

RESOLUTION NUMBER R- 310040

DATE OF FINAL PASSAGE NOV 03 2015

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 FOR OCTOBER 1, 2016 AND AUTHORIZING APPLICATION AND ACCEPTANCE OF ADDITIONAL GRANTS THROUGH 2020.

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 (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, in 2014, the City Council approved and the State of California – Office of Traffic Safety (OTS) 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; and

WHEREAS, the City Attorney has reported on progress to the OTS as a result of the 2014 grant, including the successful prosecution of multiple drugged driving cases, establishment of a system for filtering and assigning drug and alcohol driving under the influence cases in the Office and providing for ongoing training for prosecutors and police officers; and

WHEREAS, the City Attorney recommends continuing the Program and seeks authorization to continue to apply for and accept grant funds for the Program for the next five years; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego,

1. That it authorizes the City Attorney, or his designee, 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 (Program), for an amount not to exceed \$238,346.00, to fund a Deputy City Attorney and City Attorney Investigator in the Criminal Division of the San Diego City Attorney's office, for the period October 1, 2015 to September 30, 2016, on the terms and conditions outlined in the Grant Agreement on file in the Office of the City Clerk as Document No. RR- 310040 .

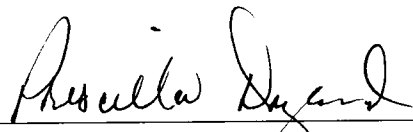
2. That it further authorizes the City Attorney to apply for, accept, and take all necessary actions to secure future grants from the State of California - Office of Traffic Safety for the Program for a period of five years through September 30, 2020.

3. That it authorizes the Chief Financial Officer to accept, appropriate, and expend up to \$238,346.00 from Fund #600000 from grant funds for the Program for the period October 1, 2015 to September 30, 2016.

4. That it authorizes the Chief Financial Officer to establish special interest bearing accounts for the grant funds for the Program, if required, and to accept, appropriate and expend all future grant funds, contingent upon the receipt of fully executed Agreement(s) with the State of California – Office of Traffic Safety.

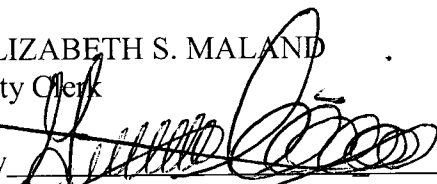
5. That the City agrees to indemnify, defend, and save harmless the State of California, its officers, agents, and employees, from any and all claims and losses resulting from the City's performance of the Agreement(s), as required by the terms of the grant agreements.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Prescilla Dugard
Deputy City Attorney

PMD:mt
9/16/2015
Doc.No. 1082027

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~OCT 27 2015~~.

ELIZABETH S. MALAND
City Clerk
By 
Deputy City Clerk

Approved: 11/2/15
(date)



KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 27 2015, 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"/> |
| Lorie Zapf | <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"/> |
| Chris Cate | <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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 03 2015

(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  Deputy

Office of the City Clerk, San Diego, California

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