



AGENDA REPORT

Meeting Date: August 4, 2009
Item Number: F-2
To: Honorable Mayor & City Council
From: David L. Snowden, Chief of Police
Subject: **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ACCEPTING A GRANT AWARDED BY THE STATE OFFICE OF TRAFFIC SAFETY FOR TRAFFIC ENFORCEMENT AND APPROPRIATING FUNDS IN THE AMOUNT OF \$158,000 FOR POLICE OVERTIME, TRAVEL, AND SUPPLIES**

Attachments:

1. Resolution
2. Grant Agreement

RECOMMENDATION

It is recommended that the City Council adopt the resolution accepting grant funding from the California Office of Traffic Safety and appropriating funds in the amount of \$158,000 for Police Department traffic enforcement operations.

INTRODUCTION

The Police Department intends to maintain its sobriety enforcement operations during FY09/10 and conduct DUI and driver's license checkpoints, DUI saturation patrols, special enforcement operations, and warrant operations. Under this grant, the California Office of Traffic Safety (OTS)—acting through the grant administration office of the School of Public Health at UC Berkeley—has agreed to reimburse the City for overtime, travel, and supplies expenses incurred for conducting authorized grant activities.

DISCUSSION

The City has undertaken an aggressive campaign of public education and traffic enforcement relating to the hazards of drinking and driving. Grant funding through OTS has supported sobriety and driver's licensing checkpoint operations. This funding will continue the Police Department's public safety efforts.

FISCAL IMPACT

An appropriation of \$158,000 is requested to fund Police sobriety enforcement operations. The City will be reimbursed by OTS for authorized expenditures.



Scott G. Miller, Director
Finance Approval



David L. Snowden, Chief of Police
Police Approval

Attachment 1

Resolution

RESOLUTION NO. 09-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ACCEPTING A GRANT AWARDED BY THE STATE OFFICE OF TRAFFIC
SAFETY FOR TRAFFIC ENFORCEMENT AND APPROPRIATING FUNDS
IN THE AMOUNT OF \$158,000 FOR POLICE OVERTIME, TRAVEL, AND
SUPPLIES

The Council of the City of Beverly Hills does hereby resolve as follows:

Section 1. The City submitted a new grant application to the California Office of Traffic Safety (“OTS”) to fund a sobriety enforcement and traffic safety programs called the OTS DUI Awareness Grant (PT 1005 or “Grant”).

Section 2. The OTS awarded the City funding in the amount of \$158,000 for the period of October 1, 2009 to September 30, 2010 to conduct DUI and driver’s license checkpoints, DUI saturation patrols, special enforcement operations, and warrant operations, to travel to grant-related meetings, and to purchase supplies.

Section 3. Appropriation of funds in the amount of \$158,000 is authorized as follows:

	<u>FROM</u>		<u>TO</u>
\$158,000	01-30000 General Fund-unrestricted fund balance	\$152,993	1902105S009-71300 Police–FY09/10 STEP Grant Overtime Pay
		\$2,000	1902105S009-73160 Police – FY09/10 STEP Grant Travel
		\$500	1902105S009-73100 Police – FY09/10 STEP Grant Printing & Binding
		\$2,507	1902105S009-72220 Police – FY09/10 STEP Grant Other Commodities

Purpose: To fund Police Department sobriety enforcement and traffic safety operations.

Section 4. The City hereby appoints the City Manager or his designee as agent of the City of Beverly Hills to accept the OTS DUI Awareness Grant (PT1005) and to execute and

submit all documents including, but not limited to, applications, agreements, amendments, and payment requests, which may be necessary for administration of the Grant.

Section 5. The City Clerk shall certify to the adoption of the Resolution and shall cause the Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

Adopted:

NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

_____(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

RODERICK J. WOOD, CCM
City Manager



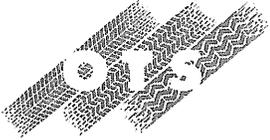
SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer



DAVID L. SNOWDEN
Chief of Police

Attachment 2

Grant Agreement



State of California

OFFICE OF TRAFFIC SAFETY
GRANT AGREEMENT

GRANT NUMBER
PT1005

PAGE 1 (To be completed by applicant Agency)

1. GRANT TITLE
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

2. NAME OF APPLICANT AGENCY
CITY OF BEVERLY HILLS

3. AGENCY UNIT TO HANDLE GRANT
BEVERLY HILLS POLICE DEPARTMENT

4. GRANT PERIOD
Month - Day - Year
From: 10/1/09
To: 9/30/10

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 crashes involving alcohol, speed, red light running, and other primary collision factors. "Best practice" strategies will be conducted by hiring fulltime traffic enforcement personnel supported by operations conducted on an overtime basis. The funded enforcement strategies include DUI/Driver's License checkpoints and DUI saturation patrols. This program will also develop a "Hot Sheet" program. Warrant service operations will target multiple offenders who violate probation terms or fail to appear in court. This program will also concentrate on speed, aggressive driving and seat belt enforcement. Additionally, enforcement operations will be directed to intersections with disproportionate numbers of traffic crashes. These strategies are designed to earn media attention thus enhancing the overall deterrent effect. Special enforcement operations to reduce the number of motorcyclists killed and injured in traffic collisions will be conducted on an overtime basis.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 158,000.00

7. APPROVAL SIGNATURES

A. GRANT DIRECTOR

NAME: Mark Rosen PHONE: 310-285-2192
TITLE: Lieutenant FAX: 310-278-9631
ADDRESS: 464 North Rexford Drive
Beverly Hills, CA 90210

E-MAIL: mrosen@beverlyhills.org

[Signature]

7/8/09
(Date)

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY

NAME: David L. Snowden PHONE: 310-285-2100
TITLE: Chief of Police FAX: 310-246-9854
ADDRESS: 464 North Rexford Drive
Beverly Hills, CA 90210

E-MAIL: dsnowden@beverlyhills.org

[Signature]

7/8/09
(Date)

C. FISCAL OR ACCOUNTING OFFICIAL

NAME: Scott G. Miller, Ph.D PHONE: 310-285-2411
TITLE: Dir. of Admin Svcs/CFO FAX: 310-8285-2441
ADDRESS: 455 North Rexford Drive
Beverly Hills, CA 90210

E-MAIL: sgmillier@beverlyhills.org

[Signature]

7/8/09
(Date)

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS

NAME: Finance Administration
ADDRESS: 455 North Rexford Drive
Beverly Hills, CA 90210

GRANTS MADE EASY – STEP
Overtime
SCHEDULE A

GRANT No: PT1005

GRANT DESCRIPTION

Page 1

GRANT TITLE: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

AGENCY: CITY OF BEVERLY HILLS

PROPOSED BEGINNING DATE: 10/1/09

PROPOSED ENDING DATE: 9/30/10

PROBLEM STATEMENT:

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

Collision Type	2005				2006				2007			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	4		4		7		7		1		1	
Injury	446		614		409		539		462		599	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	4	26	4	33	3	36	3	51	0	21	0	28
Hit & Run	0	45	0	52	1	39	1	46	0	49	0	53
Nighttime (2100-0259 hours)	4	48	4	61	3	49	3	78	1	48	1	69

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

- 1. How many sobriety checkpoints did your department conduct between October 1, 2007 and September 30, 2008? (Include checkpoints from all funding sources, i.e. OTS grants or mini-grants, and department funded)**

OTS Grant #: AL0816; # of Checkpoints: 7 (Not AVOID)

OTS Grant #: none; # of Checkpoints: 0 (Not AVOID)

Mini-Grant #: _____; # of Checkpoints: _____

of AVOID Supported Checkpoints: 0 (In Your Jurisdiction)

of Department Funded Checkpoints: 0 (Not OTS Funded)

Additional Information: None

- 2. What is the average number of DUI arrests and vehicles impounded per checkpoint?**

1.71 DUI arrests (12 total) and 4.57 Impounds (32 total) and 3.42 CDL arrests (24 total) per checkpoint

- 3. Does your agency participate in an AVOID program? Yes**

- AVOID the 100 DUI Campaign in Los Angeles County

- 4. What percent of your total DUI arrests between October 1, 2007 and September 30, 2008 were made as a result of a collision?**

13%

GRANTS MADE EASY – STEP
Overtime
SCHEDULE A

GRANT NO: PT1005

GRANT DESCRIPTION

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5. What percent of your total fatal and injury collisions October 1, 2007 and September 30, 2008 occurred at intersections?

6. Describe the problem caused by red light running in your city.

Over the period of 2005-2007, an average of 46 reported intersection collisions have occurred annually with the PCF noted as a signal violation. This represents about 10% of all injury and fatal collisions at intersections. One mitigating factor is the city's photo red light (PRL) enforcement program which has recently been expanded to cover nine approaches. The program acts as a deterrent due to a full array of signage and a department reputation of long standing enforcement.

7. Is illegal street racing a problem in your city? If illegal street racing is a problem in your city, has your department received training through San Diego Police Department's "DragNet" program on how to conduct inspections of vehicles suspected of being equipped with illegal street equipment?

No.

8. What are your primary collision factors?

22350 CVC, 21801(a) CVC, 22107 CVC, 22106 CVC

9. Seat belt citations make up what percent of all hazardous citations issued?

18% of all hazardous citations issued.

10. 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?

\$205.20 – 100% goes to the General Fund. Funds are allocated back for Traffic Enforcement Programs as budgeted program items.

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.

GRANTS MADE EASY – STEP
Overtime
SCHEDULE A

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GRANT DESCRIPTION

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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.
9. To reduce fatal collisions at intersections.
10. To reduce injury collisions at intersections.
11. To reduce fatal collisions involving red light runners.
12. To reduce injury collisions involving red light runners.
13. To reduce fatal collisions where unsafe speed was the primary collision factor.
14. To reduce injury collisions where unsafe speed was the primary collision factor.
15. To increase seat belt use.

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, 2009. The press releases and media advisories, alerts, and materials must be forwarded to the OTS Public Information Officer at 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 a draft of all grant-related media releases, media advisories, alerts and materials to the OTS Public Information Officer at pio@ots.ca.gov and copied to your OTS Coordinator for approval 14-days prior to the issuance date of the release (media communications reporting the results of grant activities

GRANTS MADE EASY – STEP

Overtime

SCHEDULE A

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GRANT DESCRIPTION

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such as checkpoints and saturation patrols are exempt from this requirement).

4. To submit applications for the California Law Enforcement Challenge (<http://www.chp.ca.gov/features/clec.html>) by the deadlines of March 26, 2010 to OTS and:

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

5. To conduct seat belt usage surveys during September 2010. (A pre-agreement survey will be required to determine the base year seat belt use rate. Go to <http://www.ots.ca.gov/Grants/files/pdf/seatbelt/belt.pdf> for survey methodology and forms.)
6. To conduct Standardized Field Sobriety Testing (SFST) training for 5 officers by March 31, 2010.
7. To conduct 6 DUI/DL checkpoints by September 30, 2010.

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.**

8. To conduct 6 DUI saturation patrols by September 30, 2010.
9. To conduct 4 special enforcement operations targeting red light running enforcement by September 30, 2010.
10. To conduct 4 special enforcement operations at or near intersections with a disproportionate number of traffic collisions by September 30, 2010.
11. To conduct 4 special enforcement operations targeting drivers exhibiting excessive speed by September 30, 2010.

GRANTS MADE EASY – STEP
Overtime
SCHEDULE A

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GRANT DESCRIPTION

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12. To increase total department-wide seat belt citations as a percent of total hazardous or moving citations issued by 2 percentage points from the FFY 2008 base year rate (October 1, 2007 – September 30, 2008) of 11 % to 13 % by September 30, 2010.
13. To develop a “Hot Sheet” program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions by December 31, 2009. Updated Hot Sheets will be distributed to patrol and traffic officers every three to four weeks.
14. To conduct 2 “Warrant Service Operations targeting multiple DUI offenders who violate probation terms or fail to appear in court by September 30, 2010.
15. To increase the total department-wide number of vehicles impounded (30 day holds) by 5 % from the FFY 2008 base year total (October 1, 2007 – September 30, 2008) of 365 to 384 by September 30, 2010.
16. To increase the Department’s enforcement index 2 points from the FFY 2008 base year rate (October 1, 2007 – September 30, 2008) of 26 to 28 by September 30, 2010.

Note: To determine your department’s appropriate hazardous citation level analyze your traffic enforcement index (total hazardous citations divided by fatal and injury collisions). Northwestern University teaches that a minimum traffic enforcement index of 25 is required to reach the citation threshold of effectiveness in reducing traffic collisions. If your city has a large number of out-of-town drivers, a traffic enforcement index in the 25-35 range may be more desirable. Out-of-town drivers are generally not reached through education and voluntary compliance programs. The recommended traffic enforcement index is a guide and not necessarily a rule.

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, Training, and Implementation (October 1, 2009 – December 31, 2009)

- 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.
- If necessary, an ordinance or resolution will be submitted to allow for the establishment of the “Vehicle Impound Program” administrative tow fee.
- All training needed to implement the program will be conducted this quarter.

GRANTS MADE EASY – STEP

Overtime

SCHEDULE A

GRANT NO: PT1005

GRANT DESCRIPTION

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- All grant related purchases needed to implement the program will be made this quarter.
- A seat belt survey will be conducted in October to determine the base year seat belt use rate.
- In order to develop the “Hot Sheets”, research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of a DUI conviction. The Hot Sheets may include the driver’s name, last known address, DOB, description, current license status, and 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.
- Implementation of the STEP program will be accomplished by deploying on an overtime basis personnel at high collision locations. DUI/Driver’s License checkpoint site locations will have a history of significant alcohol involved collisions and/or DUI arrests.

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.
- The final QPR, Schedule C, and Executive Summary are due to OTS by October 31, 2010.
- Reports shall be completed in accordance with OTS requirements specified in the Grant Program Manual, Chapter 7, and submitted in compliance with the signed Acceptance of Conditions and Certifications (OTS-33) included within this agreement.

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 Beverly Hills Police Department, effort will be made to continue the activities after the grant conclusion. The Beverly Hills City Council has endorsed this grant by resolution.

GRANTS MADE EASY – STEP

Overtime

SCHEDULE B-1

GRANT NO. PT1005

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 \$40.15/hr to \$124.87/hr. Overtime reimbursement (OT hourly rate and benefit) will reflect actual costs of the personnel conducting the appropriate operation up to the maximum range specified.

Maximum Overtime Benefit Rate

Workers Compensation	12.15%
Medicare	1.45%
Total Benefit Rate	13.6

TRAVEL EXPENSE:

In-State

Costs are included for appropriate staff to attend conferences and training events supporting the grants goals and objectives and/or traffic safety. Funds may be used to attend OTS approved training, the Vehicle Homicide Conference, Grantee Operational Training, or events that include local mileage for grant activities, and meetings. *All conferences, seminars or training not specifically identified in the Schedule B-1, 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:

None

GRANTS MADE EASY -- STEP

Overtime

SCHEDULE B-1

GRANT NO. PT1005

BUDGET NARRATIVE

Page 2

OTHER DIRECT COSTS:

Printing/Duplication- Costs include the purchases of paper, production, printing and/or duplication of materials associated with daily grant operations.

Checkpoint Supplies- On-scene supplies are needed to appropriately conduct sobriety checkpoints. Items included are cones, checkpoint signage, portable generator, lighting, reflective banners, flares, PAS device supplies, portable heater, fan and canopy, safety vest maximum 10. *Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.*

INDIRECT COSTS:

None

PROGRAM INCOME:

There will be no program income generated from this grant.

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

GRANT NO. PT1005

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2009 Thru 9/30/2010			
A. PERSONNEL COSTS				
<u>Overtime</u>				
DUI/DL Checkpoints	\$55,741.00			\$55,741.00
DUI Saturation Patrols	26,685.00			26,685.00
Special Enforcement Operations	43,357.00			43,357.00
Warrant Operations	8,894.00			8,894.00
Overtime Benefits @ <u>13.60%</u>	18,316.00			18,316.00
Category Sub-Total	\$152,993.00			\$152,993.00
B. TRAVEL EXPENSE				
In State	\$2,000.00			\$2,000.00
Category Sub-Total	\$2,000.00			\$2,000.00
C. CONTRACTUAL SERVICES				
None				
Category Sub-Total	\$0.00			\$0.00

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

GRANT NO. PT1005

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2009 Thru 9/30/2010			
D. EQUIPMENT				
None				
Category Sub-Total	\$0.00			\$0.00
E. OTHER DIRECT COSTS				
Printing/Duplication	\$500.00			\$500.00
Checkpoint Supplies	\$2,507.00			2,507.00
Category Sub-Total	\$3,007.00			\$3,007.00
F. INDIRECT COSTS				
None				
Category Sub-Total	\$0.00			\$0.00
GRANT TOTAL	\$158,000.00			\$158,000.00

APPLICANT AGENCY City of Beverly Hills	OTS GRANT NUMBER PT1005
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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 www.ots.ca.gov)
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,

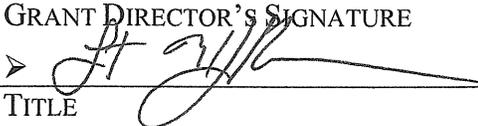
Chapter 3.9 and conforming to the revision examples provided in Chapter 3.8. All appropriate documentation required to request a grant revision requiring Grantor's approval (i.e. budget category increases, etc.) must be timely submitted to Grantor.

- 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.

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.

GRANT DIRECTOR'S NAME	EXECUTED IN THE COUNTY OF
Mark Rosen	Los Angeles
GRANT DIRECTOR'S SIGNATURE	DATE EXECUTED
	7/6/09
TITLE	
Lieutenant	
AUTHORIZING OFFICIAL'S NAME	EXECUTED IN THE COUNTY OF
David L. Snowden	Los Angeles
AUTHORIZING OFFICIAL'S SIGNATURE	DATE EXECUTED
	7/6/09
TITLE	
Chief of Police	