



## AGENDA REPORT

**Meeting Date:** November 17, 2009  
**Item Number:** F-4  
**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 \$18,782 FOR POLICE OVERTIME**

**Attachments:**

1. Resolution
2. Grant Agreement

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### **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 \$18,782 for Police Department traffic enforcement operations.

### **INTRODUCTION**

The Police Department intends to conduct grant funded seat belt enforcement operations during FY09/10. 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 expenses incurred for conducting authorized grant activities.

### **DISCUSSION**

For many years, the City has undertaken an aggressive campaign of public education and traffic enforcement. Grant funding through OTS has supported seat belt enforcement and sobriety and driver's licensing checkpoint operations. While the Police Department has always enforced occupant restraint laws, grant funding under the Next Generation – Click It or Ticket program will give special focus to this public safety effort.

**FISCAL IMPACT**

An appropriation of \$18,782 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 \$18,782 FOR POLICE  
OVERTIME

The City Council of the City of Beverly Hills (“City”) does hereby resolve as follows:

Section 1. City submitted a new grant application to the California Office of Traffic Safety (“OTS”) to fund a sobriety enforcement and traffic safety programs.

Section 2. OTS awarded City funding in the amount of \$18,782 for the period of October 01, 2009 to September 8, 2010 to conduct seat belt enforcement operations.

Section 3. Appropriation of funds in the amount of \$18,782 is authorized as follows:

<u>FROM</u>		<u>TO</u>	
\$18,782	01-30000 General Fund- unrestricted fund balance	\$18,782	1902105S010-71300 Police FY 09/10 Click It or Ticket Grant – Overtime Pay

Purpose: To fund Police Department seat belt enforcement operations.

Section 4. City hereby appoints the City Manager or his designee as agent of City to accept OTS Next Generation – Click It or Ticket Grant (CT10039) (the “Grant”) 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:

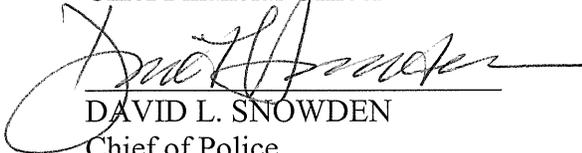
\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

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

  
\_\_\_\_\_  
DAVID L. SNOWDEN  
Chief of Police

# **Attachment 2**

## Grant Agreement



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

GRANT NUMBER  
CT10039

GRANT

1. Title of Program

Next Generation - Click It or Ticket 2009 - 2010

2. Name of Applicant Agency

BEVERLY HILLS, CITY OF

3. University of California Berkeley, Traffic Safety Center

DAVID RAGLAND, PRINCIPAL INVESTIGATOR, TRAFFIC SAFETY CENTER

4. Period of Grant

Month - Day - Year

From: 10/01/09

To: 09/08/10

5. Description of Program

California will initiate "Next Generation - Click It or Ticket" for FY 2010 by conducting: 1) a seat belt enforcement campaign in November 17 - 30, 2009 in support of the California Office of Traffic Safety (OTS) mobilization period, 2) a seat belt enforcement campaign in May 24 - June 6, 2010 in support of the national, NHTSA mobilization period, 3) ongoing (monthly) enforcement efforts in the months outside the two mobilization periods, and 4) night time enforcements. Grant funds will be used to increase the number of hours incurred by first line supervisors, officers, and clerical/administrative personnel in the **Beverly Hills Police Department** to conduct/support seat belt enforcements in **Beverly Hills**. Incorporated into this grant are attached: Schedule A - Description, 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:

\$18,782.00

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  
 Title: Associate Director, SPO

Phone: 510 642-8110  
 Fax: 510 643-8236

Address: UC Berkeley Sponsored Projects Office  
 2150 Shattuck Avenue, Suite 313  
 Berkeley, CA 94704-5940

Email: jbaldwin@berkeley.edu

(Signature)

(Date)

B. Authorizing Official For Applicant Agency

Name: Mark Rosen  
 Title: Grant Manager

Phone: (310) 285-2196  
 Fax: (310) 278-9631

Address: 464 N. Rexford Dr.  
 Beverly Hills, CA 90210

Email: mrosen@beverlyhills.org

(Signature)

(Date)

C. Agency Office Authorized to Receive Payments

Agency: Beverly Hills, City of

Phone: (310) 285-2423

Office: Finance Administration

Address: 455 N. Rexford Dr. Rm 350  
 Beverly Hills, CA 90210

Tax ID #: 95-6000678

Contact Person: Scott Miller

Email: sgmillar@beverlyhills.org

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

Name: Brad Cornelius Title: Traffic Sergeant

(Signature)

(Date)

Name: Title:

(Signature)

(Date)

Schedule A - Description

Next Generation - Click It or Ticket  
Grant No. CT10039

**GOAL**

To increase seat belt use, statewide, to 96% by September 30, 2010.

**PROJECT OBJECTIVES**

1. **Conduct a seat belt enforcement campaign during each of the Next Generation mobilization periods November 17 – 30, 2009 and May 24 – June 6, 2010.**
2. Conduct pre- and post-operational seat belt compliance surveys for each of the Next Generation mobilization periods. Personnel time and any costs required to conduct the surveys will be considered as the agency's contribution to the mini-grant and will not be reimbursed.
3. Conduct a minimum of one night time seat belt enforcement in each of the mobilization periods.
4. **Conduct seat belt enforcements in each of the months "outside" the mobilization period, i.e., December, January, February, March, April, June (if there are no enforcements on the June mobilization days), July, August, and September (first seven days of September only).**
5. Complete the pre-operational training for supervisors, officers and support personnel who will be conducting occupant protection roll call training for the seat belt enforcement operations.
6. Ensure that officers and administrative personnel who participate in the enforcement activities receive occupant protection roll call training (to ensure familiarity with the *California Vehicle Code* provisions covering occupant restraint).
7. Report statistics for **each month**:
  - Number of seat belt citations by mini-grant-funded officers
  - Number of "other" types of enforcement actions (citations, tows, impounds) by mini-grant-funded personnel
  - Number of seat belt citations during night time enforcements (minimum one night time enforcement required in each mobilization period; optional in other months) and a description of how the night time enforcement was conducted.

**Additional reporting for the mobilization periods:**

- Description of the enforcement strategy (i.e., saturation patrol and/or enforcement zone)
  - Number of overtime hours by personnel classification
  - Pre- and post-mobilization seat belt use survey results
  - Number of seat belt citations by the department in the same time period as the mini-grant-funded work
  - Number of "other" types of enforcement actions (citations, tows, impounds) by the department in the same time period as the mini-grant-funded work.
8. Prepare claims in accordance with *Schedule B-1 – Budget Narrative*. The grant covers only overtime personnel costs. Other direct costs are not reimbursable. Indirect costs are not reimbursable.
  9. Submit a claim by May 15, 2010 for expenses incurred from November 17, 2009 through March 31, 2010. Submit a final claim for expenses incurred through September 7, 2010 by October 15, 2010.
  10. Certify by signing the November 2009 and May 2010 mobilization reports that an occupant protection roll call training session(s) was conducted.

Schedule A - Description (continued)

Next Generation - Click It or Ticket

Grant No. CT10039

MEDIA OBJECTIVES

1. Issue a press release prior to each of the mobilization periods and at least one press release in an "outside" mobilization month.
2. Embargo the mobilization period press release until the day of the California Office of Traffic Safety (OTS) press release (to be determined).
3. When using the OTS press release template provided by TSC, forward press releases, media advisories, alerts, and other press materials to TSC concurrently with distribution to the media. If any other press release format or copy is used, submittal of the press release to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) is required for his review and approval at least 14 days in advance of the mobilization. The approved press releases must also be sent to the TSC.
4. 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."

METHOD OF PROCEDURE

**October - November 2009**

- 1) The individual(s) responsible (or designee) for the occupant protection roll call training for officers and staff participating in the enforcement operation must complete the TSC pre-operational training.

**November 2009**

- 2) Hold occupant protection roll call training for supervisors and officers prior to the November 17 – 30 mobilization period.
- 3) Complete a pre-operational seat belt compliance survey in the week before the mobilization period, i.e., November 10 -16.
- 4) Issue a press release using the OTS template to announce the mobilization. Embargo the press release until the day of the OTS press release (to be determined). If the OTS template is not used, submit the proposed press release to the OTS Public Information Officer at least 14 days in advance for his review and approval.
- 5) Conduct the mobilization in November 17 – 30. Conduct at least one night time enforcement during the mobilization.

**December 2009**

- 6) Complete a post-operational seat belt compliance survey in the week after the mobilization, i.e., December 1 – 7.
- 7) Submit the November mobilization report to the TSC (using their on-line reporting system) no later than December 30. Send the signed report to the TSC.

**December 2009, January – April 2010, July - September 2010**

- 8) Conduct seat belt enforcements in each of the "outside mobilization months." The September enforcement must occur in the first seven days only (September 1 – 7).
- 9) Issue a press release for at least one outside mobilization month using the OTS template for outside mobilization months. If the OTS template is not used, submit the proposed press release to the OTS Public Information Officer

Schedule A - Description (continued)

Next Generation - Click It or Ticket

Grant No. CT10039

May - June 2010

- 11) Submit a claim by May 15, 2010 for expenses incurred from November 17, 2009 through March 31, 2010.
- 12) Hold occupant protection roll call training for supervisors and officers prior to the May 24 - June 6, 2010 mobilization period.
- 13) Complete a pre-operational seat belt compliance survey in the week before the mobilization period, i.e., May 17-23.
- 14) Issue a press release using the OTS template. Embargo the press release until the day of the OTS press release (to be determined). If the OTS template is not used, submit the proposed press release to the OTS Public Information Officer at least 14 days in advance for his review and approval.
- 15) Conduct the mobilization in the period, May 24 - June 6.
- 16) Complete a post-operational seat belt compliance survey in the week following the mobilization, i.e., June 7-13.
- 17) Submit the May mobilization report to the TSC no later than July 6 using their on-line reporting system. Send the signed report to the TSC.

October 2010

- 18) Submit the final claim by October 15.

Throughout Grant Period

- 19) Send to the TSC the press releases for the mobilization period and the outside mobilization month(s) enforcements.
- 20) Send to the TSC any news articles, press conference descriptions, radio ads, etc. describing the grant-funded enforcements including any other enforcement opportunities that resulted from the effort.

Beverly Hills, City of

**Schedule B - Detailed Budget Estimate**

**Next Generation - Click It or Ticket  
Grant No. CT10039**

The total claim amounts must not exceed the grant total of \$18,782.00.

**Schedule B-1 - Budget Narrative**

**Beverly Hills, City of** will be reimbursed up to the limit stated in *Schedule B – Detailed Budget Estimate*.

Overtime reimbursement will reflect actual costs (overtime hourly rate and overtime hourly benefit rates) of the personnel conducting the seatbelt enforcements. Other direct costs are not reimbursable. Indirect costs are not reimbursable.

Only benefits earned as a percentage of hourly pay are allowed. Benefit costs for overtime hourly rates are always lower than benefit costs for regular hourly rates.

Budgeted grant activities will be conducted by personnel on an overtime basis. Grant-funded operations may be conducted by personnel such as an officer, sergeant, corporal, deputy, community services 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. Costs for preparing claims are not reimbursable.

Clerical/administrative/CSO time incurred during and following enforcements are reimbursable for overtime work on administrative duties including, but not limited to, the collection/reporting of seat belt enforcement data.

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

- i. The enforcement statistics are reported using the TSC's on-line reporting system.
- ii. The mobilization press releases are issued for each mobilization; at least one press release was issued for an outside mobilization month.
- iii. The pre- and post-operational seat belt compliance surveys are performed for each of the mobilizations.
- iv. The claims do not exceed the limits set forth in *Schedule B – Detailed Budget Estimate*.
- v. The claim form is correctly filled out, using the TSC Excel-based claim form.
- vi. The information in the overtime slips and the ledger report are consistent and fully support the claim.
- vii. 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 spread sheets may be submitted to provide additional information but cannot be accepted in lieu of a ledger report(s).
- viii. *Contract cities only:* A contract city must also provide the Sheriff's Department's invoice to the contract city for the seatbelt enforcement 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. With the exception of contract cities in San Diego County, the contract city must provide a ledger report showing payment of the invoice amount (San Diego County must provide a ledger report reflecting actual rates).
- ix. 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.
- x. Changes in the Authorizing Official of the Applicant Agency or the designation of any other additional individual(s) to sign claims are documented in accordance with TSC documentation requirements.

Beverly Hills, City of

## Schedule C - Terms and Conditions

Next Generation - Click It or Ticket  
Grant No. CT10039

### 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 grant, 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 grant.

### B. GOVERNING LAW

This Grant 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 Grant 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 grant 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 the *Schedule B - Detailed Budget Estimate*, provided that the maximum amount payable to the Applicant Agency for its services shall not exceed the Grant Total on Schedule B for services provided hereunder prior to the effective date of suspension, termination, or abandonment.

### F. STATE OF CALIFORNIA TERMS AND CONDITIONS

Applicant Agency agrees to abide by the General Terms, Conditions, and Certifications contained in OTS Grant Program Manual, Chapter 6, Exhibit 6-A [www.ots.ca.gov](http://www.ots.ca.gov).

