in an improvement to Oakland's environment.

Social Equity - One third of Sideshow participants are not Oakland residents. Enforcement activity directed at those individuals is costly to the Oakland taxpayer and a drain on the City's economic well-being. Abatement of the "Sideshow" problem will result in less police overtime costs.

DISABILITY AND SENIOR CITIZEN ACCESS

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

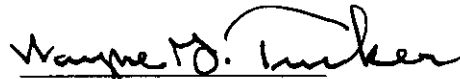
RECOMMENDATION

The Oakland Police Department recommends that the City Council authorize the City Administrator to enter into a Contract for Services with, and receive \$25,000 from the California Highway Patrol for increased traffic enforcement operations targeted at preventing reckless driving and exhibitions of speed, and appropriate said funds to the Police Department.

ACTION REQUESTED BY THE CITY COUNCIL

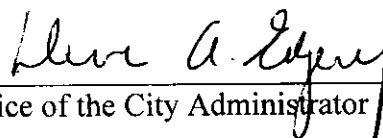
Staff recommends the City Council approve the resolution.

Respectfully submitted,


Wayne G. Tucker
Chief of Police

Prepared by: Sergeant Russell H. Chew
Traffic Section, Special Operations Division
Bureau of Field Operations, and
Candice Jessie, Fiscal Services Division
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

Robert V. Gierro
City Attorney

2005 SEP 29 PM 6:19 RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ENTER INTO A CONTRACT FOR SERVICES WITH, AND RECEIVE TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FROM, THE CALIFORNIA HIGHWAY PATROL FOR INCREASED TRAFFIC ENFORCEMENT OPERATIONS TARGETED AT PREVENTING RECKLESS DRIVING AND EXHIBITIONS OF SPEED COMMONLY REFERRED TO AS SIDESHOWS

WHEREAS, the Police Department requests authorization to enter into a Contract for Services with, and receive \$25,000 from, the California Highway Patrol (CHP) to facilitate the Department's increased efforts to curb gatherings for the purpose of reckless driving and exhibitions of speed, commonly referred to as Sideshows; and

WHEREAS, the proposed traffic enforcement project is part of a larger traffic enforcement initiative sponsored by the State of California, Office of Traffic Safety, administered through the CHP; and

WHEREAS, the City Council previously authorized acceptance of similar contractual funds by Resolution No. 78984 C.M.S. dated December 21, 2004; and

WHEREAS, the indirect costs (Central Services Overhead) associated with the contract are not allowed by the grantor, the Department will cover the CSO charges in the amount of \$4,443; and

WHEREAS, the five planned special traffic enforcement operations associated with this initiative will take place during the period February 16, 2005 through March 30, 2006; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or her designee, to enter into a Contract for Services with, and receive \$25,000 from, the California Highway Patrol to provide increased traffic enforcement operations and to increase revenues and appropriate said budget to the Police Department; and be it

FURTHER RESOLVED: That revenues and appropriations shall be maintained in the State of California Miscellaneous Grant Fund: 2999; Traffic Division Org.: 105647; Traffic Enforcement Program: PS14, in a Project Account to be determined; and be it

FURTHER RESOLVED: That Central Services Overhead costs of \$4,443 (17.77%) shall be expensed to General Fund 1010, Special Operations Group Org. Code 101140, in the Sideshow Program R819; and be it

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FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator as agent of the City to conduct all negotiations and related actions which may be necessary for the completion of the aforementioned contract for services; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said contract with the California Highway Patrol as to form and legality.

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 -

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ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California