

PUBLIC SAFETY COMMITTEE REPORT relative to the acceptance of grant funds from the Fiscal Year (FY) 2020-21 State of California Office of Traffic Safety (OTS) Grant for the City Attorney's Alcohol and Drug Impaired Driving Vertical Prosecution Program.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Attorney, or designee, to:

- a. Approve the accompanying grant award between the City and the OTS as detailed in the September 8, 2020 City Administrative Officer (CAO) report, attached to Council File.
- b. Accept the grant award in the amount of \$980,000 for funding the Alcohol and Drug Impaired Driving Vertical Prosecution Program for the period October 1, 2020 to September 30, 2021.

2. AUTHORIZE the Controller to:

- a. Establish a receivable within Fund No. 368/12 in the amount of \$980,000.
- b. Establish appropriation Account No. 12T231, Impaired Driving Prosecution, within Fund No. 368/12 in the amount of \$980,000.
- c. Transfer \$364,176 from Fund No. 368/12, Account No. 12T231, Impaired Driving Prosecution, to Fund No. 100/12, Account No. 1010, Salaries General.
- d. Upon receipt of grant funds, transfer up to \$431,554 from Fund No. 368/12, Account No. 12R231, Impaired Driving Prosecution, to Fund No. 100/12, Revenue Source Code 5346, Related Costs Reimbursement- Grants.

3. INSTRUCT the City Clerk to place on the Council Agenda for the first regular Council Meeting on **July 1, 2021**, or shortly thereafter, the following action relative to the Alcohol and Drug Impaired Driving Vertical Prosecution Program, subject to the approval of the Mayor:

- a. AUTHORIZE the Controller to transfer \$176,270 from Fund No. 368/12, Account No. 12T231, Impaired Driving Prosecution, to Fund No. 100/12, Account No. 1010, Salaries General.

4. AUTHORIZE the City Attorney to prepare Controller instructions for any necessary technical adjustments subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that approval of the recommendations contained in the September 8, 2020 CAO report, attached to the Council file, will allow for the disbursement of the FY 2020-21 OTS Grant funding for the Program. The total Program budget is

\$1,066,031, of which \$980,000 is reimbursed by the grant as follows: \$972,000 for direct and partial indirect costs, including fringe benefits, and \$8,000 for travel costs. Grant funding will cover the full direct and partial indirect costs of five existing positions, including two Deputy City Attorney II's, two Deputy City Attorney I's, and one Legal Assistant I.

Financial Policies Statement: The CAO reports that the recommendations contained in the September 8, 2020 CAO report, attached to the Council file, comply with the City's Financial Policies.

Community Impact Statement: None submitted.

Summary:

On October 13, 2020, your Committee considered a September 8, 2020 CAO and August 11, 2020 City Attorney reports relative to the acceptance of grant funds from the FY 2020-21 OTS Grant for the City Attorney's Alcohol and Drug Impaired Driving Vertical Prosecution Program. According to the CAO, the City Attorney is requesting authority to accept the FY 2020-21 OTS Grant award in the amount of \$980,000 to support the Alcohol and Drug Impaired Driving Vertical Prosecution Program. Grant funding is awarded by the California Office of Traffic Safety, which serves as the pass-through agency for the National Highway Traffic Safety Administration. The grant performance period begins October 1, 2020 through September 30, 2021. This is the ninth year the City Attorney's Office is receiving this grant. There is no match requirement for this grant.

The Alcohol and Drug Impaired Driving Vertical Prosecution Program is dedicated to the prosecution of individuals who drive impaired by alcohol or drugs. The City Attorney's prosecution team will oversee cases vertically, meaning prosecutors will handle cases throughout each step of the criminal process. Responsibilities include drafting and filing motions, responding to discovery requests, and interviewing witnesses. For the first three quarters of the FY 2019-20 OTS Grant, covering September 1, 2019 through June 30, 2020, the City Attorney reviewed 5,245 impaired driving referrals and filed 4,918 cases; of the filed cases, 753 cases involved driving under the influence of drugs. After consideration and having provided an opportunity for public comment, the Committee moved to approve the recommendations contained in the CAO report, as detailed above. This matter is now transmitted to the Council for its consideration.

Respectfully Submitted,

PUBLIC SAFETY COMMITTEE

MEMBER VOTE

RODRIGUEZ: YES
O'FARRELL: YES
BUSCAINO: YES
RYU: YES

LEE: YES

ARL
10/13/20

-NOT OFFICIAL UNTIL COUNCIL ACTS-