



## AGENDA REPORT

**Meeting Date:** August 21, 2007  
**Item Number:** F-7  
**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 SOBRIETY ENFORCEMENT AND APPROPRIATING FUNDS IN THE AMOUNT OF \$141,845 FOR POLICE OVERTIME**

**Attachments:**

1. Resolution
2. Agreement

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### **RECOMMENDATION**

It is recommended that the City Council adopt the resolution accepting funding from the California Office of Traffic Safety (OTS) and appropriate funds in the amount of \$141,845 for Police personnel overtime for sobriety checkpoints and other enforcement operations, beginning October 1, 2007 and ending September 20, 2008. The Office of Traffic Safety has agreed to reimburse funds under this grant.

### **INTRODUCTION**

It is requested that the City Council adopt a resolution accepting grant funding from the California Office of Traffic Safety and appropriate \$141,845 to fund overtime salaries for sobriety enforcement operations.

### **DISCUSSION**

This funding allows the City to continue an aggressive campaign of public education and enforcement relating to the hazards of intoxicated driving. Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration. In addition to sobriety checkpoints, warrant service details, suppression patrols, and OTS training participation will be conducted with this support.

**FISCAL IMPACT**

An appropriation of \$141,845 is requested to fund Police personnel overtime salaries necessary to staff specified enforcement operations between October 1, 2007 through and September 30, 2008. The City will be reimbursed by OTS for authorized expenditures.

  
\_\_\_\_\_  
Scott G. Miller, Director  
Finance Approval

  
\_\_\_\_\_  
David L. Snowden, Chief  
Police Department Approval

RESOLUTION NO. 07-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF  
BEVERLY HILLS ACCEPTING A GRANT AWARDED  
BY THE STATE OFFICE OF TRAFFIC SAFETY FOR  
SOBRIETY ENFORCEMENT AND APPROPRIATING  
FUNDS IN THE AMOUNT OF \$141,845 FOR POLICE  
OVERTIME

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

Section 1. In January of 2007, the City submitted a new grant application to the California Office of Traffic Safety (“OTS”) to fund a traffic safety education and sobriety enforcement program.

Section 2. The OTS awarded the City funding in the amount of \$141,845 for the period of October 1, 2007 through September 30, 2008, for a DUI Awareness project.

Section 3. Appropriation of funds in the amount of \$141,845 is authorized as follows:

<u>FROM</u>		<u>TO</u>	
\$141,845	01-30000 General Fund- unrestricted fund balance	\$141,845	1902105S004

Purpose: To fund police overtime to staff enforcement 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 (#AL0816), 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:

\_\_\_\_\_  
JIMMY DELSHAD  
Mayor of the City of  
Beverly Hills, California

ATTEST:

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

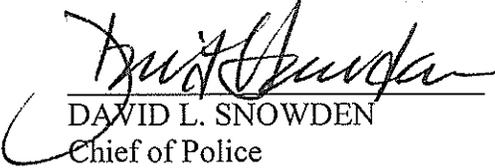
APPROVED AS TO FORM:

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

APPROVED AS TO CONTENT:

\_\_\_\_\_  
RODERICK J. WOOD  
City Manager

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

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



State of California

OFFICE OF TRAFFIC SAFETY  
GRANT AGREEMENT

PROJECT NUMBER  
AL0816

PAGE 1 (To be completed by applicant Agency)

1. PROJECT TITLE

DUI ENFORCEMENT AND AWARENESS PROGRAM

2. NAME OF APPLICANT AGENCY

CITY OF BEVERLY HILLS

3. AGENCY UNIT TO HANDLE PROJECT

BEVERLY HILLS POLICE DEPARTMENT

4. PROJECT PERIOD

Month - Day - Year

From: 10/1/07

To: 9/30/08

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

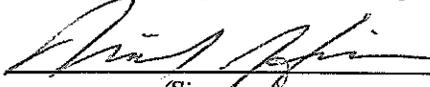
To reduce the persons killed and injured in alcohol involved crashes, "best practice" strategies will be conducted on an overtime basis. The funded strategies include DUI/Driver's License checkpoints and DUI saturation patrols. This program will also develop a "Hot Sheet" program and conduct "Stakeout" 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: \$ 141,845.00

7. APPROVAL SIGNATURES

A. PROJECT DIRECTOR

NAME: Michael Hines PHONE: (310) 285-2182  
TITLE: Lieutenant FAX: (310) 274-8758  
ADDRESS: Beverly Hills Police Department  
464 No. Rexford Drive  
Beverly Hills, CA 90210  
E-MAIL: mhines@beverlyhills.org

  
(Signature) 7/30/2007  
(Date)

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY

NAME: David L. Snowden PHONE: (310) 285-2100  
TITLE: Chief of Police FAX: (310) 246-9854  
ADDRESS: Beverly Hills Police Department  
464 No. Rexford Drive  
Beverly Hills, CA 90210  
E-MAIL: dsnowden@beverlyhills.org

  
(Signature) 7/31/07  
(Date)

C. FISCAL OR ACCOUNTING OFFICIAL

NAME: Scott G. Miller PHONE: (310) 285-2411  
TITLE: Administrative Director & Chief Financial Officer FAX: (310) 285-2441  
ADDRESS: Beverly Hills City Hall  
455 No. Rexford Drive  
Beverly Hills, CA 90210  
E-MAIL: sgmillar@beverlyhills.org

  
(Signature) 8-6-07  
(Date)

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS

NAME: Finance Administration  
ADDRESS: Beverly Hills City Hall  
455 No. Rexford Drive  
Beverly Hills, CA 90210

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

**GRANT NO: AL0816**

**GRANT DESCRIPTION**

Page 1

**GRANT TITLE: DUI ENFORCEMENT AND AWARENESS PROGRAM**

**AGENCY: BEVERLY HILLS POLICE DEPARTMENT**

**PROPOSED BEGINNING DATE: 10/1/07**

**PROPOSED ENDING DATE: 9/30/08**

**PROBLEM STATEMENT:**

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

Collision Type	2003				2004				2005			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	2		2		1		1		4		4	
Injury	471		656		425		592		446		614	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	1	23	1	35	0	15	0	21	4	25	4	33
Hit & Run	0	42	0	50	0	37	0	48	0	45	0	52
Nighttime (2100-0259 hours)	1	53	1	70	0	40	0	61	4	48	4	61

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

- 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, 2005, and September 30, 2006, were made at the scene of a collision?

This grant project would continue the work underway on the Beverly Hills TREADD grant, ending 12/31/2007, and focus more narrowly on the problems of DUI and related driver's license offenders. Approximately 10% of all traffic collisions involve unlicensed driver's or those with suspended or revoked DLs. Approximately 20% of DUI arrests between 10/1/2005 and 9/30/2006, occurred at collision scenes.

- How many sobriety checkpoints did your department conduct between October 1, 2005 and September 30, 2006? (Include checkpoints from all funding sources, i.e. OTS grants or mini-grants, and department funded)

10

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

The average DUI arrests and vehicles impounded at checkpoints, for all offenses, are 4 & 9, respectively.

- 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?

According to our Traffic Investigators, we have not experienced much of a problem in this area. About 1% or our DUI offenders violate probation or fail to appear in court. BHPD has a program to locate those with active warrants and work with the probation office when a problem arises.

GRANTS MADE EASY – DUI  
Overtime  
SCHEDULE A

GRANT NO: AL0816

GRANT DESCRIPTION

Page 2

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

Yes, however most of these are outside the Los Angeles County area.

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

All of the officers currently assigned to the Traffic Bureau have received the Standardized FST training.

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?

The current cost recovery fee for 30 day vehicle impounds is \$100, however it is \$300 for those related to a DUI arrest. A proposal to raise the basic 30 day fee is being reviewed by a City consultant. The collected fees go to the City's General 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.

**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, 2007. 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.

GRANTS MADE EASY – DUI  
Overtime  
SCHEDULE A

GRANT NO: AL0816

GRANT DESCRIPTION

Page 3

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, 2008 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, 2008.
6. To conduct 6 DUI/DL checkpoints by September 30, 2008.

*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.**

7. To conduct 4 DUI saturation patrols by September 30, 2008.
8. To conduct 4 warrant service operations targeting multiple DUI offenders who violate probation terms or fail to appear in court by September 30, 2008.
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, 2007. Updated Hot Sheets will be distributed to patrol and traffic officers every three to four weeks.
10. To conduct 4 “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, 2008.

GRANTS MADE EASY – DUI  
Overtime  
SCHEDULE A

GRANT NO: AL0816

**GRANT DESCRIPTION**

Page 4

11. To conduct 4 “Court Sting” operations to cite individuals driving from court after having their license suspended or revoked by September 30, 2008.

*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, 2007 – December 31, 2007)

- 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.
- The final QPR, Schedule C and Executive Summary are due to OTS by October 31, 2008.

**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. AL0816

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2007 Thru 9/30/2008			
<b>A. PERSONNEL COSTS</b>				
<u><b>OVERTIME</b></u>				
DUI/DL Checkpoints	\$51,062.40			\$51,062.40
DUI Saturation Patrols	16,296.64			16,296.64
Warrant Service Patrols	35,628.16			35,628.16
Stakeouts	12,236.80			12,236.80
Court Stings	6,118.43			6,118.43
Overtime Benefits @ <u>13.60%</u>	16,502.57			16,502.57
<b>Category Sub-Total</b>	<b>\$137,845.00</b>			<b>\$137,845.00</b>
<b>B. TRAVEL EXPENSE</b>				
In State	\$4,000.00			\$4,000.00
<b>Category Sub-Total</b>	<b>\$4,000.00</b>			<b>\$4,000.00</b>
<b>C. CONTRACTUAL SERVICES</b>				
None				
<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. AL0816

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	FFY - 1 10/1/2007 Thru 9/30/2008			
<b>D. EQUIPMENT</b>				
None				
<b>Category Sub-Total</b>	<b>\$0.00</b>			<b>\$0.00</b>
<b>E. OTHER DIRECT COSTS</b>				
None				
<b>Category Sub-Total</b>	<b>\$0.00</b>			<b>\$0.00</b>
<b>F. INDIRECT COSTS</b>				
None				
<b>Category Sub-Total</b>	<b>\$0.00</b>			<b>\$0.00</b>
OTS-38d DUI Overtime	<b>GRANT TOTAL</b>	<b>\$141,845.00</b>		<b>\$141,845.00</b>

GRANTS MADE EASY – DUI

Overtime

SCHEDULE B-1

GRANT NO. AL0816

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 \$39.18/hr to \$114.07/hr (NOTE: do not include benefits in the overtime rate). Overtime reimbursement (OT hourly rate and benefit) will reflect actual costs of the personnel conducting the appropriate operation up to the maximum range specified.

Overtime benefits are usually between 9% - 12% of the hourly overtime rate.

**Maximum Overtime Benefit Rate**

Maximum Overtime Benefit Rate	
Workers Comp	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 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, meetings, and the PTS Seminar. *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.*

**CONTRACTUAL SERVICES -**

None

**EQUIPMENT:**

None

**OTHER DIRECT COSTS:**

None

**INDIRECT COSTS:**

None

**PROGRAM INCOME:**

There will be no program income generated from this grant.

GRANT# AGENCY GME DUI OT ONLY	2006 CALENDAR BASE YEAR						2007 OPERATIONAL YEAR					
	Jan 1 to Mar 31	Apr 1 to Jun 30	Jul 1 to Sep 30	Oct 1 to Dec 31	TOTAL	Jan 1 to Mar 31	Apr 1 to Jun 30	Jul 1 to Sep 30	Oct 1 to Dec 31	YEAR TO DATE		
	CITIES USE LOCAL STATS - COUNTYWIDE USE SWITRS						ENTER STATS AND SEPARATE BY QUARTERS					
<b>GOAL DATA POINTS</b>	CITIES USE LOCAL STATS - COUNTYWIDE USE SWITRS						ENTER STATS AND SEPARATE BY QUARTERS					
Total Traffic Fatalities - Victims	1	0	4	2	7					0		
Total Traffic Injuries - Victims	152	133	133	121	539					0		
Alcohol Involved Fatalities - Victims	1	0	0	2	3					0		
Alcohol Involved Injuries - Victims	14	21	8	8	51					0		
Hit and Run Fatal Collisions	0	0	1	0	1					0		
Hit and Run Injury Collisions	11	15	6	6	38					0		
Nighttime (2100 - 0259 HRS) Fatal Collisions	1	0	1	1	3					0		
Nighttime (2100 - 0259 HRS) Injury Collisions	18	10	11	10	49					0		
<b>OBJECTIVE DATA POINTS</b>	CITIES USE LOCAL STATS - COUNTYWIDE USE SWITRS						ENTER STATS AND SEPARATE BY QUARTERS					
<b>DUI/Driver's License Checkpoints Conducted</b>												
Vehicles Through Checkpoints					0					0		
Drivers Screened at Checkpoints					0					0		
Field Sobriety Tests Administered at Checkpoints					0					0		
DUI Arrests from Checkpoints					0					0		
Vehicles Impounded at Checkpoints (30-day					0					0		
Criminal Arrests at Checkpoints					0					0		
<b>Court Sting Operations Conducted</b>												
Arrests from Court Sting Operations					0					0		
<b>DUI Roving/Saturation Patrols Conducted</b>												
DUI Arrests Resulting from DUI					0					0		
Criminal Arrests from DUI Roving/Saturation					0					0		
<b>Stakeout Operations Conducted</b>												
Arrests from Stakeout Operations					0					0		
<b>Repeat DUI Offender Warrant Service Operations</b>												
Warrant Service Attempts					0					0		
Warrants Served (Citations/Arrests)					0					0		
<b>Total Departmentwide DUI arrests</b>	89	79	81	99	348					0		
<b>Special Enforcement Operations Conducted</b>												
Hazardous Citations Issued					0					0		
Criminal Arrests					0					0		

Quarterly Evaluation Data Form  
Schedule C

GRANT# AGENCY GME DUI OT ONLY	2006 CALENDAR BASE YEAR						2008 OPERATIONAL YEAR					
	Jan 1 to Mar 31	Apr 1 to Jun 30	Jul 1 to Sep 30	Oct 1 to Dec 31	TOTAL	Jan 1 to Mar 31	Apr 1 to Jun 30	Jul 1 to Sep 30	Oct 1 to Dec 31	YEAR TO DATE		
	CITIES USE LOCAL STATS - COUNTY WIDE USE SWITRS						ENTER STATS AND SEPARATE BY QUARTERS					
<b>GOAL DATA POINTS</b>												
Total Traffic Fatalities - Victims	1	0	4	2	7						0	
Total Traffic Injuries - Victims	152	133	133	121	539						0	
Alcohol Involved Fatalities - Victims	1	0	0	2	3						0	
Alcohol Involved Injuries - Victims	14	21	8	8	51						0	
Hit and Run Fatal Collisions	0	0	1	0	1						0	
Hit and Run Injury Collisions	11	15	6	6	38						0	
Nighttime (2100 - 0259 HRS) Fatal Collisions	1	0	1	1	3						0	
Nighttime (2100 - 0259 HRS) Injury Collisions	18	10	11	10	49						0	
<b>OBJECTIVE DATA POINTS</b>												
<b>DUI/Driver's License Checkpoints Conducted</b>	0	0	0	0	0						0	
Vehicles Through Checkpoints	0	0	0	0	0						0	
Drivers Screened at Checkpoints	0	0	0	0	0						0	
Field Sobriety Tests Administered at Checkpoints	0	0	0	0	0						0	
DUI Arrests from Checkpoints	0	0	0	0	0						0	
Vehicles Impounded at Checkpoints (30-day	0	0	0	0	0						0	
Criminal Arrests at Checkpoints	0	0	0	0	0						0	
<b>Court Sting Operations Conducted</b>	0	0	0	0	0						0	
Arrests from Court Sting Operations	0	0	0	0	0						0	
<b>DUI Roving/Saturation Patrols Conducted</b>	0	0	0	0	0						0	
DUI Arrests Resulting from DUI	0	0	0	0	0						0	
Criminal Arrests from DUI Roving/Saturation	0	0	0	0	0						0	
<b>Stakeout Operations Conducted</b>	0	0	0	0	0						0	
Arrests from Stakeout Operations	0	0	0	0	0						0	
<b>Repeat DUI Offender Warrant Service Operations</b>	0	0	0	0	0						0	
Warrant Service Attempts	0	0	0	0	0						0	
Warrants Served (Citations/Arrests)	0	0	0	0	0						0	
<b>Total Departmentwide DUI arrests</b>	89	79	81	99	348						0	
<b>Special Enforcement Operations Conducted</b>	0	0	0	0	0						0	
Hazardous Citations Issued	0	0	0	0	0						0	
Criminal Arrests	0	0	0	0	0						0	

APPLICANT AGENCY <b>Beverly Hills Police Department</b>	OTS GRANT NUMBER <b>AL0816</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 federal and state regulations governing grants and to the following 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 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
  - Failure to submit properly procured and fully executed and acceptable sub-contracts.
3. By October 31, “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 will 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

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.

A fully executed copy of the sub-contract and completed Contractual Services Checklist & Questionnaire, OTS-85 shall be submitted to OTS for inclusion in the official grant file prior to request for reimbursement.

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

Services shall be provided subsequent to final sub-contract execution and signature by both parties to the sub-contract and the reimbursable costs incurred for grant work shall be consistent with the starting and termination date identified in the Grant Agreement. 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.

## REVISIONS

6. 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.
7. 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.
8. Those additional 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:**

9. 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.

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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
Lieutenant Michael Hines	Los Angeles County
GRANT DIRECTOR'S SIGNATURE	DATE EXECUTED
	7/30/2007
TITLE	
Patrol Bureau Commander	
AUTHORIZING OFFICIAL'S NAME	EXECUTED IN THE COUNTY OF
David L. Snowden	Los Angeles County
AUTHORIZING OFFICIAL'S SIGNATURE	DATE EXECUTED
	7/31/07
TITLE	
Chief of Police, Beverly Hills Police Department	