

RESOLUTION NO. 2015-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA ACCEPTING SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT AWARD FROM THE STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY, APPROVING EXPENDITURE OF GRANT FUNDS FROM STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY, SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT, AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE GRANT DOCUMENTS ON BEHALF OF THE CITY

WHEREAS, the Police Department identified need to enhance its traffic enforcement operations so as to provide safer vehicular, bicycle and pedestrian travel within the City of Marina, and;

WHEREAS, the Police Department submitted a grant proposal to the State of California, Office of Traffic Safety for a Selective Traffic Enforcement Program grant to enhance its ability to provide safer vehicular, bicycle and pedestrian travel within the City of Marina, and;

WHEREAS, the Police Department has been notified it has been awarded a one (1) year State of California, Office of Traffic Safety Selective Traffic Enforcement Program grant in the amount of sixty-thousand dollars (\$60,000), and;

WHEREAS, the State of California, Office of Traffic Safety Selective Traffic Enforcement Program grant requires no matching funds or proposal fees, and;

WHEREAS, the Selective Traffic Enforcement Program grant (“**EXHIBIT A**”) contains performance measures and objectives for the Police Department to perform, and;

WHEREAS, the Selective Traffic Enforcement Program grant provides funding for the purchase of specified equipment, materials, training and educational supplies, and;

WHEREAS, the Police Department’s mission of providing law enforcement services to the residents and visitors of the City of Marina is of paramount importance to the governance of the City and traffic enforcement/safety is a core service of the Police Department.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Accept the State of California, Office of Traffic Safety Selective Traffic Enforcement Program grant in the amount of sixty-thousand dollars (\$60,000), and;
2. Approve the expenditure of funds from the State of California, Office of Traffic Safety Selective Traffic Enforcement Program grant, and;
3. Authorize the Finance Director to make the necessary budgetary and accounting entries, and;
4. Authorize the City Manager to execute the grant documents on behalf of the City.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 18th day of August 2015, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O’Connell, Delgado

NOES: COUNCIL MEMBERS: None.

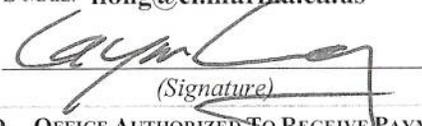
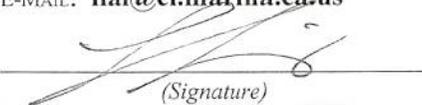
ABSTAIN: COUNCIL MEMBERS: None.

ABSENT: COUNCIL MEMBERS: None.

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

1. GRANT TITLE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)	
2. NAME OF AGENCY CITY OF MARINA	4. GRANT PERIOD From: 10/1/15 To: 9/30/16
3. AGENCY UNIT TO ADMINISTER GRANT MARINA POLICE DEPARTMENT	
5. GRANT DESCRIPTION To reduce the number of persons killed and injured in traffic crashes involving alcohol and other primary collision factors, "best practice" strategies will be conducted. The funded strategies may include: DUI checkpoints, DUI saturation patrols, warrant service operations, stakeout operations, a "HOT Sheet" program, educational presentations, and court stings. The program may also concentrate on speed, distracted driving, seat belt enforcement, operations at intersections with disproportionate numbers of traffic crashes, and special enforcement operations encouraging motorcycle safety. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.	
6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 60,000.00	
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> • Schedule A (OTS-38b) – Problem Statement, Goals and Objectives and Method of Procedure • Schedule B (OTS-38d) – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) • Schedule B-1 (OTS-38f) – Budget Narrative and Sub-Budget Narrative (if applicable) • Exhibit A –Certifications and Assurances • Exhibit B* - OTS Grant Program Manual *Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov . We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions. IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.	
8. APPROVAL SIGNATURES	
A. GRANT DIRECTOR NAME: Edmundo Rodriguez PHONE: 831-884-1210 TITLE: Chief of Police FAX: 831-384-5321 ADDRESS: 211 Hillcrest Avenue Marina, CA. 93933 E-MAIL: erodriguez@ci.marina.ca.us  _____ (Signature) <u>7/28/15</u> (Date)	B. AUTHORIZING OFFICIAL OF AGENCY NAME: Layne Long PHONE: 831- 884-1224 TITLE: City Manager FAX: 831-384-9148 ADDRESS: 211 Hillcrest Avenue Marina, CA. 93933 E-MAIL: llong@ci.marina.ca.us  _____ (Signature) <u>7/28/15</u> (Date)
C. FISCAL OR ACCOUNTING OFFICIAL NAME: Lauren Lai PHONE: 831-884-1221 TITLE: Finance Director FAX: 831-384-0473 ADDRESS: 211 Hillcrest Avenue Marina, CA. 93933 E-MAIL: llai@ci.marina.ca.us  _____ (Signature) <u>7/28/15</u> (Date)	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS NAME: City of Marina Finance Department ADDRESS: 211 Hillcrest Avenue Marina, CA. 93933
9. DUNS NUMBER	
DUNS #: 004948444 REGISTERED ADDRESS & ZIP: 211 Hillcrest Avenue, Marina, CA 93933-3534	

**GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PT1618**

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I. PROBLEM STATEMENT

The City of Marina is an ethnically diverse community with a population of slightly over 20,000 which has traditionally served as a bedroom community for the Monterey Peninsula due to its relatively low cost housing. Its roadways also serve as the main commuter routes for residents and visitors traveling between the Monterey Peninsula and Salinas, the county seat and largest city. The City's primary traffic problems are speeding on Imjin Parkway, the newest and most heavily traveled regional roadway; alcohol-impaired drivers; and collisions involving pedestrians. Strategies to reduce these problems are the focus of our proposal to OTS.

Background information and recent traffic-related statistics are presented here to describe the underlying causes and issues of the Marina's traffic safety problems. Marina's population is youthful, with 25% under the age of 18, and there are many families. In 2010, its population was 36% White, 27% Latino, 19% Asian-American, 7% African-American, 3% Pacific Islander, and 7% identified with two or more races. A significant portion of our residents are recent immigrants. The California State University at Monterey Bay (CSUMB), established at the city's border in 1994, brings more than 6,500 students into our community annually.

The City has undertaken several major developments in the past several years, with more to come. A major shopping center has been built on city land next to Highway 1 on Imjin Parkway, housing stores such as REI, Target, Old Navy, and Bed, Bath, and Beyond. The area includes a regional health care center and county mental health service center. The building of a 100,000 square foot regional Veterans Service Center and cinema multiplex is currently underway at the same location, and a major housing subdivision is now offering new homes, just off Imjin Parkway.

Marina has always served as a major thoroughfare hub for county residents commuting between the Monterey Peninsula and Salinas, the county seat, and tourists heading to the Peninsula from the north. Commuters who used to use Reservation Road and Del Monte Avenue to connect to Highway 1 now use Imjin Parkway, a new mostly four-lane arterial roadway with a speed limit of 45 MPH.

The nearby Mazda Raceway Laguna Seca hosts major auto and motorcycle races such as the Pirelli World Challenge and FIM Superbike World Championship, bicycle races and events, and outdoor music festivals. Events are year-round and daily during summer months, filling our roadways with race enthusiasts. The automobile and motorcycle races, in particular, bring thousands to the area for long days of watching races and drinking beer in the sun.

These factors – the increasingly well-traveled Imjin Parkway, major developments and events, and our youthful population – are closely related to the significant traffic safety problems addressed in this funding request to OTS. The proposed operations will complement the City's recent transportation projects, which include the Imjin Parkway Bike Lane Project, a \$2.2 million Regional Transportation Improvement Program grant; intersection improvements at Del Monte Boulevard and Beach Road, via a Highway Safety Improvement grant of \$325,000; Reservation Road resurfacing, covered by \$252,350 in Proposition 1B

Comment [e1]: We should tie in to school traffic safety instead. We are currently involved in a Safe Routes to School grant with the County Health Department.

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funds; and the Redwood Drive Safe Routes to School project, funded by a SR2S grant in the amount of \$102,307.

Since Imjin Parkway has been built-out, including the addition of bike lanes, the traffic level has increased dramatically, people are driving faster on it, and the number of collisions have increased. Traffic counts for a 2010 study indicated an average daily total of 13,102 vehicles on the east end of Imjin Parkway in 2005 and 15,408 on the west end at the shopping center, veteran's center, etc. Similar traffic counts projected to 2035 are 19,881 and 36,630 respectively. Today, in 2015, the volume of traffic is somewhere between those amounts, and it is not at all unusual to see speeds of 70 MPH on the Parkway's 45 MPH lanes.

In 2014, there were 317 collisions in Marina, the highest level in the past five years and a 17% increase over 2013. A quarter of the collisions were on Imjin Parkway, followed by Reservation Road (20%) and Del Monte Avenue (14%). 2014's 42 collisions with injuries are a 5% increase over 2013. Nearly 80% of those collisions occurred on the City's three commuter routes; 42% of them were on Imjin Parkway. The majority of the injury collisions on Imjin Parkway were due to speeding and drunk driving.

Speeding is the city's primary collision factor and leads to the most injuries from collisions. In 2012, Marina had 20 injury collisions due to speeding and ranked in the top 14% of cities of its size (15th out of 109 cities).

In 2014, the Marina Police Department issued 3,585 traffic citations, 537 for speeding. This is an increase over 2013, when there were 3,571 citations issued. For the first time, speeding fell to #2 in terms of the most citations written -- #1, with 564 citations, was using a hand-held cell phone while driving. In 2014, there were 732 traffic citations issued to drivers on Imjin Parkway, 20% of the total number issued.

The number of traffic citations issued has risen over 75% since 2012, when 2,044 citations were written, due to the substantial increase in speeding on Imjin Parkway and other main roads and the addition of the Traffic Sergeant to the Traffic Unit. Aggressive driving, including tailgating, is increasing on many streets, perhaps due to frustration with traffic congestion.

Marina ranked in the top 11% of cities of its size (12th out of 109) in the 2012 OTS Collision Rankings in collisions due to drivers under the age of 21 who had been drinking. The Marina Traffic Safety Unit issued 94 DUI citations in 2014, including 17 to drivers involved in collisions, an 18% increase over 2013. This problem is of great concern due to our large college population. Using hand-held cell phones and texting while driving – distracted driving – is also a huge traffic safety issue.

Pedestrians in our city, particularly children and youth, are too frequently the victims of traffic collisions. Of the 109 California cities of similar size, Marina ranked 18th in collisions involving pedestrians under the age of 15. Traffic levels on Imjin Parkway exacerbate this problem. As traffic builds up, drivers seek alternative routes which take them on residential streets past several of Marina's schools. Focusing special operations on pedestrian and traffic safety around schools as proposed, will reinforce the Safe Routes to School project at Marina Vista Elementary School and will slow down and improve pedestrian and traffic safety around all the City's five schools.

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A. Traffic Data Summary:

Collision Type	2012				2013				2014			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	0		0		0		0		0		0	
Injury	48		56		40		49		42		55	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol - Involved	0	3	0	3	0	3	0	4	0	0	0	15
Hit & Run	0	0	0	0	0	0	0	0	0	0	0	4
Nighttime (2100-0259 hours)	0	3	0	3	0	4	0	5	0	0	0	6
Top 3 Primary Collision Factors									Fatal	Injury	Killed	Injured
#1 -	22350 Basic Speed								0	0	0	8
#2 -	Unknown Factors								0	0	0	4
#3 -	21453(a) Stop Light								0	6	0	0

2. PERFORMANCE MEASURES

A. Goals:

- 1) To reduce the number of persons killed in traffic collisions.
- 2) To reduce the number of persons 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 the number of persons killed in drug-involved collisions.
- 6) To reduce the number of persons injured in drug-involved collisions.
- 7) To reduce the number of persons killed in alcohol/drug combo-involved collisions.
- 8) To reduce the number of persons injured in alcohol/drug combo-involved collisions.
- 9) To reduce the number of motorcyclists killed in traffic collisions.

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- 10) To reduce the number of motorcyclists injured in traffic collisions.
- 11) To reduce the number of motorcyclists killed in alcohol-involved collisions.
- 12) To reduce the number of motorcyclists injured in alcohol-involved collisions.
- 13) To reduce hit & run fatal collisions.
- 14) To reduce hit & run injury collisions.
- 15) To reduce nighttime (2100 - 0259 hours) fatal collisions.
- 16) To reduce nighttime (2100 - 0259 hours) injury collisions.
- 17) To reduce the number of bicyclists killed in traffic collisions.
- 18) To reduce the number of bicyclists injured in traffic collisions.
- 19) To reduce the number of pedestrians killed in traffic collisions.
- 20) To reduce the number of pedestrians injured in traffic collisions.

B. Objectives:

- 1) To develop (by December 31) and/or maintain 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. Updated HOT sheets should be distributed to patrol and traffic officers monthly.
- 2) To send 1 law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hour) POST-certified training.
- 3) To send 1 law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.
- 4) To send 1 law enforcement personnel to the IACP Drug Recognition Expert (DRE) training.
- 5) To send 3 law enforcement personnel to the IACP Drug Recognition Expert (DRE) Recertification training.
- 6) To conduct 12 DUI/DL Checkpoints. *Note: A minimum of 1 checkpoint should be conducted during the NHTSA Winter Mobilization and 1 during the NHTSA Summer Mobilization.*
- 7) To conduct 12 DUI Saturation Patrol operation(s).

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- 8) To conduct 24 Traffic Enforcement operation(s), including but not limited to, primary collision factor violations.
- 9) To conduct 24 highly publicized enforcement operation(s) in areas of or during events with a high number of bicycle and/or pedestrian collisions resulting from violations made by bicyclists, pedestrians, and drivers.
- 10) To participate in and collect and report DUI enforcement data for the NHTSA Winter and Summer Mobilizations.
- 11) To collaborate with the county's Avoid Lead Agency by: participating in all planning/scheduling meetings and MADD/Avoid DUI Seminars; providing your agency's schedule of operations that occur during any Avoid campaign; and reporting your agency's DUI arrests & DUI fatality information during any Avoid campaign.

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.

NOTE: To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release for each checkpoint operation. For combination DUI/DL checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoint operations should read "DUI/Driver's License Checkpoint Ahead." 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.

3. METHOD OF PROCEDURE

A. Phase 1 - Program Preparation, Training and Implementation (1st Quarter of Grant Year)

- The police department will develop operational plans to implement the "best practice" strategies outlined in the objectives section.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop/maintain 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 DUI convictions. 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 should be updated and distributed to traffic and patrol officers at least monthly.

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- Implementation of the STEP grant activities will be accomplished by deploying personnel at high collision locations.

Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed 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.

B. Phase 2 - Program Operations (Throughout Grant Year)

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

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at pio@ots.ca.gov, with a copy to your OTS Coordinator.
 - a) If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead time would be 10-20 days prior to the release date to ensure adequate turn-around time.
 - b) Press releases reporting the results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
 - c) Activities such as warrant service operations and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- 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.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.

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- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

- Agencies are required to collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Statistical data relating to the grant goals and objectives will be collected, analyzed, and incorporated in Quarterly Performance Reports (QPRs). QPRs for the quarter ending September 30 will include year-to-date comparisons of goals and objectives. If required, a separate quarterly data reporting form will be completed each quarter and submitted as part of the QPR.
- Reports will compare actual grant accomplishments with the planned accomplishments. They will include information concerning changes made by the Grant Director in planning and guiding the grant efforts.
- Reports shall be completed and submitted in accordance with OTS requirements as specified in the Grant Program Manual.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full support of the City of Marina. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PT1618

FUND NUMBER	NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405b OP	20.616	National Priority Safety Programs	60,000.00
			\$

COST CATEGORY	FISCAL YEAR ESTIMATES 10/1/15 thru 9/30/16			TOTAL COST TO GRANT
	CFDA	FY-1		
A. PERSONNEL COSTS				
Positions and Salaries				
<u>Full-Time</u>				
<u>Overtime</u>				
Category Sub-Total		\$ -		\$ -
B. TRAVEL EXPENSE				
In-State	20.616	\$ 2,000.00		\$ 2,000.00
Out-of-State				\$ -
Category Sub-Total		\$ 2,000.00		\$ 2,000.00
C. CONTRACTUAL SERVICES				
				\$ -
Category Sub-Total		\$ -		\$ -
D. EQUIPMENT				
Police Motorcycle	20.616	\$ 38,500.00		\$ 38,500.00
Radar Trailer	20.616	\$ 12,500.00		\$ 12,500.00
Category Sub-Total		\$ 51,000.00		\$ 51,000.00
E. OTHER DIRECT COSTS				
DUI Checkpoint Supplies	20.616	\$ 2,600.00		\$ 2,600.00
Educational Materials	20.616	\$ 458.00		\$ 458.00
Lidar Device	20.616	\$ 2,700.00		\$ 2,700.00
Radar Device	20.616	\$ 1,242.00		\$ 1,242.00
Category Sub-Total		\$ 7,000.00		\$ 7,000.00
F. INDIRECT COSTS				
				\$ -
				\$ -
Category Sub-Total		\$ -		\$ -
GRANT TOTAL				
		\$ 60,000.00		\$ 60,000.00

SCHEDULE B-1
GRANT NO. PT1618

BUDGET NARRATIVE

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PERSONNEL COSTS

None

TRAVEL EXPENSE

Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include Lifesavers, SFST, ARIDE, DRE and DUID. *All conferences, seminars or training not specifically identified in the Schedule B-1 (Budget Narrative) must be approved by OTS. All travel claimed must 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

Police Motorcycle(s) - fully equipped motorcycle(s) to be used for grant purposes. Costs may include video equipment, communication equipment, emergency equipment package, safety bars and modifications and accessories.

Radar Trailer(s) - trailer with radar to measure and display the speed of vehicles. Costs may include trailer, computer software, and modifications such as generator, paint, graphics and lighting.

OTHER DIRECT COSTS

DUI Checkpoint Supplies - on-scene supplies needed to conduct sobriety checkpoints. Costs may include 28" traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS device supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. *Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.*

Educational Materials – costs of purchasing, developing or printing brochures, pamphlets, fliers, coloring books, posters, signs, and banners associated with grant activities, and traffic safety conference and training materials. Items shall include a traffic safety message and if space is available the OTS logo. *Additional items may be purchased if approved by OTS.*

Lidar Device(s) x 1 – light detection and ranging device used to measure the speed of motor vehicles. This device will be used for speed enforcement.

Radar Device(s) x 1- to measure the speed of motor vehicles for speed enforcement.

SCHEDULE B-1
GRANT NO. PT1618

BUDGET NARRATIVE

INDIRECT COSTS

None

PROGRAM INCOME

There will be no program income generated from this grant.

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

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Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- 49 CFR Part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Part 1200—Uniform Procedures for State Highway Safety Grant Programs

NONDISCRIMINATION

The Grantee Agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, *et seq.*), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, *et seq.*), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

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BUY AMERICA ACT

The Grantee Agency will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

POLITICAL ACTIVITY (HATCH ACT)

The Grantee Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

1. By signing and submitting this grant agreement, the Grantee Agency Official is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Grantee Agency Official to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the Grantee Agency Official knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The Grant Agency Official shall provide immediate written notice to the department or agency to which this grant agreement is submitted if at any time the Grantee Agency Official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *grant agreement*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this grant agreement is being submitted for assistance in obtaining a copy of those regulations.
6. The Grantee Agency Official agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The Grantee Agency Official further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the

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eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

(1) The Grantee Agency Official certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this grant agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/grant agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the Grantee Agency Official is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

Instructions for Lower Tier Certification

1. By signing and submitting this grant agreement, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the

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- department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this grant agreement is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
 4. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, grant agreement, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this grant agreement is submitted for assistance in obtaining a copy of those regulations.
 5. The prospective lower tier participant agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
 6. The prospective lower tier participant further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)
 7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
 8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
 9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this grant agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

August 11, 2015

Item No. **8f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of August 18, 2015

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2015-,
ACCEPTING SELECTIVE TRAFFIC ENFORCEMENT PROGRAM
GRANT AWARD FROM STATE OF CALIFORNIA, OFFICE OF
TRAFFIC SAFETY, APPROVING EXPENDITURE OF GRANT FUNDS
FROM STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY,
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT,
AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY
ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING
CITY MANAGER TO EXECUTE GRANT DOCUMENTS ON BEHALF
OF CITY**

REQUEST:

It is requested that the City Council:

1. Consider adopting Resolution No. 2015-, accepting Selective Traffic Enforcement Program grant award from State of California, Office of Traffic Safety, and;
2. Consider approving expenditure of grant funds from State of California, Office of Traffic Safety, Selective Traffic Enforcement Program grant, and;
3. Authorize the Finance Director to make necessary accounting and budgetary entries, and;
4. Authorize the City Manager to execute the grant documents on behalf of the City

BACKGROUND:

The State of California, California Office of Traffic Safety (OTS) has grants available through their Selective Traffic Enforcement Program for various traffic safety programs available to law enforcement agencies throughout the State of California. The Police Department developed a grant proposal directed at traffic and pedestrian safety within the City and submitted an application for a one year Selective Traffic Enforcement Program (STEP) grant.

As a result of the Police Department's submittal of the grant proposal, it has received notice that the City has been awarded a \$60,000 STEP grant from the Office of Traffic Safety. The Department's proposal outlined a comprehensive plan to implement various traffic operations, safety programs, educational opportunities, and purchase of equipment to assist in short term and long term traffic safety goals.

ANALYSIS:

Acquisition of the STEP grant will enable the Police Department to provide enhanced traffic safety services both during the life of the STEP grant and after. The STEP grant ("EXHIBIT A") contains a number of objectives for the Police Department, some of which ask for a number of operations to be performed. It also provides funding that allows for the purchase of equipment and supplies to augment the operations. Equipment and supplies purchased will remain with the Department after the grant has concluded and will be utilized by the Department for continued traffic enforcement/safety field operations in the City. The grant also provides funding for

training of specified officers in the areas of field sobriety testing; advanced roadside impaired driving enforcement and drug recognition.

Some of the grant objectives asked of the Police Department to perform is as follows:

1. Twelve (12) DUI/Drivers License checkpoints
2. Twelve (12) DUI saturation patrol operations
3. Twenty-four (24) traffic enforcement operations, including but not limited to primary collision factor violations.
4. Twenty-four highly publicized enforcement operations in areas of or during events with high numbers of bicycle and or pedestrian collisions resulting from violations made by bicyclists, pedestrians and vehicles.

The grant provides funding for the purchase of the following equipment:

1. One (1) police motorcycle
2. One (1) radar trailer
3. One (1) Lidar speed measure device
4. One (1) radar gun
5. DUI checkpoint materials
6. Educational materials

The ability to utilize this grant will allow the Police Department to provide citizens and visitors with safer streets, a greater awareness of pedestrian safety, increased traffic enforcement within the City with special attention given to areas where pedestrians, bicycles and vehicles intermingle, i.e. intersections, schools, shopping areas et cetera, and the main thoroughfares of the City. Additionally, increased traffic enforcement is a deterrent to criminals in general. Traffic enforcement stops often lead to the arrest of persons for drugs and various other crimes.

FISCAL IMPACT:

This one (1) year, \$60,000 grant requires no matching funds. Should City Council approve this request, STEP grant appropriations will be recorded in a designated General Fund, Police Department revenue account and by a corresponding amount and designated expenditure account.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Richard J. Janicki, Jr.
Police Department Management Analyst
City of Marina

REVIEWED/CONCUR:

Edmundo Rodriguez
Chief of Police
City of Marina

Layne Long
City Manager
City of Marina

