

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

September 14, 2021

FROM

JASON ANDERSON, District Attorney

SUBJECT

Grant Agreement with the California Office of Traffic Safety for the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program

RECOMMENDATION(S)

1. Approve **Grant Agreement No. 21-649** (No. DI22029) with the State of California, Office of Traffic Safety to receive \$553,000 for the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program for the period of October 1, 2021 through September 30, 2022.
2. Adopt **Resolution No. 2021-160** approving the Grant Agreement and authorizing the District Attorney's Office, as required by the California Office of Traffic Safety, to electronically sign and submit the Grant Agreement on behalf of the Board of Supervisors, and any subsequent non-substantive amendments, subject to review by County Counsel.
3. Authorize the addition of one (1) new position classified as Deputy District Attorney IV, Attorney Unit, Range 82, (\$122,699 - \$172,994).
4. Approve appropriation and revenue adjustments of \$257,000 and authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, as detailed in the Financial Impact Section. (Four votes required).
5. Direct the District Attorney to submit all Grant Agreement documents, including any non-substantive amendments, to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Michael Fermin, Assistant District Attorney, 382-3662)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The \$553,000 grant award will fund the cost of 2 Deputy District Attorneys assigned to the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program (Program), along with DUI testing costs, for the period of October 1, 2021 through September 30, 2022. There is no local match associated with this grant. The District Attorney Department (Department) included grant revenue of \$296,000 in the 2021-22 budget for the Program and recommends the following adjustments to the Department's 2021-22 budget to recognize the additional funds:

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Fund Center	Commitment Item	Description	Increase (Decrease)
4500001000	51001010	Regular Salary	\$257,000
4500001000	40509155	Federal – Pass Through	\$257,000

If future grant funding is reduced, staff will be transitioned to vacancies within the Department and the position(s) will be deleted.

BACKGROUND INFORMATION

The California Office of Traffic Safety (OTS) grant will provide funding for Program. This Program allows a Deputy District Attorney to file and prosecute alcohol and drug impaired driving cases throughout each step of the criminal process. These cases range from misdemeanor driving under the influence (DUI) through felony DUI, with an emphasis on working with law enforcement agencies directly to provide guidance during investigation, initial case review, case filing, prosecution and eventual sentencing of a criminal defendant. The Department's participation in this Program will enable the sharing of information with law enforcement personnel throughout San Bernardino County as a means to prevent impaired driving, with the goal to reduce alcohol/drug-involved traffic fatalities and injuries throughout the County. The Department has been receiving grant funds from OTS annually for this purpose since 2012.

On March 2, 2021 (Item No. 18), the Board of Supervisors (Board) approved the Department's grant application to California Office of Traffic Safety requesting grant funding for the period of October 1, 2021 through September 30, 2022. Historically, the grant has been used to fund 1 Deputy District Attorney, along with related training costs and \$50,000 for DUI Drug Testing and Confirmation by Mass Spectrometry. One additional Deputy District Attorney is added in this funding cycle, for a total of 2 District Attorneys. If future grant funding is reduced, staff will be transitioned to vacancies within the Department and the position(s) will be deleted.

In addition to the acceptance of the grant award, the Department is requesting approval to execute any subsequent non-substantive amendments to the grant award agreement, subject to review by County Counsel.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5455) on August 20, 2021; Human Resource (Diane Rundles, Human Resources Director, 387-5570) on August 24, 2021; Auditor-Controller/Treasurer/Tax Collector (Erika Gomez, General Accounting Manager, 382-3196 on August 24, 2021; Finance (Carolina Mendoza, Finance Analyst, 387-0294) on August 24, 2021; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 24, 2021.

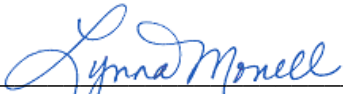
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: September 14, 2021



cc: w/Resolution
DA - Walker w/agree for sign
Contractor - C/O DA w/agree
File - w/agree
CCM 09/16/2021