



Agenda Item No: 4.i
Meeting Date: November 20, 2023

SAN RAFAEL CITY COUNCIL AGENDA REPORT
Department: Police Department
Prepared by: Alex Holm, Police Lieutenant **City Manager Approval:** _____

TOPIC: OFFICE OF TRAFFIC SAFETY GRANT APPROVAL

SUBJECT: RESOLUTION APPROVING THE ACCEPTANCE AND APPROPRIATION OF STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$69,000 FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM” (“STEP”) GRANT FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT AND ANY OTHER DOCUMENTS RELATED TO THE GRANT.

RECOMMENDATION:

Adopt the resolution approving the acceptance and appropriation of State of California Office of Traffic Safety grant funds in the amount of \$69,000 for the “Selective Traffic Enforcement Program” (STEP) grant from October 1, 2023 through September 30, 2024, and authorizing the City Manager to execute the grant agreement and any other documents related to the grant.

BACKGROUND:

Over the last twenty years, the Office of Traffic Safety (OTS) of the State of California has awarded over two million dollars in traffic safety grants to the City of San Rafael. These grants have included the Marin County “Avoid the Marin 13” Driving Under the Influence (DUI)/ Driver’s License (DL) campaign, “Click it or Ticket” grants, DUI mini-grants, DUI Enforcement and Awareness grants, and STEP grants. Each grant has provided critical traffic enforcement and education operations by funding the deployment of officers for DUI / DL checkpoints, DUI saturation patrols, red light and speed enforcement, seat belt enforcement, and distracted driving enforcement. Currently, the only available funding is through the STEP grant program. This development has greatly reduced our funding for traffic and DUI enforcement activities.

Over the last several years, the San Rafael Police Department (SRPD) has staffed two full-time traffic enforcement officers and one traffic sergeant. Due to staffing constraints, the two full-time traffic officers have been reassigned to patrol teams to ensure minimum staffing requirements. The traffic sergeant remains in the traffic unit and performs collateral administrative duties. The SRPD has encouraged patrol officers and traffic officers to conduct enforcement focused on reducing alcohol and speed-related

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

collisions and increasing pedestrian and bicycle safety. The SRPD community outreach and social media teams regularly disseminate traffic safety information in a bilingual format.

ANALYSIS:

OTS has approved a grant of \$69,000 to the City of San Rafael. The project goal of this OTS grant is to reduce the number of people killed and injured in traffic collisions. Areas of focus include alcohol and drug-involved collisions, as well as other primary collision factors. The SRPD will implement “best practice” strategies through education and enforcement. The grant will provide the necessary resources for traffic enforcement, education operations, and advanced officer training.

Accepting and implementing this \$69,000 grant is critical to maintaining traffic safety levels in San Rafael. A review of collision data from the previous three years has indicated that most of the collisions within San Rafael occurred due to unsafe turns, excessive/unsafe speed, red-light violations, and driving under the influence of drugs and/or alcohol. The SRPD recognizes that additional education and enforcement are needed to reduce these numbers.

The SRPD encourages patrol and traffic officers to conduct focused enforcement to reduce alcohol, drug, pedestrian, and speed-related collisions. However, current staffing levels inherently limit the frequency of more proactive traffic enforcement efforts because officers are primarily focused on responding to emergency calls for service.

Should the City Council approve this grant, the SRPD will have the resources to implement enforcement programs including, but not limited to, various safety and awareness campaigns and enforcement operations. The grant also includes funding for advanced officer training and enforcement operations for distracted driving and bicycle/pedestrian safety, among others. Operations for this grant will be scheduled between October 1, 2023, and September 30, 2024.

The SRPD will report statistics quarterly to the Office of Traffic Safety, and the grant will be evaluated based on how well the stated goals and objectives were accomplished.

FISCAL IMPACT:

The grant funding will be received into the Grant Fund – Safety (Fund #281) and will be appropriated for operational expenses such as overtime costs, travel, and training associated with the focused enforcement of traffic safety, up to the total proceeds of the grant of \$69,000.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution as presented.
2. Adopt the resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt the resolution approving the acceptance and appropriation of State of California Office of Traffic Safety grant funds in the amount of \$69,000 for the “Selective Traffic Enforcement Program” (STEP) grant from October 1, 2023, through September 30, 2024, and authorizing the City Manager to execute the grant agreement and any other documents related to the grant.

ATTACHMENTS:

1. Resolution
2. Year 2023/2024 California Office of Traffic Safety Selective Traffic Enforcement Program Grant.

RESOLUTION NO.

RESOLUTION APPROVING THE ACCEPTANCE AND APPROPRIATION OF STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$69,000 FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM” (“STEP”) GRANT FROM OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT AND ANY OTHER DOCUMENTS RELATED TO THE GRANT.

Whereas, the State of California, Office of Traffic Safety has tentatively approved a grant to the City of San Rafael in the amount of \$69,000; and

Whereas, the grant funds may be spent to pay overtime costs, travel and equipment purchase associated with the Selective Traffic Enforcement Program (“STEP”) Grant Program to mitigate traffic safety program deficiencies and expand ongoing activity; and

Whereas, to improve traffic safety, the San Rafael Police Department will use the STEP Grant funds for education campaigns, DUI saturation patrols, DUI repeat offender identification, distracted driving enforcement, traffic safety educational presentations, pedestrian/bicycle enforcement operations; and

Whereas, the Police Department will use the STEP Grant funds for overtime personnel costs of Captains, Lieutenants, Sergeants, Corporals, Officers, Community Service Officers, Dispatchers and Cadets incurred in connection with the enforcement activities, including training and travel and expenses related to enforcement activities; and

NOW, THEREFORE BE IT RESOLVED, that the City Council approves the acceptance and appropriation of \$69,000 in State of California Office of Traffic Safety Selective Traffic Enforcement Program funds to be appropriated in a Grant Fund; and authorizes the City Manager to execute a Grant Agreement and any documents related to the Grant.

I, Lindsay Lara, City Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council held on the 20th day of November 2023 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk

1. GRANT TITLE Selective Traffic Enforcement Program (STEP)	
2. NAME OF AGENCY San Rafael	3. Grant Period From: 10/01/2023 To: 09/30/2024
4. AGENCY UNIT TO ADMINISTER GRANT San Rafael Police Department	
5. GRANT DESCRIPTION Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary crash factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian crashes, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.	
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$69,000.00	
<p>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:</p> <ul style="list-style-type: none"> • Schedule A – Problem Statement, Goals and Objectives and Method of Procedure • Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) • Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable) • Exhibit A – Certifications and Assurances • Exhibit B* – OTS Grant Program Manual • Exhibit C – Grant Electronic Management System (GEMS) Access <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> <p>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.</p>	
8. Approval Signatures	
<p>A. GRANT DIRECTOR</p> <p>NAME: Scott Ingels TITLE: Traffic Sergeant EMAIL: 524@srpd.org PHONE: (415) 485-3034 ADDRESS: 1400 Fifth Avenue San Rafael, CA 94901</p> <p>_____ (Signature) (Date)</p>	<p>B. AUTHORIZING OFFICIAL</p> <p>ADDRESS: Cristine Alilovich City Manager cristine.alilovich@cityofsanrafael.org (415) 485-3070 1400 Fifth Avenue San Rafael, CA 94901</p> <p>_____ (Signature) (Date)</p>
<p>C. FISCAL OFFICIAL</p> <p>ADDRESS: Beth Minka Police Business Office Administrator 412@srpd.org (415) 485-3040 1375 Fifth Avenue San Rafael, CA 94901</p> <p>_____ (Signature) (Date)</p>	<p>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</p> <p>ADDRESS: Barbara Rooney Director barbara.rooney@ots.ca.gov (916) 509-3030 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758</p> <p>_____ (Signature) (Date)</p>

E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. SAM INFORMATION SAM #: CRDWQSJB4AR1 REGISTERED ADDRESS: 1400 5th Avenue, Room 204 CITY: San Rafael, CA 94901-1993 ZIP+4: San Rafael 94901-1993
--	--

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
164AL-24.1	20.608	0521-0890-101	2022	43/22	BA/22	\$8,160.00
402PT-24.1	20.600	0521-0890-101	2022	43/22	BA/22	\$15,300.00
164AL-24	20.608	0521-0890-101	2023	12/23	BA/23	\$15,840.00
402PT-24	20.600	0521-0890-101	2023	12/23	BA/23	\$29,700.00
					AGREEMENT TOTAL	\$69,000.00
					AMOUNT ENCUMBERED BY THIS DOCUMENT	\$69,000.00
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>					PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT	\$ 0.00
					TOTAL AMOUNT ENCUMBERED TO DATE	
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED			

1. PROBLEM STATEMENT

The San Rafael Police Department serves the people that live and work in the City of San Rafael. San Rafael serves as the seat of Marin County and has a population of approximately 57,912 people (US Census 2020). San Rafael also has ten of the top fifteen employers in Marin County.

Business and commerce bring people and traffic into San Rafael from other areas of the San Francisco Bay Area. The service population of San Rafael during the day swells to well over 100,000 people. The US-101 Freeway and Interstate 580 intersect in San Rafael, providing a substantial volume of traffic during morning and evening commute hours along with steady traffic flow during non-commute hours. As in other parts of the San Francisco Bay Area, the traditional commute hours start earlier and conclude well into the evening. Additionally, I-580 serves as an alternate route for commuters when State Route 37 is closed due to flooding or crashes and an alternate route for the San Francisco Bay Bridge when it faces similar circumstances. These frequent events significantly increase traffic volumes far beyond our surface streets' engineered capabilities.

Much of the traffic is concentrated in the downtown area, which is further congested by on-ramps and off-ramps connecting northbound and southbound US-101, plus eastbound/westbound I-580. The surrounding streets have an arterial effect, serving commuters from two neighboring cities and communities on the west side of Marin County. San Rafael's Downtown surface streets serve as arterial thoroughfares for the cities and communities of San Anselmo, Ross, Fairfax, and West Marin. San Rafael has served as a service hub and stopping point between the Wine Country to the north and San Francisco to the south for restaurants, gas stations, services, supplies, and other amenities.

San Rafael has additional arterial thoroughfares that have some of the highest traffic volumes in Marin County. These streets include Lincoln Avenue, which runs from the Terra Linda neighborhoods in northern San Rafael to downtown. Manuel T. Freitas Parkway and Las Gallinas Avenue that service the Terra Linda Neighborhoods and provide access to three major shopping centers/malls as well as provide routes to most residences in northern San Rafael. Francisco Boulevard East, Andersen Drive, and Bellam Boulevard all provide routes from Central San Rafael to the city's industrial, commercial, and additional high-density residential complexes. These three streets also provide alternate access in and around the US-101 and Interstate 580 Junction. Francisco Boulevard East is a primary route for pedestrians and bicycles that use the San Rafael Richmond Bridge and commute into Central San Rafael. It is also an alternative route for motorists when Interstate 580 is impacted by crashes or heavy traffic.

The San Rafael Transit Center, the largest transit center in the County and the North Bay Area, is in Downtown San Rafael. The San Rafael Transit Center is serviced by several transit authorities and transportation companies, such as Golden Gate Transit, Marin Transit, Sonoma County Transit, Sonoma Marin Area Rail Transit (SMART Train), Whistle Stop Wheels, Greyhound, Marin Airporter, Sonoma County Airport Express, various taxi services, rideshare, app-based ride services, and many others. Due to the significant volume of traffic through and around the transit has prompted local, county, state, and transportation authorities to look at expanding and moving the transit center within San Rafael's downtown to increase its service capability. While this project is in the early planning stages, it is not expected to resolve or reduce traffic congestion impacts necessarily. The transit center will remain in the busiest portion of downtown, somewhere along Heatherton Street, which parallels the US-101 freeway.

The downtown SMART train station, the San Rafael Transit Center, the US-101 ramps into downtown San Rafael, and the arterial streets of Second Street and Third Street that provide routes to neighboring cities and communities have caused significant congestion with vehicle, bicycle, and pedestrian traffic. Additionally, all these identified locations are within a block of each other. The proximity of these specific points has made the intersections that border them the busiest in the city. It has also been the area of a significant amount of injury pedestrian, bicycle, and vehicle crashes.

One of those is the intersection of Third Street and Hetherton Street. During the previous year, this intersection was redesigned to help facilitate vehicle, pedestrian, bicycle, and transit traffic. The intersection

of Third Street and Heatherton Street had been identified as one of the more dangerous intersections of San Rafael. It had been the scene of numerous fatal and injury crashes over the years. Based on the studies of these hazardous conditions, San Rafael's Department of Public Works Traffic Engineering Division moved crosswalks, expanded high visibility traffic signaling, implemented an all-red program (allowing pedestrians to have initial access to crosswalks while vehicle traffic remained stopped), and additional signage. The police department and traffic engineers continue to work together on this intersection through task force safety improvement meetings, public education, and enforcement.

In addition, San Rafael High School and Davidson Middle School are located within 0.5 miles of the transit center. Most of the student population from both schools walk to the transit center to take public transit or walk through the downtown area.

Our traffic engineering team also identified the top busiest routes in San Rafael. The study showed that the #1 route continued to be the east-west running Second and Third Streets, which provide access between downtown and the neighboring cities of San Anselmo, Fairfax, and the smaller unincorporated communities in West Marin. Second and Third Streets had a daily average count of 42,000+ vehicles combined. It should be noted that Second Street and Third Street are three-lane one-way streets. The #2 route was Bellam Boulevard between Francisco Boulevard East and Andersen Drive (located in the southeast portion of the city), with a daily average vehicle count of 30,000 vehicles.

In November 2019, the Richmond-San Rafael Bridge bike/pedestrian path opened. We have seen a significant increase in commuter bicycling that runs from San Rafael's west-end, through downtown, and onto the east-end where the San Rafael Richmond Bridge is located. This increase in bicycle traffic has created the opportunity to add dedicated bicycle lanes and re-route traditional bicycle routes to streets and thoroughfares currently under construction to accommodate the new volume of bicyclists. Additional infrastructure improvement projects are planned well into 2024. These improvements and changes will task the Traffic Engineering Division and the Police Department with new efforts aimed at public education, outreach, and high-visibility traffic enforcement.

The city's customer service satisfaction surveys continue to show the public's concern is traffic congestion and safety. Traffic safety concerns mostly revolve around speed, red-light running, vehicles violating the pedestrian right of way, DUI, and reckless driving. San Rafael's elected officials, leaders, and responsible departments work together, with limited resources, to address these issues collaboratively through community outreach and education, infrastructure improvement projects, and enforcement.

In addition to the concerns expressed in the satisfaction surveys, ongoing community traffic complaints have focused on speeding concerns in four consistently identified locations. Those locations have been identified as Point San Pedro Road in the city's east end, the Miracle Mile (eastbound Fourth and Second Streets) in the west end, Third Street and Mission Street at San Rafael High School, and Nova Albion Way at Terra Linda High School. These traffic complaint locations have also received the attention of our City Council and city leadership. City Council members and leaders have partnered with the police department to conduct community outreach through neighborhood organizations/homeowners' associations to generate community awareness that holds citizens and neighbors accountable to each other.

To further assist with outreach and enforcement, our Motor/Traffic Unit currently uses its two RADAR feedback trailers full-time between these top four complaint locations and other problematic sites. While this has been beneficial for the most highly complained about locations, it still is not the cure. The need for additional outreach and enforcement continues in these and many other problematic areas.

Crash data from 2021 through 2022 indicated that most of the city's crashes occur due to unsafe turns, excessive/unsafe speed, red-light violations, and driving under the influence. For 2022 specifically, we saw that the primary crash factor of driving under the influence remains in the top #3 position. This statistic further supports the need for additional partnerships, education, and enforcement.

The community and the police department has also struggled for several years to reduce fatal and injury crashes involving pedestrians and bicyclists. According to the 2020 OTS Crash Ranking Results, San Rafael was ranked 24 of 106 for total fatal and injury crashes, 3 of 106 for crashes involving bicyclists, 3 of 106 for crashes involving pedestrians, and 6 of 102 for crashes involving pedestrians age 65+.

During the 21-2022 STEP Grant, we continued to work on reducing these incidents and improving our rankings. SRPD is glad to report that we did not have a fatal crash during the 2021-2022 STEP Grant period and through the calendar year 2022. However, we did see the number of those injured increase to 234 (an increase of 37.6%). During 21-2022, there was also a 37.6% increase in pedestrians-involved crashes, while there was a minimal decrease of 3.7% in bicycle-related crashes. Lastly, during the 21-2022 period, we also observed an unfortunate increase in under-the-influence crashes that went from 10 in 2021 to almost double that in 2022.

These statistics reflect that San Rafael has disproportionate crashes involving bicyclists, pedestrians, and those under the influence. Unfortunately, no city wants to be ranked in the top tier of any category where its population is identified as being at risk.

Since San Rafael is ranked in the top ten categories for pedestrian and bicycle crashes based on 2020 SWITRS crash data and will likely remain in the top ten categories based on local statistics for 2021 and 2022, we have significant and ongoing work that needs to be done to bring these numbers down. San Rafael also recognizes that the statistics for 2020, 2021, and 2022 for crashes involving driving under the influence are unacceptable. We must continue to work on driving these numbers down as well.

As a result, the police department will continue additional community outreach, education, and high-visibility well-publicized enforcement operations. It is also recognized that partnerships maintained with other city departments and allied agencies, such as the city's Department of Public Works Traffic Engineering Division, the Office of Traffic Safety (OTS), the California Highway Patrol (CHP), and other Marin County Law Enforcement Agencies are vital in addressing these identified problem areas. SRPD is currently collaborating with the CHP and other Marin County Law Enforcement Agencies to conduct traffic enforcement operations in shared jurisdictions and other locations where similar problems have been identified.

Based on the events and statistics from 2020 through 2022, the police department has set a goal to continue its pedestrian/bicycle enforcement, general traffic enforcement, and DUI enforcement operations. We have also identified that to keep these goals; we must strive to keep our personnel numbers at full staffing authorization levels. We also recognize that much of our traffic and DUI enforcement efforts will need to be done through extra-duty assignments since current resource priorities must be directed to 9-1-1 emergency calls, calls for service, and case investigations.

With our limited resources, SRPD has directed patrol and motor officers to reduce DUIs, red signal light violations, and speed-related crashes and increase pedestrian and bicyclist safety enforcement when available during their shifts. Statistical information and analysis have been provided to police personnel to show where enforcement deployments should occur. SRPD maintains a traffic information board that shows where the top crash intersection are, what the top PCFs are, where the most traffic safety complaints are occurring, where DUI incidents and arrests are occurring, posting DMV DUI Offender Hot List, and by posting the Marin County Adult Probation Department DUI Top Offender List.

Our sworn personnel availability has significantly diminished due to the city budget, injuries, retirements, and resignations. At SRPD's peak staffing in 2007, the police department had eight officers assigned to the motor/traffic unit. After the economic downturn in 2008, the motor/traffic unit was cut to just two positions when there was no authorization to backfill police department staffing due to attrition. Today we are still at post-2008 authorized staffing levels, and the traffic unit has been eliminated and staffed with only a sergeant.

Most newly hired officers face a learning curve, especially in traffic safety and DUI investigations. The ongoing ability to send officers to SFST/ARIDE DUI classes and RADAR/LIDAR classes will be essential to meeting the goals of DUI enforcement and traffic enforcement operations.

There are currently no motor officers assigned to the Traffic Unit. At times, officers are asked to assist with patrol staffing requirements. This increase in workload has resulted in a significant decrease in proactive traffic enforcement by motor officers. Police Chief David C. Spiller has assessed current department staffing and the ability to match the demand for services that are important to the community and determined that

the department needs to add eight additional sworn personnel. Adding eight sworn personnel is beyond the current authorized positions approved by the city. One of the main priorities for the added personnel would be to increase the traffic/motor officer unit from two to four personnel. However, budget constraints limit the ability for additional personnel to be added to the police department at this time.

The current option for the police department to continue traffic, pedestrian, bicycle, and DUI enforcement operations is to provide extra-duty overtime assignments and shifts. Since every police department's priority is to respond to 9-1-1 emergency calls, crimes-in-progress, and investigate criminal cases, this limits free and available time with minimal staff to work proactively on specific and important issues, such as traffic-related enforcement programs.

The utilization of STEP Grant funds and resources significantly improves the police department's resources and ability to reduce injury and fatal crashes and commit to traffic and DUI enforcement operations, community outreach, and public education.

Since speeding was ranked as a significant primary cause of crashes in 2020, 2021, and 2022, the police department identified that it needed to continue to deploy its tools and equipment to conduct these focused traffic enforcement operations. Sworn personnel have access to and use seven LIDAR units thanks to prior and current OTS STEP Grants. Additionally, SRPD regularly deploys speed feedback trailers and is preparing to receive one more that was purchased during this grant period (2022-23). All three trailers will be kept in service year-round as a tool for speed reduction and community awareness.

Additionally, SRPD is committed to the ongoing training of officers to be certified in using LIDAR/RADAR. In 2021, five officers were sent to POST certified LIDAR/RADAR class hosted at the Marin California Highway Patrol Office. In 2023, more officers will be sent to POST-certified RADAR/LIDAR as part of the department's advanced officer training program.

The police department has observed that DUI saturation patrol operations and DUI checkpoints are effective in locating and apprehending DUI drivers and being an educational outreach tool. The police department has used press releases and social media platforms to highly publicize the DUI checkpoints and DUI saturation patrol operations to raise awareness about DUI with the public.

For the OTS STEP Grant fiscal period of 2023 through 2024, and including the current grant period of 2022 through 2023, the San Rafael Police Department is focused and will continue its focus on pedestrian/bicycle enforcement operations, traffic enforcement operations specifically directed at reducing excessive/unsafe speed, red light running, distracted driving violations, and DUI enforcement campaigns.

The police department will also continue to promote community awareness and education. In fact, in 2023, SRPD has already expanded its outreach with more community engagement programs, at least two scheduled community member police academies in both Spanish and English, and expanded its social media team for more frequent postings, outreach, and education.

We have planned and will continue to plan more aggressive enforcement strategies to reduce the number of pedestrians and bicyclists injured and killed by conducting highly publicized crosswalk enforcement stings, pedestrian enforcement saturation patrols, bicycle enforcement saturation patrols, and engagement with our local bicycle coalition, neighborhood groups, and neighborhood associations. We have committed to continuing our traffic safety task force partnership with our city traffic engineers to improve infrastructure that increases pedestrian/vehicle visibility and safety.

During 2022, San Rafael experienced an increase in fatal and injury crashes to (198) from (165) in 2021:

Fatal crashes- Zero from 3 in 2021.

Injury crashes- 198 with 237 victims.

Included within these crashes, 19 injury DUI crashes with 23 victims.

Of these 198 crashes:

36 were due to unsafe speed resulting in 39 injured.

19 were due to DUI resulting in 23 injured.
 17 were due to improper turning resulting in 22 injured.

(The above statistics represent injury and fatal crashes only)

2. PERFORMANCE MEASURES

A. Goals:

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.
3. Reduce the number of pedestrians killed in traffic crashes.
4. Reduce the number of pedestrians injured in traffic crashes.
5. Reduce the number of bicyclists killed in traffic crashes.
6. Reduce the number of bicyclists injured in traffic crashes.
7. Reduce the number of persons killed in alcohol-involved crashes.
8. Reduce the number of persons injured in alcohol-involved crashes.
9. Reduce the number of persons killed in drug-involved crashes.
10. Reduce the number of persons injured in drug-involved crashes.
11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
13. Reduce the number of motorcyclists killed in traffic crashes.
14. Reduce the number of motorcyclists injured in traffic crashes.
15. Reduce hit & run fatal crashes.
16. Reduce hit & run injury crashes.
17. Reduce nighttime (2100 - 0259 hours) fatal crashes.
18. Reduce nighttime (2100 - 0259 hours) injury crashes.

B. Objectives:

Target Number

1. 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.	1
2. Participate and report data (as required) in the following campaigns; Quarter 1: National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter Mobilization; Quarter 3: National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket Mobilization; Quarter 4: NHTSA Summer Mobilization, National Child Passenger Safety Week, and California's Pedestrian Safety Month.	10
3. Develop (by December 31) and/or maintain a "DUI BOLO" 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 DUI BOLOs should be distributed to patrol and traffic officers monthly.	12
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.	4
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.	4
6. Send law enforcement personnel to SFST Instructor training.	1
7. Conduct DUI Saturation Patrol operation(s).	12
8. Conduct Traffic Enforcement operation(s), including but not limited to, primary crash factor violations.	20
9. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	10
10. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle crashes resulting from violations made by pedestrians, bicyclists, and drivers.	8
11. Conduct Traffic Safety educational presentation(s) with an effort to reach community members. Note: Presentation(s) may include topics such as distracted driving, DUI, speed, bicycle and pedestrian safety, seat belts and child passenger safety.	2

3. METHOD OF PROCEDURE

A. Phase 1 – Program Preparation (1st Quarter of Grant Year)

- The 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 in the first quarter.
- All grant related purchases needed to implement the program should be made in the first quarter.
- In order to develop/maintain the “DUI BOLOs,” 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 DUI BOLO may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. DUI BOLOs should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations.

Media Requirements Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO.

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

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

Media Requirements

The following requirements are for all grant-related activities:

- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at pio@ots.ca.gov and your Coordinator with embargoed date and time or with “INTERNAL ONLY: DO NOT RELEASE” message in subject line of email.

- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at pio@ots.ca.gov for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

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

1. Prepare and submit grant claim invoices (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
 - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
 - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
 - Collect, analyze and report statistical data relating to the grant goals and objectives.

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 administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT		
164AL-24	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$24,000.00		
402PT-24	20.600	State and Community Highway Safety	\$45,000.00		
COST CATEGORY		FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
A. PERSONNEL COSTS					
Straight Time					\$0.00
Overtime					
DUI Saturation Patrols	164AL-24	\$1,920.00	12	\$23,040.00	
Benefits AL @ 1.45%	164AL-24	\$23,040.00	1	\$334.00	
Traffic Enforcement	402PT-24	\$960.00	20	\$19,200.00	
Distracted Driving	402PT-24	\$960.00	10	\$9,600.00	
Pedestrian and Bicycle Enforcement	402PT-24	\$960.00	8	\$7,680.00	
Traffic Safety Education	402PT-24	\$960.00	2	\$1,920.00	
Benefits PT @ 1.45%	402PT-24	\$38,400.00	1	\$557.00	
Category Sub-Total				\$62,331.00	
B. TRAVEL EXPENSES					
In State Travel	402PT-24	\$5,000.00	1	\$5,000.00	
				\$0.00	
Category Sub-Total				\$5,000.00	
C. CONTRACTUAL SERVICES					
				\$0.00	
Category Sub-Total				\$0.00	
D. EQUIPMENT					
				\$0.00	
Category Sub-Total				\$0.00	
E. OTHER DIRECT COSTS					
PAS Device/Calibration Supplies	164AL-24	\$626.00	1	\$626.00	
Radar Device	402PT-24	\$1,043.00	1	\$1,043.00	
Category Sub-Total				\$1,669.00	
F. INDIRECT COSTS					
				\$0.00	
Category Sub-Total				\$0.00	
GRANT TOTAL					\$69,000.00

BUDGET NARRATIVE
PERSONNEL COSTS
DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Benefits AL @ 1.45% - Benefits AL @ 1.45% - Total Benefits 1.45% Medicare
Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Traffic Safety Education - Overtime for grant funded traffic safety presentations or campaigns conducted by appropriate department personnel.
Benefits PT @ 1.45% - Benefits PT @ 1.45% - Total Benefits 1.45% Medicare
TRAVEL EXPENSES
In State Travel - 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 the California Traffic Safety Summit (November 7-8, 2023 in Orange County) and the OTS Traffic Safety Law Enforcement Forum. All conferences, seminars or training not specifically identified in the 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
-
EQUIPMENT
-
OTHER DIRECT COSTS
PAS Device/Calibration Supplies - Preliminary alcohol screening device to detect the presence of alcohol in a person's breath and calibration supplies to ensure accuracy. Costs may include mouth pieces, gas and accessories.
Radar Device - To measure the speed of motor vehicles. This device will be used for speed enforcement.
INDIRECT COSTS
-
STATEMENTS/DISCLAIMERS
Program Income default statement: There will be no program income generated from this grant.
Enforcement Grant Quota Disclaimer: Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives here under.
Benefits Disclaimer: Benefits for personnel costs can only be applied to straight time or overtime hours charged to the grant.

Certifications and Assurances for Fiscal Year 2024 Highway Safety Grants (23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58)

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:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended;
- Sec. 1906, [Public Law 109-59](#), as amended by Sec. 25024, [Public Law 117-58](#);
- [23 CFR part 1300](#)—Uniform Procedures for State Highway Safety Grant Programs;
- [2 CFR part 200](#)—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- [2 CFR part 1201](#)—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

NONDISCRIMINATION

(applies to all subrecipients as well as States)

The State highway safety agency [and its subrecipients] will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- *Title VI of the Civil Rights Act of 1964* ([42 U.S.C. 2000d](#) *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- [49 CFR part 21](#) (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- [28 CFR 50.3](#) (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, ([42 U.S.C. 4601](#)), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- *Federal-Aid Highway Act of 1973*, ([23 U.S.C. 324 et seq.](#)), and *Title IX of the Education Amendments of 1972*, as amended ([20 U.S.C. 1681-1683](#) and [1685-1686](#)) (prohibit discrimination on the basis of sex);
- *Section 504 of the Rehabilitation Act of 1973*, ([29 U.S.C. 794 et seq.](#)), as amended, (prohibits discrimination on the basis of disability) and [49 CFR part 27](#);
- *The Age Discrimination Act of 1975*, as amended, ([42 U.S.C. 6101 et seq.](#)), (prohibits discrimination on the basis of age);
- *The Civil Rights Restoration Act of 1987*, (Pub. L. 100-209), (broadens scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- *Titles II and III of the Americans with Disabilities Act* ([42 U.S.C. 12131-12189](#)) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and [49 CFR parts 37](#) and [38](#);
- [Executive Order 12898](#), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (preventing discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- [Executive Order 13988](#), *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

GENERAL ASSURANCES

10/18/2023 8:59:42 AM

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in § 21.23(b) and (e) of [49 CFR part 21](#) will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:
"The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A) in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review

upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The Subgrantee will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 1. Abide by the terms of the statement;
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
 1. Taking appropriate personnel action against such an employee, up to and including termination;
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)

(applies to all subrecipients as well as States)

The State 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

(applies to all subrecipients as well as States)

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-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients 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.

RESTRICTION ON STATE LOBBYING
(applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION
(applies to all subrecipients as well as States)

INSTRUCTIONS FOR PRIMARY TIER PARTICIPANT CERTIFICATION (STATES)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180 and 1200](#).
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 primary tier 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 prospective primary tier participant 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 prospective primary tier participant 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 or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in [2 CFR parts 180 and 1200](#). You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal 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 prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "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 and will require lower tier participants to comply with [2 CFR parts 180 and 1200](#).
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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
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 the transaction for cause or default.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS—
PRIMARY TIER COVERED TRANSACTIONS**

1. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal 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 records, 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/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

INSTRUCTIONS FOR LOWER TIER PARTICIPANT CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180](#) and [1200](#).
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 department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal 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, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in [2 CFR parts 180](#) and [1200](#). You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal 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 proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “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 and will require lower tier participants to comply with [2 CFR parts 180](#) and [1200](#).
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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
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 or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION—LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions 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 proposal.

BUY AMERICA

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items 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. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

CERTIFICATION ON CONFLICT OF INTEREST

(applies to subrecipients as well as States)

GENERAL REQUIREMENTS

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
 - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

DISCLOSURE REQUIREMENTS

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to all subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

INSTRUCTIONS FOR ADDING OR UPDATING GEMS USERS

1. Each agency is allowed a total of **FIVE (5) GEMS Users**.
2. GEMS Users listed on this form will be authorized to login to GEMS to complete and submit Quarterly Performance Reports (QPRs) and reimbursement claims.
3. Complete the form if adding, removing or editing a GEMS user(s).
4. The Grant Director must sign this form and return it with the Grant Agreement.

GRANT DETAILS	
Grant Number:	PT24181
Agency Name:	San Rafael Police Department
Grant Title:	Selective Traffic Enforcement Program (STEP)
Agreement Total:	\$69,000.00
Authorizing Official:	Cristine Alilovich
Fiscal Official:	Beth Minka
Grant Director:	Scott Ingels

CURRENT GEMS USER(S)

1. Justin Graham

Title: Administrative Services Sergeant
Phone: (415) 485-3000
Email: 494@srapd.org

Media Contact: Yes

2. Scott Ingels

Title: Traffic Sergeant
Phone: (415) 485-3034
Email: 524@srapd.org

Media Contact: Yes

Complete the below information if adding, removing or editing a GEMS user(s)

GEMS User 1		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 2		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 3		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 4		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 5		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
Form completed by:		Date:	
As a signatory I hereby authorize the listed individual(s) to represent and have GEMS user access.			
Signature		Name	
		Grant Director	
Date		Title	