



AGENDA REPORT

TO: Jestin D. Johnson
City Administrator

FROM: Darren Allison
Interim Chief of Police

SUBJECT: Alcoholic Beverage Control Department
OPD Grant

DATE: October 17, 2023

City Administrator
Approval

Date Oct 17, 2023

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 Ninety-Eight Thousand One Hundred Thirty-Four Dollars (\$98,134) From The California Department Of Alcoholic Beverage Control, Alcohol Policing Partnership Program, For Fiscal Year 2023-2024 For The Implementation Of The Oakland Police Department's Alcohol Control Enforcement Program; And Authorizing The Use Of Fifteen Thousand Five Hundred Eighty-Five Dollars (\$15,585) From The City's General Purpose Fund To Cover The Associated Central Services Overhead Costs.

EXECUTIVE SUMMARY

Approval of the proposed resolution accompanying this report will allow OPD to receive \$98,134 in grant funding from Department Of Alcoholic Beverage Control (ABC) for the Alcohol Police Partnership (APP) Program. The grant funds will allow OPD's Alcoholic Beverage Action Team (ABAT) to perform the following actions during the period of July 1, 2023 - June 30, 2024:

- Identify, target, and abate problematic ABC licensed establishments;
- Expand training for merchants who sell alcohol, conduct inspections, and expand outreach and education to community groups;
- Collaborate efforts with ABC personnel, the City Attorney's Office, and the District Attorney's Office to hold problem merchants accountable with civil and criminal penalties, enforce the City of Oakland's conditional approval standards for problem locations; and
- Educate and enforce laws related to minors being sold and/or possessing/drinking alcoholic beverages.

BACKGROUND AND LEGISLATIVE HISTORY

The APP¹ grant program is specifically designated by ABC to provide financial resources to law enforcement agencies throughout California. The APP Program is a comprehensive alcohol

¹ ABC renamed the Grant Assistance Program (GAP) to the Alcohol Policing Partnership (APP) in 2019.

beverage control program designed to expand efforts in addressing alcohol-related public safety risks.

OPD wishes to leverage the APP 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 the ABC APP grant for ten out of the past eleven years. Like in prior years, all work done for this grant will be folded into the work of ABAT. The grant term is from July 1, 2023, to June 30, 2024.

Grant Objectives:

- Conduct no fewer than one Licensee Education on Alcohol and Drugs (LEAD) training by June 30, 2024;
- Conduct no fewer than six night-inspection operations at ABC on-sale locations in high crime areas of Oakland by June 30, 2024;

- Conduct no fewer than 25 Specialized Multi Agency Response Team (SMART) inspections by June 30, 2024;
- Conduct no fewer than eight Loitering and Consumption Enforcement (LACE) operations by June 30, 2024;
- Conduct no fewer than eight Shoulder Tap/Minor Decoy operations by June 30, 2024;
- Issue no fewer than four press releases regarding the grant and/or activities conducted under the grant by June 30, 2024;
- Conduct no fewer than 12 community meetings to show residents who choose to help document nuisance activity how to maintain logs, recording any nuisance activity around alcohol premises. ABAT will then conduct follow-up investigations on any reported activity by the community, including, but not limited to, IMPACT inspections, SMART inspections, minor decoy/shoulder tap operations², and LACE operations, by June 30, 2024;
- Conduct no fewer than 12 police lineup trainings on ABC education, prevention, and enforcement measures to over 300 Oakland Police Officers to continue proper enforcement of the 1,129 ABC licensed locations in the city of Oakland by June 30, 2024;
- Conduct no fewer than two trainings to youth groups regarding problems with alcohol consumption by June 30, 2024; and
- Conduct two Academy Trainings at the Oakland Police Department's Basic Recruit Academy on Police Officer Standards and Training (POST) LD#13, Alcoholic Beverage Law.

FISCAL IMPACT

Table 1 below outlines the overtime (OT) staffing costs of ABAT's enforcement work during the 2023-24 fiscal year (FY); **Table 2** outlines non-staffing operational costs; **Table 3** outlines travel expenses; and **Table 4** summarizes all costs.

Table 1: Summary of Staffing Costs

Personnel Cost	FY 2023-24 Cost
Sergeant of Police OT (138 hours over 1 year)	\$15,519
Police Officer OT (732 hours over 1 year)	\$71,349
Police Services Technician II OT (138 hours over 1 year)	\$7,755
Total	\$94,623

Table 2: Operational Costs

Item	FY 2020-21 Cost
Decoy buy monies for 8 operations over 1 year	\$640

² <https://www.abc.ca.gov/enforcement/underage-drinking/shoulder-tap-program/>

Subscription to Phone App recording (1 year service)	\$350
Culvert Recording Device	\$200
Total	\$1,190

Table 3: Travel Costs

Item	FY 2023-24 Cost
July 2023 GAP Conference Registration (2 attendees)	\$950
Lodging	\$1,200
Parking	\$75
Per diem	\$96
Total	\$2,321

Table 4: Summary of All Costs for the Alcohol Enforcement Grant

Item	FY 2023-24 Cost
OT Staffing Costs	\$94,623
Operational Costs	\$1,190
Travel Costs	\$2,321
Total over 2 years	\$98,134

The ABC APP grant program guidelines do not allow funds to be used for indirect costs. Therefore, OPD requests that the General Purposes Fund contribute \$15,585 (16.47 percent of the grant award). All of the ABC APP 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.

Fund Source	Organization	Project	Program	Amount
2159	107710	TBD	TBD	\$94,623

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 Allow The Oakland Police Department (OPD) To Accept A Grant Award From The California Department Of Alcoholic Beverage Control (ABC) Alcohol Policing Partnership (APP) Program And Appropriate Ninety-Eight Thousand One Hundred Thirty-Four Dollars (\$98,134) For The Fiscal Year Of 2023-2024, For The Implementation Of OPD's Alcohol Control Enforcement Program, And Authorize The City's General Purpose Fund To Contribute Fifteen Thousand Five Hundred Eighty-Five Dollars (\$15,585) To Cover The Associated Central Services Overhead (CSO) Costs.

For questions regarding this report, please contact Officer Jennifer Sena, Special Operations Division (SOD), ABAT, at (510) 774-6046.

Respectfully submitted,



Darren Allison
Interim Chief of Police
Oakland Police Department

Reviewed by:

Jennifer Sena, Police Officer
OPD, Special Operations Division

Tracey Jones, Police Services Manager
OPD, Research and Planning Unit

Prepared by:

Amber Fuller, Acting Grants Coordinator
OPD, Fiscal Services Division