



Office of the City Manager

CONSENT CALENDAR
September 10, 2013

To: Honorable Mayor and Members of the City Council

From:  Christine Daniel, City Manager

Submitted by: Michael K. Meehan, Chief of Police

Subject: Contract: 2013-14 Department of Alcoholic Beverage Control Grant for the Enforcement of Alcohol Related Laws

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a grant contract and any subsequent amendments with the State of California to accept Fiscal Year 2014 Department of Alcoholic Beverage Control (ABC) Grant funding in the amount of \$75,500 and appropriate the funds to enforce laws to reduce availability of alcohol to underage persons and identifying minors who purchase, use or borrow false forms of identification for purposes of obtaining alcohol or entering licensed alcohol premises.

FISCAL IMPACTS OF RECOMMENDATION

The Police Department has been awarded \$75,500 from the Department of Alcohol Beverage Control to enforce laws pertaining to sales and consumption of alcoholic beverages. Grant revenues will be deposited into Alcoholic Beverage Control Program Fund budget code 072-7202-331-1067. The grant will cover personnel costs related to the grant. The Fiscal Year 2014 Adopted Budget contained an estimated appropriation of \$50,000. Since the grant amount is more than this amount, the appropriation of the additional \$25,500 will be included in the first amendment to the FY 2014 Annual Appropriations Ordinance. CMS No. GPSPP.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Police Department experiences many alcohol related calls for service associated with the fraternities and co-ops affiliated with UC Berkeley. Over the years, UC Berkeley has worked to reduce the number of alcohol related problems within the Greek community. Despite the education and preventative work done with the fraternities, each year we continue to experience alcohol related tragedies, many of which could have been prevented. Each year, the University Health Services Center reports dozens of student who required emergency medical response and hospitalization for excessive alcohol consumption.

It is commonly known throughout the young adult community that there are still many ways to successfully obtain alcohol in Berkeley. The use of fake ID's is common, and many minors are able to purchase alcohol from licensed retailers who fail to establish

the age of the minor. This same segment of the population can obtain alcohol by asking another person to purchase it for them.

BACKGROUND

BPD's first goal is to identify and ensure compliance on licensed premises that have been previously cited for furnishing alcohol to minors. Because of the high number of alcohol outlets within two miles of the campus, students have many chances to locate a business willing to furnish to them. Once staff has identified the venues where alcohol is most accessible staff will begin a dual enforcement and education strategy. The enforcement strategy will concentrate on enforcement operations with UC Police Department and other agencies. The education component will consist of LEAD trainings for businesses and fake ID training for all of BPD's officers.

BPD will continue to partner with the UC Berkeley Health Services Center (*Party Safe*) to exchange information, assist with reported alcohol related problems, and promote safe non-alcoholic events. *Party Safe* is a valuable resource for students. *Party Safe* will work with BPD during this grant period by developing and distributing prevention literature, communicating with student groups and working with Safety Patrol officers. An important component of the grant's prevention objectives is to become more involved with student groups during the planning process of social events. Discussions will emphasize the planning process, security concerns, how to identify and respond to emergencies.

RATIONALE FOR RECOMMENDATION

The Department of Alcoholic Beverage Control (ABC) has awarded \$75,500 to the Berkeley Police Department to conduct enforcement on alcohol related offenses. Without this funding, the Police Department would not have the resources to adequately address underage drinking and alcohol availability to those under 21 years of age.

ALTERNATIVE ACTIONS CONSIDERED

No other alternatives have been considered.

CONTACT PERSON

Steve Rego, Police Officer, 981- 5761

Lynne Ohlson, Public Safety Business Manger, 981-5976

Attachments:

1: Resolution

RESOLUTION NO. -N.S.

GRANT CONTRACT: STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL TO ENFORCE LAWS TO REDUCE AVAILABILITY OF ALCOHOL TO UNDERAGE PERSONS AND IDENTIFYING MINORS WHO PURCHASE, USE OR BORROW FALSE FORMS OF IDENTIFICATION FOR PURPOSES OF OBTAINING ALCOHOL OR ENTERING LICENSED ALCOHOL PREMISES

WHEREAS, the Police Department is committed to providing a safe and secure environment through vigorous law enforcement within the City of Berkeley; and

WHEREAS, underage drinking and excessive drinking is currently a problem with the City of Berkeley; and

WHEREAS, there has been a longstanding problem with underage drinking and the availability of alcohol to persons under the age of 21 throughout the City; and

WHEREAS, despite years of education and preventive work, alcohol related problems persist; and

WHEREAS, the young adult community continues to acquire alcohol through fake identification, merchants who fail to check identification or asking someone to purchase it for them; and

WHEREAS, several liquor stores continue to be a magnets for criminal activity; and

WHEREAS, the police do not have sufficient resources within the existing budget to expand their work on these problems; and

WHEREAS, the Berkeley Police Department desires to undertake a project to limit access to alcohol by minors which would be funded in part from funds from the Department of Alcoholic Beverage Control (hereafter referred to as ABC); and

WHEREAS, the funds have been appropriated into Alcoholic Beverage Control Program Fund budget code 072-7306-331.20-66 with the agreement that grant funds received hereunder shall not be used to supplant expenditures controlled by this body; CMS No. GPSPP.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments or extensions with the State of California in order to accept funds in the amount of \$75,500 from the Department of Alcoholic Beverage Control for the enforcement of alcohol related laws during Fiscal Year 2014.

BE IT FURTHER RESOLVED that any liability arising out of the performance of this contract, including civil court actions for damages, shall be the responsibility of the

grant recipient and the authorizing agency. The State of California and ABC disclaim responsibility for any such liability.

BE IT FURTHER RESOLVED that this award is not subject to local hiring freezes.