



Office of the City Manager

CONSENT CALENDAR  
July 13, 2010

To: Honorable Mayor and Members of the City Council  
From: *PK* Phil Kamlarz, City Manager  
Submitted by: Michael K. Meehan, Chief of Police  
Subject: Contract: 2010-11 Department of Alcoholic Beverage Control Grant

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 2011 Department of Alcoholic Beverage Control (ABC) Grant funding in the amount of \$78,378 and appropriate the funds to enforce laws to prohibit furnishing alcohol to minors and possession of alcohol by persons under the age of 21, as well as other alcohol-related crimes.

FISCAL IMPACTS OF RECOMMENDATION

The Police Department has been awarded \$78,378 from the Department of Alcohol Beverage Control to enforce laws pertaining to sales and consumption of alcoholic beverages. Grant revenues will be deposited into budget code 072-7202-331-1067. Appropriation of the expenditures is included in the Fiscal Year 2011 budget. The grant will cover all personnel costs. Funding for this cost is allocated in Alcoholic Beverage Control Program Fund budget codes 072-7202-420 for salary, benefits and travel.

CURRENT SITUATION AND ITS EFFECTS

There are longstanding problems with underage drinking and alcohol availability to persons under the age of 21 throughout the Cities of Berkeley, Albany and Emeryville. The area surrounding the UC Berkeley Campus, along with south Berkeley and downtown areas have high concentration of liquor outlets which results in elevated numbers of alcohol related calls for service. Weekend nights have far more activity near the campus as students frequent the local bars, clubs and restaurants. Officers in all jurisdictions are diverted from normal beat patrol and provide crowd control until the area is cleared –usually around 3 a.m.

The Police Departments in Albany and Emeryville have requested assistance from Berkeley Police in training and enforcement operations to solve alcohol related problems within all three cities.

### BACKGROUND

The Berkeley Police Department will be the lead agency in a multi-agency operation including UC Berkeley, Albany and Emeryville Police Departments to collaboratively conduct enforcement programs with the goal to reduce alcohol related problems in all three cities. UC Berkeley, after two years without funding, has applied for separate funding from ABC. Albany and Emeryville will be reimbursed under the grant awarded to Berkeley Police Department for hours of participation by their staff in operations and training.

Previous grants have enabled our department and the UC Police Department to jointly address the behavior caused by minors illegally drinking and retail outlet sale to minors. This funding provides overtime and related costs for Party Patrol teams, Shoulder Tap, Minor Decoy, Trap Door, LEAD, and IMPACT operations. Those activities will support the goals of the grant of enforcement, education and media exposure. In turn, those goals will address the objectives to build upon the successes obtained during previous funded ABC enforcement and expand efforts to prevent minors from obtaining access to alcohol in all three cities.

### RATIONALE FOR RECOMMENDATION

The Department of Alcoholic Beverage Control (ABC) has awarded \$78,378 to Berkeley Police Department to train and work collaboratively with UC Berkeley, City of Albany and City of Emeryville Police Departments to conduct enforcement on alcohol related crimes. Without this funding, the Police Department would not have the resources available to 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.

AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT CONTRACT AND ANY SUBSEQUENT AMENDMENTS WITH THE STATE OF CALIFORNIA TO ACCEPT FISCAL YEAR 2011 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) GRANT FUNDING IN THE AMOUNT OF \$78,378 AND APPROPRIATE THE FUNDS TO ENFORCE LAWS TO PROHIBIT FURNISHING ALCOHOL TO MINORS AND POSSESSION OF ALCOHOL BY PERSONS UNDER THE AGE OF 21, AS WELL AS OTHER ALCOHOL-RELATED CRIMES

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, 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 certain project to limit access to alcohol by minors be funded in part from funds from the Department of Alcoholic Beverage Control (hereafter referred to as ABC); and

WHEREAS, the Police Departments in Albany and Emeryville desires to collaborate with the City of Berkeley Police for our mutual project to limit access to alcohol by minors and be funded in part from funds from ABC; and

WHEREAS, the funds have been appropriated into Alcoholic Beverage Control Program Fund budget code 072 with the agreement that grants funds received hereunder shall not be used to supplant expenditures controlled by this body.

NOW THEREFORE, BE IT RESOLVED that the City Manager of the City of Berkeley is authorized to execute on behalf of City Council the grant contract, including any extensions or amendments thereof and any subsequent contract with the State in relation thereto.

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.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments with the State of California in order to accept funds in the amount of \$78,378 from the Department of Alcoholic Beverage Control for the enforcement of alcohol related laws during Fiscal Year 2011.