



**CITY OF**

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# **NEWPORT BEACH**

## **City Council Staff Report**

September 27, 2022  
Agenda Item No. 14

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** Jon Lewis, Chief of Police - 949-644-3701, jlewis@nbpd.org

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**TITLE:** Acceptance of the State of California Office of Traffic Safety Selective Traffic Enforcement Program Grant PT23055

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**ABSTRACT:**

The Newport Beach Police Department (NBPd) seeks acceptance of a grant totaling \$350,000 from the State of California, Office of Traffic Safety (OTS) to fund a Driving Under the Influence (DUI) Enforcement and Awareness Program, Traffic Safety Enforcement Operations, and DUI Sobriety Checkpoints.

**RECOMMENDATION:**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- b) Authorize the City Council to accept a \$350,000 Selective Traffic Enforcement Program (STEP) award granted to the NBPd by the OTS per City Council Policies F-3 and F-25. To comply with City Council Policy F-3, the City Council must formally accept the award of \$350,000 and create a new appropriation to expend the funds; and
- c) Approve Budget Amendment No. 23-015 increasing NBPd revenue estimates and expenditure appropriations by \$350,000.

**DISCUSSION:**

Newport Beach is an attractive locale for Orange County nightlife and routinely competes with other cities for the most Department of Alcoholic Beverage Control licensed establishments in the State of California (per capita). The population of Newport Beach is approximately 87,000 residents; however, during the summer months the City of Newport Beach (City) experiences an increase in daily visitors that routinely exceeds 100,000. While tourism generates positive tax revenue for the City, it also stresses the infrastructure, the NBPd, and other City departments.

In 2007, the first grant was requested and awarded through the OTS. Since then, the NBPd has been dedicated to community education, traffic enforcement, and the reduction of DUI-related collisions. The NBPd continues to recognize the need for ongoing DUI enforcement and education, as the Traffic Data Summary Table below shows. The most recent data (2017) supplied by the OTS indicates the NBPd's ongoing efforts have been impactful, as the City ranked in the top two of 106 similar-sized California cities in the category of DUI arrests. 2018 stats are not yet available for this category.

**Traffic Data Summary: (local data)**

Primary Data Summary: (2021 data)												
Collision Type	2019 Totals				2020 Totals				2021 Totals			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	5		5		8		9		8		8	
Injury	421		590		349		478		381		508	
	2019 – Alcohol / Hit & Run / Nighttime Related Collisions				2020 – Alcohol / Hit & Run / Nighttime Related Collisions				2021 – Alcohol / Hit & Run / Nighttime Related Collisions			
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol-Involved	0	60	0	85	1	58	2	80	5	70	5	90
Hit & Run	0	26	0	29	1	23	2	32	0	24	0	34
Nighttime (2100-0259 hours)	3	53	3	79	3	37	3	50	1	60	1	72
Top 3 Primary Collision Factors 2021									Total Collisions	Fatal	Injury	
#1 -	Speed								233	2	139	
#2 -	DUI								179	3	36	
#3 -	Unsafe Turn								138	1	55	

The NBPd applied for, and has been awarded, a grant from OTS to increase DUI enforcement and awareness and to fund additional traffic safety enforcement in the City. Grant number PT23055 will become effective October 1, 2022 and expire September 30, 2023.

The grant funds will pay overtime and benefits costs for officers specifically assigned to DUI enforcement and awareness programs, including DUI Checkpoint Operations, DUI Saturation Patrol Operations, and Traffic Enforcement Operations related to distracted driving, motorcycle safety, and bicycle/pedestrian enforcement. In-state travel and training expenses are also included in the grant for officers attending the Standardized Field Sobriety Testing (SFST), Advanced Roadside Impaired Driving Enforcement (ARIDE), and Drug Recognition Expert (DRE) training courses.

The "Know Your Limits" program is also a part of the grant this year. The "Know Your Limits" program is a collaborative effort between the NBPd and Alcoholic Beverage Control (ABC) licensed establishments to educate patrons about the dangers of drinking and driving. Our NBPd personnel visit local alcohol-licensed establishments and provide patrons with voluntary breath tests in order to educate them on their blood alcohol concentration, thereby allowing patrons to "Know Your Limit" before they consider driving after consuming alcohol.

Almost all DUI efforts involve overtime, as they are unique and short-term assignments that do not involve personnel scheduled to work a regular patrol assignment. In other words, the NBPd retains the same number of officers on regularly scheduled patrol while additional officers are added for the sole purpose of conducting OTS grant-funded DUI enforcement at no additional cost to the City.

**FISCAL IMPACT:**

The Budget Amendment records and appropriates \$350,000 in additional revenue from the OTS STEP Grant and \$350,000 in increased expenditure appropriations. The revenue will be posted to the OTS STEP FY 2022-23 Account #11035-431360-G2301 and the expenditure appropriations will be posted to the various expenditure accounts within the OTS Fund, according to the following breakdown:

Account	Category	Amount
11035-713002-G2301	Overtime, Safety	\$314,300
11035-727016-G2301	Medicare Fringes	\$4,557
11035-861001-G2301	Travel & Meetings	\$2,040
11035-911024-G2301	Equipment	\$20,000
11035-841015-G2301	Other Direct Costs	\$9,103
<b>Total FY 2022-23 STEP Grant</b>		<b>\$350,000</b>

**ENVIRONMENTAL REVIEW:**

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENTS:**

Attachment A – Budget Amendment  
Attachment B – OTS Grant Agreement