



CITY COUNCIL STAFF REPORT

DATE: November 7, 2012

CONSENT AGENDA

SUBJECT: ACCEPTANCE OF \$51,850.00 IN GRANT FUNDING FROM THE UNIVERSITY OF CALIFORNIA BERKELEY, SAFE TRANSPORTATION RESEARCH AND EDUCATION CENTER (SAFETREC) FOR A SOBRIETY CHECKPOINT PROGRAM TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC.

FROM: David Ready, City Manager

BY: Palm Springs Police Department

SUMMARY

It is recommended that the City Council authorize the City Manager to accept \$51,850.00 in SAFETREC grant funding for the Police Department to utilize for a sobriety checkpoint program. The total grant amount will be \$51,850. The grant funds will be used to conduct DUI checkpoints and to purchase the necessary equipment to safely run those checkpoints.

RECOMMENDATION:

1. Accept \$51,850.00 in grant funding from the University of California at Berkeley, Safe Transportation Research and Education Center for a sobriety checkpoint program.
2. Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

The Police Department rigorously enforces DUI laws and promotes DUI awareness and education by conducting DUI checkpoints. These projects are labor intensive and thus expensive. The Police Department plans to conduct eight checkpoint operations during this grant period. The department has been successful in obtaining grant funding to pay for the personnel and equipment costs for these programs.


ITEM NO. 26

The Police Department was able to successfully solicit SAFETREC grant funding for this community safety project and was awarded \$51,850.00 in grant funding.

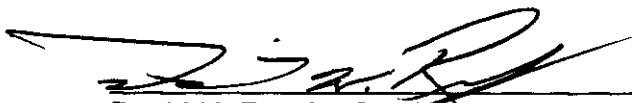
This grant period is for a Sobriety Checkpoint Program between 10/01/12 and 09/30/13.

FISCAL IMPACT:

This is a reimbursable costs grant program for personnel overtime costs and equipment. Matching funds will not be needed.



Alberto Franz III, Police Chief



David H. Ready, City Manager

Attachments:

SAFETREC Grant Agreement SC13303



The Regents of the University of California
 School of Public Health, Berkeley,
 with Primary Funding from the
 California Office of Traffic Safety

GRANT NUMBER

SC13303

GRANT

1. Title of Program

SOBRIETY CHECKPOINT GRANT PROGRAM FOR 2012-2013

2. Name of Applicant Agency

PALM SPRINGS, CITY OF

4. Period of Grant

Month - Day - Year

From: 10/01/12

To: 09/30/13

3. University of California Berkeley, Safe Transportation Research and Education Center
**DAVID RAGLAND, PRINCIPAL INVESTIGATOR, UC BERKELEY SAFE TRANSPORTATION
 RESEARCH AND EDUCATION CENTER**

5. Description of Program

The goal of the Sobriety Checkpoint Grant Program for 2012-2013 is to reduce the number of victims killed and injured in alcohol-involved crashes in participating cities. The period of this grant contract ("contract"), October 01, 2012 to September 30, 2013, encompasses two national mobilization periods: the Winter Holiday Mobilization period, December 14, 2012 - January 01, 2013, and the Labor Day Mobilization period, August 16, 2013 - September 02, 2013. The **Palm Springs Police Department** will conduct sobriety checkpoints in **Palm Springs** in accordance with this contract. The contract includes the attached Schedule A - Descriptions, Schedule B - Detailed Budget Estimate, Schedule B-1 - Budget Narrative, and Schedule C - Terms and Conditions.

6. Federal Funds Allocated Under This Grant Shall Not Exceed:

\$51,850.00

7. Approval Signatures (By signing this page, Agency agrees to the terms and conditions which follow and are attached)

A. The Regents of the University of California Authorized Signature

Name: **Jyl Baldwin** Phone: 510-642-8110

Title: Associate Director, SPO Fax: 510-642-8236

Address: UC Berkeley Sponsored Projects Office
 2150 Shattuck Avenue, Suite 300
 Berkeley, CA 94704-5940

Email: jlbaldwin@berkeley.edu

(Signature)

(Date)

B. Authorizing Official For Applicant Agency

Name: **David Ready** Phone: (760) 323-8362

Title: City Manager Fax: (760) 322-8207

Address: 3200 E. Tahquitz Canyon Way
 Palm Springs, CA 92262

Email: David.Ready@palmspringsca.gov

(Signature)

(Date)

C. Agency Office Authorized to Receive Payments

Agency: **Palm Springs, City of** Phone: (760) 323-8361

Office: Finance Department

Address: 3200 E. Tahquitz Canyon Way
 Palm Springs, CA 92262

Tax ID #: 95-6000757

Contact Person: Nancy Klukan

Email: Nancy.Klukan@palmspringsca.gov

D. Optional: Individuals Authorized to Sign Claims (in addition to the Authorizing Official For Applicant Agency)

Name: Title:

(Signature)

(Date)

Name: Title:

(Signature)

(Date)

**Schedule A - Description
Sobriety Checkpoint Grant Program for 2012-2013**

GOALS

1. To reduce the number of victims killed in alcohol-involved crashes.
2. To reduce the number of victims injured in alcohol-involved crashes.
3. To reduce nighttime (2100 hours to 0259 hours) fatal crashes.
4. To reduce nighttime (2100 hours to 0259 hours) injury crashes.
5. To reduce hit and run fatal crashes.
6. To reduce hit and run injury crashes.

AGENCY OBJECTIVES

1. To conduct a total of 8 sobriety checkpoints by September 30, 2013 (should be a minimum of one checkpoint per mobilization).

NOTE: If a department elects to combine a Driver License (DL) checkpoint with a sobriety checkpoint, the department should: 1) inform the public (via the press release) that driver licenses will be checked and 2) conduct DUI/DL checkpoint operations with signs reading, "DUI/Driver License Checkpoint Ahead".

To better identify and apprehend drug-impaired drivers in addition to alcohol-impaired drivers, it is highly recommended that all personnel assigned to staff the greeting lane of the checkpoint be Drug Recognition Experts (DRE's) and/or Advanced Roadside Impaired Driving Enforcement (ARIDE) trained sworn officers. At the very minimum, all officers contacting drivers in the greeting lane should be National Highway Traffic Safety Administration (NHTSA) Standardized Field Sobriety Test (SFST) trained and certified.

To maximize effectiveness, checkpoint operations may be conducted at more than one location on any evening. Each checkpoint should be highly publicized and visible. **The Office of Traffic Safety (OTS) does not fund or support independent DL checkpoints.**

Only on an exception basis and with OTS pre-approval will OTS fund checkpoint operations that begin prior to 1800 hours. When practicable it is recommended that checkpoint operations run until 0300 hours.

2. If appropriate, a supervisor(s) should attend OTS-sponsored "DUI Checkpoints - Planning and Management" eight-hour, POST-certified training by December 31, 2012. Officers are encouraged to attend this training as well.
3. To collect and report checkpoint statistics on-line for checkpoints conducted during the Winter and Labor Day mobilization periods and submit the data by the deadlines established by the Safe Transportation Research and Education Center (SafeTREC).
4. To collect and report checkpoint statistics on-line for checkpoints conducted outside the mobilization periods and to submit the data by the end of the applicable quarter(s).

Schedule A - Description (continued)
Sobriety Checkpoint Grant Program for 2012-2013

MEDIA OBJECTIVES

1. After the statewide kick-off press event, issue a press release announcing the kick-off of this grant, using the OTS kick-off press release template provided by SafeTREC.
2. During the mobilization periods (December 14 - January 1 and August 16 - September 2), if an AVOID media campaign is active in the county, grantee should notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator should issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.
3. For each checkpoint operation, grantee should distribute a separate press release using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, grantee should forward press releases, media advisories, alerts and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, grantee should submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review. Optimum lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to the SafeTREC. For post-operational media communications that report the results of checkpoints, grantee does not need to have the release approved by OTS.
4. Grantee should use OTS's Tagline "Report Drunk Drivers. Call 911" on all news releases and checkpoint publication materials.
5. To use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
6. Grantee should issue to the media a post-operational news release reporting the results of the checkpoint (do not submit to OTS media communications reporting the results of checkpoints). Any drug-impaired driving arrests (23152(a)) and other drug arrests (possession, transportation, for sale) made as the result of the checkpoint operation should be incorporated into the post-operational media release.

METHOD OF PROCEDURE

Phase I: Program Preparation (October 1, 2012 – December 13, 2012)

1. Review the contract to ensure compliance with contract provisions.
2. Notify the SafeTREC of any changes in contact information. The contract, purchase order number and Fact Blasts are emailed to the contact person listed in the agency application.
3. Attend OTS-sponsored "DUI Checkpoints – Planning and Management" eight-hour, POST-certified training by December 31, 2012.
4. Plan checkpoint staffing, e.g., supervisors, officers, clerical staff, or community service officers as needed to staff each sobriety checkpoint on an overtime basis.
5. Send a written request to the SafeTREC to seek approval of any changes to grant funded work or deliverables.
6. Order grant approved checkpoint supplies, if applicable.

Schedule A - Description (continued)
Sobriety Checkpoint Grant Program for 2012-2013

Phase II: Mobilization (December 14, 2012 – January 1, 2013 and August 16, 2013 – September 2, 2013)

7. After the statewide kick-off press event in December, grantee should issue a press release announcing the kick-off of this grant using the OTS kick-off press release template provided by SafeTREC.
8. If an AVOID media campaign is active in the county, grantee should notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator should issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.
9. For each checkpoint operation, grantee should distribute a separate press release using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, grantee should forward press releases, media advisories, alerts, and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, grantee should submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review. Optimum lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to the SafeTREC. For post-operational media communications that report the results of checkpoints, grantee does not need to have the release approved by OTS.
10. Use OTS's tagline, "Report Drunk Drivers. Call 911" on all news releases and checkpoint publication materials.
11. Conduct roll call training. Roll call training costs are not reimbursable.
12. To better identify and apprehend drug-impaired drivers in addition to alcohol-impaired drivers, it is highly recommended that all personnel assigned to staff the greeting lane of the checkpoint be Drug Recognition Experts (DRE's) and/or Advanced Roadside Impaired Driving Enforcement (ARIDE) trained sworn officers. At the very minimum, all officers contacting drivers in the greeting lane should be NHTSA Standardized Field Sobriety Test (SFST) trained and certified.
13. Begin the checkpoint no earlier than 1800 hours and if possible and practicable, operate the checkpoint until 0300 hours.
14. Conduct the last checkpoint no later than September 30, 2013.

Phase III: Post Operational Data Reporting (at the end of each mobilization period and each applicable calendar quarter)

15. Submit post-operational data on-line for checkpoints conducted during the Winter Holiday and Labor Day mobilizations. Submit data by the SafeTREC deadlines.
16. Submit post-operational data on-line for checkpoints conducted outside the mobilization periods. Submit the data by the end of the applicable quarter. If multiple checkpoints are conducted during the quarter, summarize (total) the checkpoint statistics.
17. Issue to the media a post-operational news release reporting the results of the checkpoint. Any drug-impaired driving arrests (23152(a)) and other drug arrests (possession, transportation, for sale) made as the result of the checkpoint operation should be incorporated into the post-operational media release.

Phase IV: Claim Submission (at the end of the applicable calendar quarter)

18. Compile actual overtime and checkpoint supply costs incurred for operating the grant-funded checkpoints.
19. Download the claim form from the SafeTREC web site at:
http://www.safetrec.berkeley.edu/checkpointgrants/2012_2013checkpoint.html
20. Complete the claim form for the applicable quarter in accordance with Schedule B – Detailed Budget Estimate and Schedule B-1 – Budget Narrative.
21. Mail the claim forms for the quarter, with the required supporting documentation (specified in Schedule B-1) to the SafeTREC following the end of the applicable calendar quarter.

**Schedule B - Detailed Budget Estimate
Sobriety Checkpoint Grant Program for 2012-2013**

The **Palm Springs, City of** will conduct a total of **8** sobriety checkpoints in **Palm Springs** as described in Table B below.

Table B

	Number of Checkpoints	Cost Per Checkpoint	Total Cost
Winter Holiday Mobilization, December 14, 2012 – January 01, 2013 (should be a minimum of one checkpoint)	1	\$5,000.00	\$5,000.00
Labor Day Holiday Mobilization, August 16, 2013 – September 02, 2013 (should be a minimum of one checkpoint)	1	\$5,000.00	\$5,000.00
Number of checkpoints outside the mobilization periods	6	\$5,000.00	\$30,000.00
Total Number of Checkpoints	8	Maximum Reimbursable Amount for Checkpoints	\$40,000.00

The cost per checkpoint includes overtime benefits. Only actual benefits accrued from overtime hours will be covered (e.g., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

Maximum Reimbursable Amount for Checkpoint Supplies	\$11,850.00
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Only OTS-approved supplies will be reimbursed. The prices of supplies will be reimbursed in accordance with policies established by the OTS.

Grant Total Amount (Maximum Reimbursable Amount for Checkpoints + Maximum Reimbursable Amount for Checkpoint Supplies)	\$51,850.00
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Schedule B-1 - Budget Narrative
Sobriety Checkpoint Grant Program for 2012-2013

Palm Springs, City of will be reimbursed for overtime personnel costs and checkpoint supplies to conduct the checkpoints.

Overtime reimbursement will reflect actual costs (overtime hourly rate and overtime benefit rates) of the personnel conducting the appropriate operation(s) up to the amount of the approved cost per check point and the grant total stated in Schedule B- Detailed Budget Estimate. Only actual benefits accrued from overtime hours will be covered (e.g., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

Budgeted grant activities will be conducted by personnel on an overtime basis. The grant covers only the costs of police department personnel. Grants do not cover contractual services (with the exception of contract cities). Grant-funded operations may be conducted by personnel such as an officer, sergeant, corporal, deputy, community service officer, dispatcher clerical/administrative, etc. depending on the titles used by the agency. Personnel will be deployed as needed to accomplish the grant goals and objectives. Administrative/clerical personnel are allowable only if they worked on the checkpoint operation, e.g., to process the larger than normal volume of citations, towing records, and arrest/incident reports. These reports must be a result of the operation and required to be processed quickly for distribution to the courts and the District Attorney's Office, or to meet statutory time limits. Clerical overtime incurred before the checkpoint or more than one business day after the last day of the checkpoint is not allowable. Costs for preparing claims are not reimbursable.

OTS-approved checkpoint supplies (cones, signage, vests, PAS devices/supplies and lighting equipment) are reimbursable provided that the total cost of supplies, including tax and shipping, does not exceed the awarded amount specified in Schedule B. The prices of supplies will be reimbursed at unit costs not to exceed OTS-established unit costs. Other direct costs are not reimbursable, except for OTS-approved checkpoint supplies.

Indirect costs are not reimbursable.

Reimbursements are contingent upon the following (exceptions must be approved by the SafeTREC):

- i. The applicable post-operational data have been submitted using the SafeTREC's on-line reporting system.
- ii. The claim form is correctly filled out, using the SafeTREC Excel-based form.
- iii. The claim amounts do not exceed the limits set forth in *Schedule B - Detailed Budget Estimate*.
- iv. The information in the overtime slips and the ledger report are consistent and fully support the claim.
- v. A ledger report(s) supporting the claim amount is attached to the claim. Only source documents are accepted to support the claim amount. Explanatory documentation such as spreadsheets may be submitted to provide additional information but cannot be accepted in lieu of a ledger report(s).
- vi. *Contract cities only*: A contract city must also provide the sheriff's department's invoice to the contract city for the checkpoint overtime costs described in the contract city's claim. The invoice (or an attachment to the invoice) must contain the contract rates that are the basis for the sheriff's department's invoiced amount. The contract city must provide a ledger report showing payment of the invoice amount. If a sheriff's department or police department is administering the grant for a contract city, then that administering agency must provide the ledger report only.
- vii. An invoice(s) for the amount of checkpoint supplies is attached to the claim. The invoice must contain a sufficient description of the purchased item(s), quantity, and unit cost.
- viii. The claim is signed by the Authorizing Official (Box B of the grant cover page) or Individuals Authorized to Sign Claims (Box D) as designated in the grant cover page.
- ix. Changes in the Authorizing Official For the Applicant Agency or the designation of any other additional individual(s) to sign claims are documented in accordance with SafeTREC documentation requirements.
- x. The final claim is submitted no later than October 31, 2013.

**Schedule C - Terms and Conditions
Sobriety Checkpoint Grant Program for 2012-2013**

A. INDEMNIFICATION

Applicant Agency agrees to indemnify, defend, and save harmless the State of California, its officers, agents, and employees, the Regents of the University of California, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this contract, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by Applicant Agency in the performance of this contract.

B. GOVERNING LAW

This Contract shall be governed by and construed in accordance with the laws of the State of California.

C. NON-ASSIGNABILITY

The obligations of the applicant agency under this Contract are not assignable to any third party.

D. USE OF UNIVERSITY NAME/TRADEMARKS

Applicant Agency shall not use the name of the University of California, or any abbreviation thereof, or any name of which "University of California" is a part, or any trademarks of the University, in any commercial context, such as may appear on products, in media (including web sites) and print advertisements in cases when such use may imply an endorsement or sponsorship of the Applicant Agency, its products, or services. All uses of the University's name and trademarks, therefore, must first receive prior written consent of The Regents of the University of California through the Office of Marketing & Business Outreach. This policy is in compliance with the State of California Education Code Section 92000.

E. TERMINATION

Each party has the right to suspend, terminate or abandon the execution of any work by the Applicant Agency without cause at any time upon giving prior written notice. In the event that this contract is suspended, terminated, or abandoned, the Regents of the University of California shall pay the Applicant Agency for services provided hereunder prior to the effective date of said suspension, termination, or abandonment. Said payment shall be computed in accordance with Schedules B and B-1, provided that the maximum amount payable to the Applicant Agency for its services shall not exceed the Grant Total Amount on Schedule B for services provided hereunder prior to the effective date of suspension, termination, or abandonment.

F. STATE OF CALIFORNIA TERMS, CONDITIONS, AND CERTIFICATIONS

Applicant Agency agrees to abide by the General Terms, Conditions, and Certifications contained in OTS Grant Program Manual, Chapter 8, Exhibit D, Federal Certifications and Assurances.