

RESOLUTION NUMBER R- 309279

DATE OF FINAL PASSAGE NOV 04 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING ACCEPTANCE OF A GRANT
FROM THE STATE OF CALIFORNIA – OFFICE OF TRAFFIC
SAFETY FOR AN ALCOHOL AND DRUG IMPAIRED
DRIVER VERTICAL PROSECUTION PROGRAM.

WHEREAS, San Diego is the second largest city in California and according to the 2008 rankings by the California Office of Traffic Safety of “California’s Top 50 DUI Cities,” San Diego ranked second with 940 alcohol-related fatalities and injuries; and

WHEREAS, the Criminal Division of the San Diego City Attorney’s Office is responsible for receiving, processing, and reviewing all misdemeanor DUI arrest reports occurring within the City of San Diego, the City of Poway, and the unincorporated area known as 4S Ranch; and

WHEREAS, in 2012, the City Attorney’s Office issued 5,752 cases involving charges of driving under the influence of alcohol and/or drugs, some of which involve collisions and injuries; and

WHEREAS, the State of California – Office of Traffic Safety has awarded a grant that would allow the City Attorney’s Office to dedicate an experienced prosecutor and an investigator to handle DUI Alcohol and DUI Drug cases with an emphasis given to DUI Drug cases and DUI Combo cases; and

WHEREAS, vertical prosecution of DUI cases should result in more accurate filing of DUI Drug cases and DUI Combo cases; greater and quicker contact with law enforcement,

victims and witnesses; better results, either from a plea or trial; and stiffer sentences; NOW,
THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney, or his designee, is authorized to apply for, accept, and take all necessary actions to secure a grant from the State of California - Office of Traffic Safety for an Alcohol and Drug Impaired Driver Vertical Prosecution Program, for an amount not to exceed \$263,000.00 to fund a Deputy City Attorney and City Attorney Investigator in the City Attorney's office, Criminal Division, for the period October 1, 2014 to September 30, 2015, on the terms and conditions outlined in the Grant Agreement on file in the Office of the City Clerk as Document No. RR- 309279.

BE IT FURTHER RESOLVED, that the City Attorney, or his designee, is authorized to submit all documents, negotiate and execute all agreements necessary, including any amendments, to comply with the grant requirements, and carry out and administer all obligations, responsibilities and duties under the grant.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend up to \$263,000.00 from Fund #600000 from grant funds secured for the purpose described above.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to establish a special interest-bearing fund for the grant money, if required.

BE IT FURTHER RESOLVED, that the City agrees to indemnify, defend, and save harmless the State of California, its officers, agents, and employees, from any and all claims and

losses resulting from the City's performance of the agreement, as required by the terms of the Grant Agreement.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Catherine M. Bradley
Catherine M. Bradley
Deputy City Attorney

CMB:sc
10/02/14
Or.Dept: City Attorney
Doc. No.:874394

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 21 2014.

ELIZABETH S. MALAND
City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 10/31/14
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 21 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 04 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Stenrod*, Deputy

Office of the City Clerk, San Diego, California

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