



# **CITY COUNCIL AGENDA REPORT**

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MEETING DATE: October 7<sup>th</sup>, 2008

ITEM NUMBER: VI-15

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AUTHORIZING ACCEPTANCE OF A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "DUI ENFORCEMENT AND AWARENESS PROGRAM"

**DATE:** SEPTEMBER 18, 2008

**FROM:** POLICE DEPARTMENT- SUPPORT SERVICES DIVISION, TRAFFIC SAFETY BUREAU

**PRESENTATION BY:** ROBERT SHARPNACK, SGT.  
TRAFFIC SAFETY BUREAU, SPECIAL EVENTS DETAIL

**FOR FURTHER INFORMATION CONTACT:** ROB SHARPNACK  
(714) 754-4963

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## **RECOMMENDED ACTION:**

1. Adopt Resolution that authorizes the City Manager or his designee to accept the Grant award from the California Office of Traffic Safety for the "DUI Enforcement and Awareness Program."
2. Approve Budget Adjustment # 09-007 to appropriate \$300,882 of California Office of Traffic Safety grant to the Police Department's operating budget.

## **BACKGROUND:**

The State of California Business, Transportation, and Housing Agency, through the Office of Traffic Safety, distributes federal funding to California under the National Highway Transportation Safety Administration. Grants are used to mitigate traffic safety program deficiencies, expand on-going programs, or to develop a new program. Grant funding cannot replace existing program expenditures, nor can traffic safety funds be used for program maintenance, research, rehabilitation, or construction. The City has applied for several of these grants in the past and has received funds that have significantly assisted the objectives of the Traffic Safety Bureau and improved traffic safety in the City of Costa Mesa.

## **ANALYSIS:**

The City of Costa Mesa has experienced a high level of alcohol-involved collisions with fatalities and injuries. We have had steady increases in the number of all types of collisions associated with driving under the influence and unlicensed/suspended drivers despite aggressive efforts to curb the practice.

Calendar year 2007 statistics show that 20% of fatal collisions involved drivers under the influence. Our hit and run collision rate has also risen consistently despite those efforts.

Based on 2006 rankings published by the Office of Traffic Safety, among the 50 cities in Group B (city population 100,001 to 250,000), Costa Mesa ranks poorly in alcohol and speed related collisions. Costa Mesa was ranked as the worst for alcohol related collisions (all age groups of impaired drivers). This was despite the fact that Costa Mesa Police Department arrested more impaired drivers (979) than any other city in Group B. Costa Mesa also improved from #1 to #3 in speed related collisions but declined from 8<sup>th</sup> to 3<sup>rd</sup> worst for hit-and-run collisions. Approximately 2,540 citations were issued to suspended and unlicensed drivers in Costa Mesa in 2007. Impaired driving enforcement has always been a top priority with the Costa Mesa Police Department. Since 1986, the Department has staffed a full-time impaired driving enforcement team consisting of two officers. In addition to the impaired driving enforcement team, the Department regularly conducts sobriety checkpoints and mini-saturation patrols which are funded by grants.

Police Department staff has applied, and has received approval, for the current grant which is offered through the California Office of Traffic Safety. The grant will allow the Police Department to implement the DUI Enforcement and Awareness Program (D.E.A.P.). The program will represent a proactive approach to reducing the number of impaired and suspended/revoked driver related injury collisions in the City of Costa Mesa. Grant funds will be used to staff Impaired Driver/Driver License checkpoints and for overtime to staff targeted enforcement shifts. Grant funding will also provide for the purchase of a new DUI trailer which will assist us in accomplishing the objectives of the grant project. In addition, emphasis will be placed on removing the suspended/revoked driver from our roads and highways. The Police Department will do this with a creative and innovative approach, utilizing all available resources which includes additional targeted traffic enforcement patrols. Some of the specific project objectives from the grant agreement are as follows:

- ❖ To conduct Standardized Field Sobriety Testing (SFST) training for at least ten (10) officers by March 31, 2009.
- ❖ To conduct fifteen (15) DUI/DL checkpoints by September 30, 2009.
- ❖ To conduct twenty-four (24) DUI saturation patrols by September 30, 2009.
- ❖ To conduct twenty-two (22) warrant service operations targeting multiple DUI offenders who violate probation terms or fail to appear in court by September 30, 2009.
- ❖ To develop a "Hot Sheet" program to notify Patrol and Traffic Safety Bureau officers to be on the lookout for identified repeat DUI offenders with suspended or revoked licenses as a result of DUI convictions by December 31, 2008. Updated Hot Sheets will be distributed to Patrol and Traffic Safety Bureau officers every three to four weeks.
- ❖ To conduct seven (7) "Stakeout" operations that employ police officers to observe the "worst of the worst" repeat DUI offender probationers with suspended or revoked driver licenses by September 30, 2009.
- ❖ To conduct seven (7) "Court Sting" operations to cite individuals driving from court after having their license suspended or revoked by September 30, 2009.

To receive these grant funds, the Office of Traffic Safety requires the City Council to adopt a Resolution agreeing to support the grant goals in their entirety. Office of Traffic Safety grant funding is based on the federal fiscal year, which begins on October 1 and ends on September 30. The grant agreement provides funds in the amount of \$300,882 that will be utilized over a 12-month period of time (October 1, 2008 through September 30, 2009).

**ALTERNATIVES CONSIDERED:**

None

**FISCAL REVIEW:**

The attached budget adjustment appropriates the total expected grant of \$300,882 to the Police Department's operating budget. The grant period is from October 1, 2008 to September 30, 2009.

**LEGAL REVIEW:**

The City Attorney's Office has reviewed the Grant Agreement and associated documents and has approved it as to form and content.

**CONCLUSION:**

Based upon an analysis of the Grant Agreement and the available benefits to the City offered by the award of the grant, Department staff supports the approval of the above listed recommendation.



ROBERT SHARPNACK  
Traffic Safety Bureau



CHRISTOPHER SHAWKEY  
Chief of Police



MARC R. PUCKETT  
Director of Finance



KIMBERLY HALL BARLOW  
City Attorney

DISTRIBUTION: City Manager  
City Attorney  
Finance Director  
City Clerk

ATTACHMENTS: 1 Resolution of the City Council  
2 Budget Adjustment # 09-007  
3 Office of Traffic Safety Grant Agreement

RESOLUTION NO. 08-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "DUI ENFORCEMENT AND AWARENESS PROGRAM".

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the State of California Business, Transportation & Housing Agency has made funds available through the Office of Traffic Safety for the "DUI Education and Awareness Program", as set forth in the Grant Agreement; and

WHEREAS, the City of Costa Mesa supports the grant goals and wishes to participate in the "DUI Education and Awareness Program" and

WHEREAS, the City of Costa Mesa has been awarded \$300,882.00 in California Office of Traffic Safety funds for the period of October 1, 2008 through September 30, 2009; and

NOW, THEREFORE, BE IT RESOLVED that, the City Council of Costa Mesa hereby approves the application for and acceptance of a grant from the California Office of Traffic Safety and the City Manager or his designee is hereby authorized to implement this authorization.

PASSED AND ADOPTED this 7<sup>th</sup> day of October, 2008.

\_\_\_\_\_  
Eric R. Bever, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Julie Folcik, City Clerk

\_\_\_\_\_  
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )       ss  
CITY OF COSTA MESA )

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 08-\_\_\_\_ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 7<sup>th</sup> day of October, 2008, by the following roll call vote, to wit:

AYES:           COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 8<sup>th</sup> day of October, 2008.

\_\_\_\_\_  
JULIE FOLCIK, CITY CLERK

(SEAL)

**BUDGETI ADJUSTIMENTI AUTORIZAZIONI**

<b>Unit</b> CITY	<b>Department</b> Police	<b>Division</b> Police Field Operations	<b>Serial Number</b> 09-007
<b>Type of Transaction</b> <input checked="" type="checkbox"/> Revenue Estimate <input checked="" type="checkbox"/> Estimate Increase <input type="checkbox"/> Estimate Decrease  <input checked="" type="checkbox"/> Source <input type="checkbox"/> From Existing Budget Appropriations <input checked="" type="checkbox"/> From Donations, Fees, or Grants <input type="checkbox"/> From Unappropriated Fund Balance		<b>Reason for Request:</b>  To increase revenue and appropriate the new OTS DEAP grant funds, as recommended to Council at their October 7, 2008 meeting.	
<input checked="" type="checkbox"/> Expenditure Appropriation <input type="checkbox"/> Intra-Departmental Transfer <input type="checkbox"/> Inter-Departmental Transfer <input type="checkbox"/> Project-To-Project Transfer <input checked="" type="checkbox"/> Appropriation Increase <input type="checkbox"/> Appropriation Decrease			

Unit	Account	Name	Fund	Organization	Program	Project/Grant	Increase	Decrease
CITY	430266	Office of Traffic Safety	220	15300	10145	-	\$300,880	-
CITY	505500	Professional Development	220	15300	10145	-	3,000	-
CITY	501400	Overtime	220	15300	10145	-	267,436	-
CITY	590800	Other Equipment	220	15300	10145	-	30,444	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
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-	-	-	-	-	-	-	-	-

<b>Department Authorization:</b>   Department Director	<b>Recommendation:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval <b>Reasons For Disapproval:</b>  Director of Finance
<b>Budget Verification:</b> The above information has been reviewed, is complete and accurate, and the appropriations and/or unappropriated funds are sufficient to support the request.  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   Budget and Research Officer	<b>City Manager Action:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Not Required _____ City Manager
_____ Date	_____ Date

**OFFICE OF TRAFFIC SAFETY**

2208 KAUSEN DRIVE, SUITE 300  
ELK GROVE, CA 95758  
www.ots.ca.gov  
(916) 509-3030  
(800) 735-2929 (TT/TDD-Referral)  
(916) 509-3055 (FAX)



September 17, 2008

Grant No. AL0923

Rob Sharpnack, Sergeant  
Costa Mesa Police Department  
99 Fair Drive  
Costa Mesa, CA 92626

Dear Sergeant Sharpnack:

The Office of Traffic Safety (OTS) has approved your traffic safety grant as part of the California Traffic Safety Program.

Costs incurred must be in accordance with your grant agreement, and recorded in your accounting system. No other costs can be allowed without prior OTS approval. Costs incurred prior to the starting date or subsequent to the closing date of this grant are not reimbursable.

Within the first quarter of your grant period, your Coordinator will provide you with information about operational and fiscal requirements, as well as tools to manage your new grant.

Please refer to the above grant number in all your communications with this office. If you have any questions, please contact Tony Sordello, Regional Coordinator, at (916) 509-3019 or e-mail at [tsordello@ots.ca.gov](mailto:tsordello@ots.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Chris Murphy".

CHRISTOPHER J. MURPHY  
Director

TS:lkd

Enclosures

cc: Chris Shawkey  
Marc Puckett  
Fiscal



State of California

OFFICE OF TRAFFIC SAFETY  
GRANT AGREEMENT

GRANT NUMBER  
AL0923

PAGE 1 (To be completed by applicant Agency)

1. GRANT TITLE

DUI ENFORCEMENT AND AWARENESS PROGRAM

2. NAME OF APPLICANT AGENCY

CITY OF COSTA MESA

3. AGENCY UNIT TO HANDLE GRANT

POLICE DEPARTMENT

4. GRANT PERIOD

Month - Day - Year

From: 10/1/08

To: 9/30/09

5. GRANT DESCRIPTION (Provide an overview of the grant activities that will address the problem statement, in approximately 100 words. Space is limited to six lines.)

To reduce the persons killed and injured in alcohol involved crashes, "best practice" strategies will be conducted on an overtime basis. The funded strategies include DUI/Driver's License checkpoints and DUI saturation patrols. This program will also develop a "Hot Sheet" program and conduct "Stakeout" operations for officers to concentrate on repeat DUI offenders on probation who have had their licenses suspended or revoked. Court "stings" operations will focus on DUI offenders with suspended or revoked driver licenses who get behind the wheel after leaving court. Through warrant service details, the police department will target repeat DUI violators who failed to appear in court or violate probation. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 300,882.00

7. APPROVAL SIGNATURES

A. GRANT DIRECTOR

NAME: Rob Sharpnack PHONE: 714-754-4963  
TITLE: Sergeant FAX: 714-754-4808  
ADDRESS: 99 Fair Drive  
Costa Mesa, CA 92626

E-MAIL: rsharpnack@ci.costa-mesa.ca.us

  
\_\_\_\_\_  
(Signature) 8-25-08  
(Date)

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY

NAME: Chris Shawkey PHONE: 714-754-5117  
TITLE: Chief of Police FAX: 714-754-4808  
ADDRESS: 99 Fair Drive  
Costa Mesa, CA 92626

E-MAIL: cshawkey@ci.costa-mesa.ca.us

  
\_\_\_\_\_  
(Signature) 8-25-08  
(Date)

C. FISCAL OR ACCOUNTING OFFICIAL

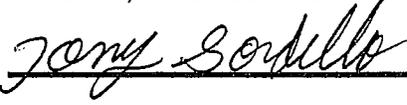
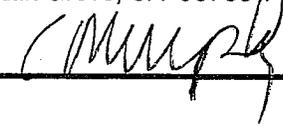
NAME: Marc Puckett PHONE: 714-754-5037  
TITLE: City Finance Director FAX:  
ADDRESS: 77 Fair Drive  
Costa Mesa, CA 92626

E-MAIL: mpuckett@ci.costa-mesa.ca.us

  
\_\_\_\_\_  
(Signature) 8-25-08  
(Date)

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS

NAME: Finance Department  
ADDRESS: 77 Fair Drive  
Costa Mesa, CA 92626

<b>EFFECTIVE DATE OF AGREEMENT:</b> <u>10/1/2008</u>		<b>GRANTEE</b> <u>CITY OF COSTA MESA</u>		<b>GRANT NO.</b> <u>AL0923</u>	
<b>8. Action No.</b> 1 <b>Date:</b> 9/4/2008		<b>10. TYPE OF AGREEMENT</b>			
<b>Revision No.</b> <b>Date:</b>		Initial <input checked="" type="checkbox"/>	Revision <input type="checkbox"/>	Cont. <input type="checkbox"/>	
		FUND 164	PROGRAM 09-AL	TASK NO. 2	F.Y. 2009
<b>9. Action Taken</b>		<b>11. FUNDING DISPOSITION &amp; STATUS</b>			
Initial approval of 2009 HSP funds obligated.		Fiscal Year		Amount	
		2008-09		300,882.00	
State FY 2008-09 2700-101-0890 (BA 2008) <i>Catalog Federal Domestic Assistance No. 20.600</i>		Total		300,882.00	
		Obligated This Action		300,882.00	
		Previously Obligated		0.00	
		Total Amount Obligated		300,882.00	
		Amount Suspended		0.00	
		<b>TOTAL FUNDS PROGRAMMED</b>		<b>300,882.00</b>	
<b>12. BUDGET SUMMARY (From Schedule B Detail) - FISCAL YEAR GRANT PERIOD ENDING:</b> 9/30/2009					
COST CATEGORY	2009 GRANT PERIOD	PRIOR GRANT	2008-09 TOTAL GRANT	TOTAL GRANT BUDGET ESTIMATE	
A. Personnel Costs	267,436.00	0.00	267,436.00	267,436.00	
B. Travel Expenses	3,000.00	0.00	3,000.00	3,000.00	
C. Contractual Services	0.00	0.00	0.00	0.00	
D. Equipment	30,446.00	0.00	30,446.00	30,446.00	
E. Other Direct Costs	0.00	0.00	0.00	0.00	
F. Indirect Costs	0.00	0.00	0.00	0.00	
<b>TOTAL FEDERAL FUNDS</b>	<b>300,882.00</b>	<b>0.00</b>	<b>300,882.00</b>	<b>300,882.00</b>	
<b>13. GRANT APPROVAL &amp; AUTHORIZATION TO EXPEND OBLIGATED FUNDS</b>					
<b>A. APPROVAL RECOMMENDED BY</b>			<b>B. AGREEMENT &amp; FUNDING AUTHORIZED BY</b>		
<b>NAME:</b> TONY SORDELLO <b>TITLE:</b> Regional Coordinator <b>PHONE:</b> (916) 509-3019 <b>E-MAIL:</b> <a href="mailto:tsordello@ots.ca.gov">tsordello@ots.ca.gov</a> Office of Traffic Safety 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758-7115			<b>NAME:</b> CHRISTOPHER J. MURPHY <b>TITLE:</b> Director  Office of Traffic Safety 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758-7115		
Signature <u></u>			Signature <u></u>		

**GRANTS MADE EASY – DUI**

**Overtime**

**SCHEDULE A**

**GRANT NO: AL0923**

**GRANT DESCRIPTION**

Page 1

**PROBLEM STATEMENT:**

Using local data (not OTS Rankings or SWITRS), complete the table below.

Collision Type	2004				2005				2006			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	9		10		3		3		3		3	
Injury	740		1039		679		930		651		704	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	5	69	6	110	1	63	1	2	0	64	0	111
Hit & Run	0	63	0	79	0	51	0	75	0	76	0	148
Nighttime (2100-0259 hours)	3	88	4	121	0	20	0	102	1	96	1	147

**Please provide detailed answers to the following questions as part of the Problem Statement:**

1. Describe the traffic safety problem(s) to be addressed, include:

- What percent of your collisions involve drivers with suspended or revoked license or drivers who have never been issued a license?
- What percent of your total DUI arrests between October 1, 2006, and September 30, 2007, were made as a result of a collision?

A large percentage of our collisions involve drivers who operate vehicles while unlicensed or with suspended or revoked licenses.

In FFY 2007, 21.65% of our DUI arrests were made as a result of a collision. In this time period, we arrested a total of 1,053 drivers for DUI, 228 which were involved in traffic collisions.

2. How many sobriety checkpoints did your department conduct between October 1, 2006 and September 30, 2007? (Include checkpoints from all funding sources, i.e. OTS grants or mini-grants, and department funded)

The Costa Mesa Police has maintained an aggressive approach in detecting and removing impaired drivers from the roadways. We support this approach by utilizing a dedicated DUI team throughout each calendar year. In addition, we complete saturation patrols which supplement our DUI checkpoints. During the Federal Fiscal Year (FFY) 2007, we conducted a total of 6 DUI and/or CDL checkpoints.

3. What is the average number of DUI arrests and vehicles impounded per checkpoint?

As a result of our DUI checkpoint operations, we arrested an average of 3.8 drivers and towed an average of 10.5 vehicles per checkpoint. These vehicles were towed either pursuant to arrest, or impounded for unlicensed / suspended license statuses or expired vehicle registration.

4. What is the magnitude of your city's problem concerning repeat DUI offenders who violate probation or fail to appear in court? Do you currently have a program that proactively addresses this issue?

In calendar year 2007, the Costa Mesa Police Department arrested over 1,000 DUI drivers. Since a large number of DUI offenders repeat their offenses or fail to appear in court, we work with the DUI court and

GRANTS MADE EASY – DUI

Overtime

SCHEDULE A

GRANT NO: AL0923

**GRANT DESCRIPTION**

Page 2

Orange County Probation. This enables us to be proactive in passing "hot sheet" information to officers and in serving arrest warrants.

5. Do you have a backlog of unserved warrants for repeat DUI offenders?

Currently, we have a backlog of unserved warrants for first time and repeat DUI offenders. Through our OTS "DEAP" grant, we have established a working relationship with the Orange County Sheriff's Department. As a result, we are in frequent contact with one another for the purpose of obtaining arrest warrants on local offenders and to remove served warrants from our files. By serving warrants for first time and repeat offenders, we are helping to make the roadways safer for all motorists.

6. How many of your traffic officers have received Standardized Field Sobriety Testing (SFST) training?

All of our traffic officers have been trained in the Standardized Field Sobriety Testing (SFST) procedures. In our Field Training Program, our organization requires that new officers successfully complete 40 hours Traffic Phase training. This training includes DUI exposure and SFST procedures. We have also moved forward with implementing NHTSA's standardized and validated SFST procedures. This effort has been supplemented with assistance provided under our current OTS "DEAP" grant.

7. What is your current administrative recovery fee for vehicles impounded for up to 30 days and how much of the fee goes to the General Fund vs. a special Traffic Offender account? How is it used?

Our current administrative recovery fee for vehicle impounds is \$185.00. A total of 100% of these funds goes to an existing Vehicle (Traffic) Offender Fund.

**PERFORMANCE MEASURES:**

**Goals:** Goals serve as the foundation upon which the grant is built. Goals are what you hope to accomplish by implementing a traffic safety grant program.

1. To reduce the number of persons killed in traffic collisions.
2. To reduce the number of person injured in traffic collisions.
3. To reduce the number of persons killed in alcohol-involved collisions.
4. To reduce the number of persons injured in alcohol-involved collisions.
5. To reduce hit & run fatal collisions.
6. To reduce hit & run injury collisions.
7. To reduce nighttime (2100 - 0259 hours) fatal collisions.
8. To reduce nighttime (2100 - 0259 hours) injury collisions.

GRANTS MADE EASY – DUI  
Overtime  
SCHEDULE A

GRANT NO: AL0923

GRANT DESCRIPTION

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**Objectives:** Objectives are the tasks or activities undertaken during the grant period to make the goals a reality. Objectives are designed to move you closer to achieving your overall goals. *Objectives are used to measure a grantee's success.*

1. To issue a press release announcing the kick-off of the grant by November 15, 2008. The press releases and media advisories, alerts, and materials must be forwarded to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy the OTS Coordinator for approval 14 days prior to the issuance date of the release.
2. 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."
3. To email OTS at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy the OTS Coordinator draft press releases for OTS approval for all grant funded operations at least 14 days prior to the issuance date of the release.
4. To submit applications for the California Law Enforcement Challenge (<http://www.chp.ca.gov/clec/index.html>) by the deadline of March 31, 2009 to OTS and:

California Law Enforcement Challenge  
P.O. Box 942898  
Sacramento, CA 94298-0001  
Attention: Special Projects Section (052)

5. To conduct Standardized Field Sobriety Testing (SFST) training for 10 officers by March 31, 2009.
6. To conduct 15 DUI/DL checkpoints by September 30, 2009.

*Note:* For combination DUI/DL checkpoints, departments must issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Also, according to the Attorney General's Office all DUI/DL checkpoint operations must have signs reading "DUI/Driver's License Checkpoint Ahead."

To maximize effectiveness, it may be necessary to conduct a checkpoint operation at more than one location on any given day/ night. Each checkpoint should be highly publicized and visible. No occupant restraint citations will be issued at the checkpoints. **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.**

7. To conduct 24 DUI saturation patrols by September 30, 2009.
8. To conduct 22 warrant service operations targeting multiple DUI offenders who violate probation terms or fail to appear in court by September 30, 2009.

**GRANTS MADE EASY – DUI  
Overtime  
SCHEDULE A**

**GRANT NO: AL0923**

**GRANT DESCRIPTION**

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9. To develop a "Hot Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with suspended or revoked licenses as a result of DUI convictions by December 31, 2008. Updated Hot Sheets will be distributed to patrol and traffic officers every three to four weeks.
10. To conduct 7 "Stakeout" operations that employ police officers to observe the "worst of the worst" repeat DUI offender probationers with suspended or revoked driver licenses by September 30, 2009.
11. To conduct 7 "Court Sting" operations to cite individuals driving from court after having their license suspended or revoked by September 30, 2009.

*NOTE: Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular police officer issue a specified or predetermined number of citations in pursuance of the goals and objectives hereunder.*

**METHOD OF PROCEDURE:**

Phase I: Program Preparation and Training and Implementation (October 1, 2008 – December 31, 2008)

- The police department will develop operational plans to implement the "best practice" strategies outlined in the objectives section.
- A draft news release will be submitted to OTS to announce the grant program.
- All training needed to implement the program will be conducted this quarter.
- All grant related purchases needed to implement the program will be made this quarter.
- In order to develop the "Hot Sheets", research will be conducted to identify the "worst of the worst" repeat DUI offenders with suspended or revoked licenses as a result of DUI convictions. The Hot Sheets may include the driver's name, last known address, DOB, description, current license status, with the number of times suspended or revoked for DUI. Hot Sheets will be updated and distributed to traffic and patrol officers every three to four weeks.
- The police department will meet with appropriate court personnel to help develop an operational plan to conduct court stings.

Phase II: Community Awareness (Throughout Grant Period)

- The police department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Phase III: Data Gathering and Analysis (Throughout Grant Period)

- The police department will submit a Quarterly Performance Report (QPR) and Quarterly Evaluation Data Form, Schedule C within 30 days following each calendar quarter.

GRANTS MADE EASY – DUI  
Overtime  
SCHEDULE A

GRANT NO: AL0923

**GRANT DESCRIPTION**

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- The final QPR, Schedule C and Executive Summary are due to OTS by October 31, 2009.

**METHOD OF EVALUATION:**

The Office of Traffic Safety will use the QPR data to determine whether the grant was successful. OTS will also select grants for monitoring reviews to ensure the accuracy of claimed costs. For example, OTS will review claimed costs to ensure they are supported by time sheets, vouchers, invoices, purchases, etc.

**ADMINISTRATIVE SUPPORT:**

This program has full support of the city and every effort will be made to continue the activities after the grant conclusion. The City Council has endorsed this grant by resolution.

GRANTS MADE EASY - DUI  
Overtime  
SCHEDULE B - PAGE 1  
DETAILED BUDGET ESTIMATE

GRANT NO. AL0923

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2008 Thru 9/30/2009			
<b>A. PERSONNEL COSTS</b>				
<u>OVERTIME</u>				
DUI/DL Checkpoints	\$135,000.00			\$135,000.00
DUI Saturation Patrols	52,974.00			52,974.00
Warrant Service Patrols	48,560.00			48,560.00
Stakeouts	15,451.00			15,451.00
Court Stings	15,451.00			15,451.00
<b>Category Sub-Total</b>	<b>\$267,436.00</b>			<b>\$267,436.00</b>
<b>B. TRAVEL EXPENSE</b>				
In State	\$3,000.00			\$3,000.00
<b>Category Sub-Total</b>	<b>\$3,000.00</b>			<b>\$3,000.00</b>
<b>C. CONTRACTUAL SERVICES</b>				
NONE	\$0.00			\$0.00
<b>Category Sub-Total</b>	<b>\$0.00</b>			<b>\$0.00</b>

GRANTS MADE EASY - DUI  
Overtime  
SCHEDULE B - PAGE 2  
DETAILED BUDGET ESTIMATE

GRANT NO. AL0923

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2008 Thru 9/30/2009			
<b>D. EQUIPMENT</b>				
DUI Trailer	\$30,446.00			\$30,446.00
				0.00
				0.00
				0.00
				0.00
<b>Category Sub-Total</b>	<b>\$30,446.00</b>			<b>\$30,446.00</b>
<b>E. OTHER DIRECT COSTS</b>				
None				\$0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
<b>Category Sub-Total</b>	<b>\$0.00</b>			<b>\$0.00</b>
<b>F. INDIRECT COSTS</b>				
NONE	\$0.00			\$0.00
<b>Category Sub-Total</b>	<b>\$0.00</b>			<b>\$0.00</b>
<b>GRANT TOTAL</b>	<b>\$300,882.00</b>			<b>\$300,882.00</b>

GRANTS MADE EASY – DUI

Overtime

SCHEDULE B-1

GRANT NO. AL0923

BUDGET NARRATIVE

Page 1

**PERSONNEL COSTS:**

**Overtime -**

Budgeted grant activities will be conducted by agency personnel on an overtime basis. Grant funded operations may be conducted by personnel such as an Officer, Lieutenant, Sergeant, Corporal, Deputy, Community Services Officer, Dispatcher etc., depending on the titles used by the agency. Personnel will be deployed as needed to accomplish the grant goals and objectives.

Costs are estimated based on an overtime hourly rate range of \$46.98/hr to \$83.68/hr.

Overtime reimbursement will reflect actual costs of the personnel conducting the appropriate operation up to the maximum range specified. Agency will contribute all benefits.

**TRAVEL EXPENSE:**

**In-State -**

Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Funds may be used to attend OTS approved training. Anticipated travel and events include local mileage for grant activities and meetings, OTS Summit and the Vehicle Homicide Conference. *All conferences, seminars or training not specifically identified in the SCH B1 budget, must be approved by OTS. All travel claimed would be at the agency approved rate. Per diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.*

Note: To be eligible to attend the Vehicular Homicide Conference the grantee must have successfully completed the POST DWI Detection and SFST course along with completion of the Accident Scene Investigation course. The officer/detective selected to attend the Vehicle Homicide conference should be currently assigned to work on DUI fatal collisions for their agency.

**CONTRACTUAL SERVICES -**

None

**EQUIPMENT:**

**DUI Trailer-** 1 fully equipped DUI trailers will be purchased for use at DUI checkpoints. Costs may include the trailer, sales tax, delivery, installation costs, and other modifications and accessories or other items necessary to make the trailer usable for grant purposes, such as lighting, paint and graphics

**OTHER DIRECT COSTS:**

None

**INDIRECT COSTS:**

None

GRANTS MADE EASY – DUI  
Overtime  
SCHEDULE B-1  
GRANT NO. AL0923

**BUDGET NARRATIVE**

Page 2

**PROGRAM INCOME:**

There will be no program income generated from this grant.

Quarterly Evaluation Form - Schedule C

AL0923 COSTA MESA P.D. GME DUI GRANT	2007 FED/FISCAL BASE YEAR								2009 FED/FISCAL OPERATIONAL YEAR								
	10-01-06 QTR 1		01-01-07 QTR 2		04-01-07 QTR 3		07-01-07 QTR 4		10-01-08 QTR 1		01-01-09 QTR 2		04-01-09 QTR 3		07-01-09 QTR 4		YEAR TO
	12-31-06	03-31-07	06-30-07	09-30-07	12-31-07	03-31-08	06-30-08	09-30-08	12-31-08	03-31-09	06-30-09	09-30-09	12-31-09	03-31-10	06-30-10	09-30-10	DATE
	GOAL DATA POINTS																
Total Traffic Fatalities - Victims	1	0	6	4	11												
Total Traffic Injuries - Victims	188	126	270	185	769												
Alcohol Involved Fatalities - Victims	0	0	3	0	3												
Alcohol Involved Injuries - Victims	17	16	27	14	74												
Hit and Run Fatal Collisions	0	0	0	0	0												
Hit and Run Injury Collisions	20	18	12	6	56												
Nighttime (2100 - 0259 HRS) Fatal Collisions	0	0	1	1	2												
Nighttime (2100 - 0259 HRS) Injury Collisions	25	21	29	14	89												
	CHIEFS USE LOCAL STATS - COUNTY WIDE USE SWMIRS																
	ENTER STATS AND SEPARATE BY QUARTERS																
<b>OBJECTIVE DATA POINTS</b>																	
Officers Trained in Standardized Field Sobriety Testing (SFST)	0	0	0	0	0												
DUI/Driver's License Checkpoints Conducted	0	0	0	0	0												
Vehicles Through Checkpoints	0	0	0	0	0												
Drivers Screened at Checkpoints	0	0	0	0	0												
Field Sobriety Tests Administered at Checkpoints	0	0	0	0	0												
DUI Arrests from Checkpoints	0	0	0	0	0												
Vehicles Impounded at Checkpoints (30 day impounds only)	0	0	0	0	0												
Criminal (in custody) Arrests at Checkpoints	0	0	0	0	0												
<b>DUI Roving/Saturation Patrols Conducted</b>																	
DUI Arrests Resulting from DUI Saturation Patrols	0	0	0	0	0												
Criminal Arrests from DUI Saturation Patrols	0	0	0	0	0												
<b>Total Departmentwide DUI arrests</b>	290	218	266	274	1048												

Quarterly Evaluation Form - Schedule C

	2007 FED/FISCAL BASE YEAR								2009 FED/FISCAL OPERATIONAL YEAR								
	10-01-06 QTR 1		01-01-07 QTR 2		04-01-07 QTR 3		07-01-07 QTR 4		10-01-08 QTR 1		01-01-09 QTR 2		04-01-09 QTR 3		07-01-09 QTR 4		YEAR TO DATE
	12-31-06	03-31-07	06-30-07	09-30-07	12-31-07	03-31-08	06-30-08	09-30-08	12-31-08	03-31-09	06-30-09	09-30-09	12-31-09				
TOTAL																	
<b>AL0923</b>																	
COSTA MESA P.D.																	
GME DUI GRANT																	
<b>Repeat DUI Offender Warrant Service Operations</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Warrant Service Attempts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Warrants Served (Citations/Arrests)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Stakeout Operations Conducted</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arrests from Stakeout Operations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Court Sting Operations Conducted</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arrests from Court Sting Operations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

APPLICANT AGENCY <b>CITY OF COSTA MESA</b>	OTS GRANT NUMBER <b>AL0923</b>
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The following attachments are included herein and constitute a part of this Grant Agreement:

1. OTS-38 – Page 1	5. Schedule C – Quarterly Evaluation Data (when required)
2. Schedule A – Grant Description	6. OTS-33 – Acceptance of Conditions and Certifications
3. Schedule B – Detailed Budget Estimate for Grant Costs	7. General Terms, Conditions, and Certifications (OTS Grant Program Manual (GPM), Exhibit 6A. GPM available on-line at <a href="http://www.ots.ca.gov">www.ots.ca.gov</a> )
4. Schedule B-1 – Budget Narrative	

**TERMS AND CONDITIONS**

It is understood and agreed by the Grantee that grant funds received as a result of this Agreement are subject to all applicable federal and state regulations governing grants and to the following applicable controls, terms and consideration expressed in the OTS Grant Program Manual which includes but is not limited to:

**REPORTS/ CLAIMS FOR REIMBURSEMENT**

1. Quarterly Performance Reports and Reimbursement Claims must be submitted by the Grantee to the Office of Traffic Safety (OTS) by January 30, April 30, July 30, and October 30, during each year of grant operation. The failure to timely submit complete and correct claims within sixty (60) days of their due dates may constitute Grantees irrevocable waiver of any right to thereafter recover from Grantor any part of those waived grant sums which may thereafter be reallocated or reverted by Grantor.
2. OTS will withhold or disallow grant payments, reduce or terminate grant funds, and/or deny future grant funding anytime a Grantee fails to comply with any applicable term or condition of this Grant Agreement or program guidelines (**GPM, Chapter 3.11**). This may include, but is not limited to, the following:
  - Failure to submit acceptable and timely reimbursements claims;
  - Failure to submit acceptable and timely quarterly performance reports;
  - Failure to submit an acceptable and timely Schedule C, Quarterly Evaluation Data (OTS-38g, applies only when a Schedule C has been required);
  - Failure to comply with requirement of the Single Audit Act (**GPM, Chapter 4.11**); and
3. By October 30, “continuing” grants must submit a September 30 claim and a written justification to support carrying forward the remaining grant year unexpended funds. September 30 claims and written justifications, supporting the carrying forward of these prior year unexpended funds submitted after November 30 may not be processed and the prior claim (i.e., June 30) will be considered the year-end claim in order to close out the federal fiscal year ending September 30. In addition, these unexpended funds will be de-obligated and allocated to new grants.

## SUB-CONTRACTS

Grantee may enter into subcontract(s) to perform applicable provisions of this Grant Agreement. The Grantee is responsible for ensuring that all activities delegated to subcontractors are in support of this Grant Agreement.

- A. Grantee is the responsible party and shall remain liable for the performance of the terms, conditions, assurances, and certifications of this Grant Agreement, without recourse to the State, regarding the settlement and satisfaction of all contractual and administrative issues arising out of subcontract agreement(s) entered into in support of this Grant Agreement, including disputes, claims, or other matters of a contractual nature as well as civil liability arising out of negligence or intentional misconduct of the subcontractor(s).
  - B. Nothing contained in this Grant Agreement shall create any contractual relation between the State and any subcontractors, and no subcontract shall relieve the Grantee of its responsibilities and obligations hereunder. Grantee agrees to be as fully responsible to the State for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Grantee. The Grantee's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the Grantee. As a result, the State shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.
4. Consultants and/or sub-contractors shall be selected in accordance with the grantee agency procurement policies and procedures in order to comply with the terms of this agreement and in accordance with OTS GPM Chapter 6 Procurement & Contract Administration and Exhibit 6-A General Terms, Conditions, and Certifications.

The Grantee, consultant, contractor and/or sub-contractor are subject to all applicable terms and conditions and are bound by the applicable certifications of the Grant Agreement and 49 CFR Part 18, and/or CFR Part 19 whichever is applicable.

Grantor is not obligated to make any payment under any agreement prior to final execution or outside the terms of the sub-contract period. Contractor/Grantee Agency expenditures incurred prior to final sub-contract execution are taken at the risk of that Contractor/Grantee Agency and will be considered unallowable if that agreement/sub-contract is not executed.

## AVAILABILITY OF FUNDS

5. If, during the term of the Grant award, federal funds become reduced or eliminated, OTS may immediately terminate or reduce the Grant award sum for allowable and uncancelable grant costs incurred following receipt of Grantor's written notice to the Grantee.
6. Funds Awarded under Catalog of Federal Domestic Assistance (CFDA) Number 20.600.

## REVISIONS

7. Grant Agreement revisions are allowed in accordance with the guidelines detailed in the OTS GPM,

Chapter 3.8 and conforming to the revision examples provided in Chapter 3.9. All appropriate documentation required to request a grant revision requiring Grantor's approval (i.e. budget category increases, etc.) must be timely submitted to Grantor.

8. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
9. Those additional applicable terms and conditions identified in the OTS-GPM, Chapter 6, General Terms, Conditions, and Certifications (Exhibit 6-A), are incorporated herein by reference and made a part of this Agreement.

**TRAFFIC ENFORCEMENT AGENCIES ONLY:**

10. Full time Grantee traffic enforcement personnel and any equipment funded under this Grant shall be dedicated solely to Grant supported enforcement tasks unless a criminal offense is committed in the officer's presence and response to an officer in distress is initiated, and a riot requires that all available enforcement personnel be committed in response.
11. By signing this document the Grantee certifies that it is not suspended or debarred from doing business with the Federal Government.

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We, the officials named below, hereby swear that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions. Executed on the date and in the county named below and made under penalty of perjury under the laws of the State of California.

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GRANT DIRECTOR'S NAME	EXECUTED IN THE COUNTY OF
Rob Sharpnack	<u>ORANGE</u>
GRANT DIRECTOR'S SIGNATURE	DATE EXECUTED
> 	<u>8-25-08</u>
TITLE	
Sergeant	
AUTHORIZING OFFICIAL'S NAME	EXECUTED IN THE COUNTY OF
Chris Shawkey	<u>Orange</u>
AUTHORIZING OFFICIAL'S SIGNATURE	DATE EXECUTED
> 	<u>8-25-08</u>
TITLE	
Chief of Police	