

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

474



FROM: Stanley L. Sniff Jr., Sheriff-Coroner-PA

SUBMITTAL DATE:
08/02/13

SUBJECT: Agreement to Reimburse the County for the Provision of the Driver Training
Emergency Vehicle Operations Course at the Sheriff's Ben Clark Training Center

RECOMMENDED MOTION: Move that the Board of Supervisors approve the Agreement with the Commission on Peace Officer Standards and Training to reimburse the County for the provision of the Driver Training Emergency Vehicle Operations course at the Ben Clark Public Safety Training Center during FY 2013-14, and authorize the Chair to sign all copies of the Agreement.

BACKGROUND: The Commission on Peace Officer Standards and Training (POST) has agreed to reimburse the Sheriff's Department for the cost incurred during the provision of the 24 hours of the Driver Training Emergency Vehicle Operations course at the Ben Clark Public Safety Training Center. The State Standard Agreement specifies that POST will pay for 75 students to take the course for a cost not to exceed \$525 per student, which equates to a \$39,375 reimbursement in FY 2013-14. County Counsel has approved the Agreement as to form.

BR 14-017

Will Taylor for

Stanley L. Sniff Jr., Sheriff-Coroner-PA
Will Taylor, Director of Administration

FINANCIAL DATA	Current F.Y. Total Cost:	\$39,375	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	2013-14

SOURCE OF FUNDS: CA-POST Reimbursement	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Elizabeth J. Olson*
Elizabeth J. Olson

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

2013 AUG 13 6N 5:52
COUNTY OF RIVERSIDE

Dept Recomm.:
Per Exec. Ofc.:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
 FORM APPROVED COUNTY COUNSEL
 BY: NEAL R. KIPNIS DATE: 8/2/13
 Departmental Concurrence

STATE OF CALIFORNIA
STANDARD AGREEMENT
 STD 213 (Rev 06/03)

AGREEMENT NUMBER 13112113
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME
Commission on Peace Officer Standards and Training

CONTRACTOR'S NAME
Riverside County Sheriff's Department

2. The term of this Agreement is: **July 1, 2013** through **June 30, 2014**

3. The maximum amount of this Agreement is: **\$39,375.00**
Thirty-nine Thousand, Three Hundred Seventy-five Dollars

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

- | | |
|--|---------------|
| Exhibit A – Scope of Work | -1- page |
| Exhibit A, Attachment 1 – Course outline | -8- pages |
| Exhibit B – Budget Detail and Payment Provisions | -1- page |
| Exhibit C* – General Terms and Conditions | GTC - 610 |
| Check mark one item below as Exhibit D: | |
| <input checked="" type="checkbox"/> Exhibit - D Special Terms and Conditions (Attached hereto as part of this agreement) | -1- page |
| <input type="checkbox"/> Exhibit - D* Special Terms and Conditions | |
| Exhibit E – Additional Provisions | N/A - page(s) |

Items shown with an Asterisk (), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at www.ols.dgs.ca.gov/Standard+Language*

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR		California Department of General Services Use Only
CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.) Riverside County Sheriff's Department		
BY (Authorized Signature) 	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING NEAL R. KIPNIS		
ADDRESS 16791 Davis Avenue, Suite A, Riverside, CA 92518		
AGENCY NAME STATE OF CALIFORNIA		
BY (Authorized Signature) 		
DATE SIGNED (Do not type)		
PRINTED NAME AND TITLE OF PERSON SIGNING R.W. Reed, Assistant Executive Director		
ADDRESS 1601 Alhambra Boulevard, Sacramento, CA 95816-7083		

Exempt per: **SCM § 4.04, 5. b.**

**EXHIBIT A
(Standard Agreement)**

SCOPE OF WORK

1. The Riverside County Sheriff's Department (Contractor) agrees to present for the Commission on Peace Officer Standards and Training (POST), the following training course(s) to qualified law enforcement personnel:
 - 75 students in the Emergency Vehicle Operations Course (EVOC) training at a per student rate of \$525.00.
2. Each course presentation shall be certified by POST and presented in accordance with content provided by POST.
3. In the event there are not enough students from POST reimbursable agencies to fill any class, the Contractor may opt to fill vacancies with students who are not full-time, on-duty law enforcement officers from POST reimbursable agencies.
4. Students attending the course who are non-reimbursable under POST regulations shall be charged applicable course tuition by the Contractor. Prior to submission of an invoice to POST, Contractor shall deduct, from the total sum, the amount collected for tuition. The invoice shall clearly reflect where the collected tuition has been deducted. Invoices for payment shall be submitted in accordance with the terms specified in Exhibit B, Budget Detail and Payment Provisions.
5. Direct inquiries concerning the program to the Program Managers indicated below:

State Agency: Commission on POST	Contractor: Riverside County Sheriff's Department
Name: Gary Manini	Name: Lieutenant Zachary Hall
Phone: (916) 227-4868	Phone: (951) 486-2919
Email: Gary.Manini@post.ca.gov	Email: zhall@riversidesheriff.org

6. Direct inquiries concerning the processing of this agreement to:

State Agency: Commission on POST	Contractor: Riverside County Sheriff's Department
Section/Unit: Contracts Unit	Section/Unit: Ben Clark Training Center
Attention: Heather Camp	Attention: Lieutenant Zachary Hall
Address: 1601 Alhambra Blvd. Sacramento, CA 95816-7083	Address: 16791 Davis Avenue, Suite A Riverside, CA 92518
Phone: (916) 227-3937	Phone: (951) 486-2919
Email: heather.camp@post.ca.gov	Email: zhall@riversidesheriff.org

EXHIBIT A, ATTACHMENT I

COURSE OUTLINE

Course Administration Information

Course: **BASIC COURSE-INTENSIVE - 00100**

Presenter: **RIVERSIDE COUNTY SHERIFF'S DEPT. (2200) [Preparer POST]**

POST CONSULTANT REVIEW

Current Attachment Status:	No Change
Certification Start Date:	7/1/2012
Effective Date:	3/11/2013
Certification End Date:	6/30/2013
Does this course qualify for CPT?	No
Does this course qualify for duplicate training?	No
If yes, what should the frequency be?	
Has the course been approved by POST as an ICI course (TPS Consultant pre-approved)?	No
Does the course have a contract?	No
If yes, what is the contract number?	

Course Information

Course title:	BASIC COURSE-INTENSIVE
Course number:	00100
Course hours:	952
Secondary course title:	
Course description:	INTENSIVE FORMAT-DESIGNED TO MEET THE MINIMUM REQUIREMENTS OF A PEACE OFFICER AS ESTABLISHED BY STATE LAW. 776 INSTRUCTIONAL HOURS AND 176.5 HOURS FOR TESTING, SCENARIOS, AND DRILL INSPECTIONS. TOTAL HOURS = 952.5 TUITION: POST PARTICIPATING AGENCY SPONSORED RECRUITS, \$412 TO RSO, \$1814.50 (UNIT AND TRANSPORTATION FEES) TO MVC. NON POST SPONSORED RECRUITS, \$412 TO RSO, \$525 EVOC, \$1814.50 TO MVC, ESTIMATED COST FOR MISC. EQUIPMENT \$3,420 (GEAR BAG, UNIFORMS, GUN BELT, AMMO, WEAPON, ETC)
Fiscal year:	2012
Is this course a variable format course?:	No
Participating agencies & target audience:	
Is this course specifically job related for dispatchers?	No
Estimated annual trainees:	165
Do you wish to publish this course in the catalog?:	Yes

Mandated Information

Do you want to request perishable skills approval?:	No
If yes, choose one or more perishable skills categories:	
Does this course meet a legislative mandate?:	Yes
If yes, list legislative mandate(s):	- Basic Course (Regular)*
Does this course meet a post regulation training mandate?:	Yes
If yes, list post regulation(s):	- Basic Course

Course Information Details

Does this course require standardized curriculum?:	Yes
	No

Does this course revisit content from prior core course(s)?:
(i.e. refresher course)

No

Is this an update course? :
(i.e. material changes over time)

Yes

Does this course require a safety policy?
(e.g. Arrest and Control, Defensive Tactics, Firearms, etc.)

No

Does this course require prerequisite(s)?
(e.g. basic course)

Yes

If yes, list prerequisites:

Does this course have enrollment restrictions?

Physical Assessment, POST Written Test, DOJ Firearms Clearance

If yes, list enrollment restrictions:

Project(s) description (if required):

Is there a college affiliation?

Yes
Moreno Valley College, Riverside Community College District

If yes, enter the college name:

Semester/quarter indicator:

Semester

No. of units granted:

39

Presentation Information

Maximum enrollment for each presentation:

55

Maximum no. of presentations per year:

3

Indicate course on-site/off-site presentations:

- Onsite

Course address(es):

- MARCH A R FORCE BASE, MARCH FIELD
- 3423 DAVIS AVENUE, DEPT. A, RIVERSIDE, CA, 92518

Number and size of classroom facilities:

2 Classrooms, 60' x 60' minimum

Presentation methods (Indicate all techniques used):

- Lecture
- Demonstration
- Simulation
- Role playing
- Conference
- Learning activities
- Exercises

Training aids:

Methods of assessing learning goals and objectives
(indicate all methods used):

- Oral Exam
- Pre Test
- Post Test
- Exercise/Activities
- Skills Demonstration

Financial Information

Reimbursement plan:

- Plan III - Travel and per diem, tuition reimbursement

- » Plans Information
- » Backfill Information
- » Backfill Approved Course Topics

General Information

Course coordinator name:

Tony Hoxmeier

Course coordinator telephone:

(951) 486-2822 Ext.

Email:

thoxmeie@riversidesheriff.org

**SPECIFICATIONS FOR
EMERGENCY VEHICLE OPERATIONS COURSE**

I. LEARNING NEED

Peace officers need to know the importance of defensive driving principles and techniques in order to develop safe driving habits.

LEARNING OBJECTIVES

- A. Determine a safe distance when following another vehicle
- B. Identify the effect of speed on a driver's peripheral vision
- C. Discuss how reaction time lapse affects vehicle stopping distance
- D. Demonstrate appropriate actions to prevent collisions when entering intersections
- E. Recognize potential hazards of freeway driving and appropriate actions to prevent collisions
- F. Demonstrate appropriate actions to prevent collisions when operating a vehicle in reverse
- G. Demonstrate the importance and proper use of safety belts in a law enforcement vehicle
- H. Identify physiological and psychological factors that may have an effect on an officer's driving
- I. Identify hazards of varied road conditions
- J. Discuss the requirements for a vehicle inspection
- K. Demonstrate proper techniques for coping with distractions unique to operating a law enforcement vehicle

II. LEARNING NEED

Peace officers must recognize that emergency response (Code 3) driving demands a high level of concentration and instant reactions.

LEARNING OBJECTIVES

- A. Identify the objectives of emergency response driving
- B. Recognize the statute governing peace officers when operating law enforcement vehicles in the line of duty
 - 1. Rules of the road
 - 2. Liability
- C. Explain the importance of agency-specific policies and guidelines regarding emergency response driving
- D. Identify the statutory responsibilities of non-law enforcement vehicle drivers when driving in the presence of emergency vehicles operated under emergency response conditions
- E. Demonstrate the use of emergency warning devices available on law enforcement vehicles

- F. Identify factors that can limit the effectiveness of a vehicle's emergency warning devices
- G. Demonstrate the use of communication equipment
- H. Identify the effects of siren syndrome
- I. Recognize guidelines for entering a controlled intersection when driving under emergency response conditions

III. LEARNING NEED

All officers who operate law enforcement emergency vehicles must recognize that even though the purpose of pursuit driving is the apprehension of a suspect who is using a vehicle to flee, the vehicle pursuit is never more important than the safety of officers and the public.

LEARNING OBJECTIVES

- A. Identify the requirements of Penal Code Section 13519.8
- B. Recognize the risk to officer/public safety versus the need to apprehend
- C. Discuss common offensive intervention tactics
- D. Recognize conditions that could lead to the decision to terminate a vehicle pursuit

IV. LEARNING NEED

Peace officers must be proficient in the operation of the vehicle and know the dynamic forces at work. Proper steering control, throttle control, speed judgment, and brake use enhances driving expertise.

LEARNING OBJECTIVES

- A. Distinguish between longitudinal and lateral weight transfer
- B. Demonstrate the ability to mitigate the effects of spring loading
- C. Demonstrate proper techniques for two-handed shuffle steering
- D. Demonstrate proper throttle control
- E. Demonstrate proper roadway position and the three essential reference points of a turning maneuver
- F. Explain the primary effects speed has on a vehicle in a turning maneuver
- G. Demonstrate proper braking methods
- H. Distinguish between and describe the causes of the following types of vehicle skids:
 - 1. Understeer skid
 - 2. Oversteer skid
 - 3. Locked-wheel skid
 - 4. Acceleration skid
- I. Identify the causes and contributing factors of vehicle hydroplaning

V. REQUIRED TESTS

- A. The POST-Constructed Knowledge Test on the learning objectives in Domain #19.
- B. The POST-Constructed Comprehensive Mid-Course Proficiency Test.
- C. The POST-Constructed Comprehensive End-of-Course Proficiency Test.
- D. The POST-Constructed Comprehensive Module III End-of-Course Proficiency Test.
- E. The POST-Constructed Comprehensive Module II End-of-Course Proficiency Test.
- F. The POST-Constructed PC 832 Arrest Written Test.
- G. The POST-Constructed Comprehensive Test for the Requalification Course.

Exercise testing is mandated and regulated by POST Commission Procedure D-1, which states:

Academics/presenters shall provide the following to students who fail a required exercise test on the first attempt

- An opportunity to review their test results
- A reasonable amount of time, as determined by the academy/presenter, to prepare for a retest
- An opportunity to be tested on the failed test, if the student fails the second test, the student fails the course

Required exercise testing for each format of the basic course is set forth in the Training and Testing Specifications (TTS). The student is required to successfully pass each exercise test outlined below for the specific course of instruction the student is enrolled in.

VEHICLE OPERATIONS SAFETY

All vehicle operations exercise testing must be conducted under written academy/presenter safety procedures and or protocols established in accordance with the POST safety guidelines. Students are required to comply with every aspect of presenter safety procedures and or protocols during vehicle operations training and testing.

- H. An **exercise test** that requires the student to drive a law enforcement vehicle and demonstrate the ability to maintain control of the vehicle while it is skidding.

The student will demonstrate competency in the following performance dimensions:

1. Safety
2. Judgment/Decision making
3. Braking Technique(s)
4. Steering Technique(s)
5. Throttle Control
6. Speed Judgment
7. Control of Weight Transfer
8. Skid Control

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

1. An **exercise test** that requires the student to drive a law enforcement vehicle and demonstrate the ability to safely drive and control the vehicle while operating under emergency response (Code 3) conditions.

The student will demonstrate competency in the following performance dimensions:

1. Safety
2. Judgment/Decision making
3. Braking Technique(s)
4. Steering Technique(s)
5. Throttle Control
6. Speed judgment
7. Roadway Positioning
8. Operating Associated Equipment

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

- J.** An **exercise test** that requires the student to drive a law enforcement vehicle and demonstrate the ability to safely drive and control the vehicle while operating under vehicle pursuit situations.

The student will demonstrate competency in the following performance dimensions:

1. Safety
2. Judgment/Decision making
3. Braking Technique(s)
4. Steering Technique(s)
5. Throttle Control
6. Speed Judgment
7. Roadway Positioning
8. Operating Associated Equipment

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

- K.** An **exercise test** that requires the student to drive a law enforcement vehicle and demonstrate a collision avoidance technique.

The student will demonstrate competency in the following performance dimensions:

1. Safety
2. Judgment/Decision making
3. Braking Technique(s)
4. Steering Technique(s)
5. Throttle Control
6. Speed Judgment
7. Control of Weight Transfer

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

- L.** An **exercise test** that requires the student to drive a law enforcement vehicle and demonstrate a series of slow speed precision driving maneuvers.

The slow speed precision driving maneuvers must include at least **three (3) maneuvers** contained in the Emergency Vehicle Operations Course Instructor Manual. The instructor manual slow speed maneuvers are listed as follows:

- | | |
|--------------------------------|-------------------------|
| Turn around | Angled driveway |
| Off set lane | Steering course |
| Steering (forward and reverse) | Reverse driving |
| Chicane | "Y" driveway |
| "T" Driveway | Forward/Reverse driving |
| Parallel parking | Vehicle Control |
| Cul-De-Sac u-turn | Braking in a turn |

Bootleg Turn

The student will demonstrate competency in the following performance dimensions:

1. Safety
2. Judgment/Decision making
3. Braking Techniques(s)
4. Steering Technique(s)
5. Throttle Control
6. Speed Judgment
7. Vehicle Placement
8. Backing
9. Roadway Positioning

Presenters must use the POST-developed Vehicle Operations Competency Exercise Test Form or a presenter-developed form approved by POST, which minimally includes the performance dimensions used for this exercise test.

VI. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in a learning activity that requires the student to brake suddenly and engage the Anti-lock Braking System (ABS).
- B. The student will participate in one or more learning activities from the POST-developed Instructor's Guide to *Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding vehicle operations. At a minimum, each activity, or combination of activities must address the following topics:
 1. Use of critical thinking and decision making to balance the apprehension of violators against the obligation to drive safely, tactically and responsibly
 2. Effects of personal attitudes on emergency or pursuit driving and the interests of public safety
 3. Community expectations that officers should be exemplary drivers
 4. Accountability as it relates to officer actions during vehicle operation

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on vehicle operations. This instruction is designed to satisfy the requirements for law enforcement high-speed vehicle pursuit training as required in Penal Code Section 13519.8.

**EXHIBIT B
(Standard Agreement)**

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. The total amount POST may pay the Contractor under this Agreement for services satisfactorily rendered, and upon receipt and approval of the invoices, shall not exceed the Contract Amount of \$39,375.00, as set forth in this Exhibit.

For services satisfactorily rendered, and upon receipt and approval of the invoices, the State agrees to compensate the Contractor at the end of each course, a per student rate, for the actual number of reimbursable students attending the course:

- a. EVOC at a per student rate of \$525.00.
(Estimated number of reimbursable students = 75 x \$525.00 = \$39,375.00)

- B. Upon completion of each presentation, Contractor agrees to submit the following before payment will be authorized:

- Agreement Number
- Course Title
- Course Roster/s
- An invoice totaling the number of full-time, on-duty POST reimbursable students who attended the presentation.
- Authorized rate per student
- Dates of Course presented

Invoices shall be submitted in triplicate not more frequently than monthly in arrears to:

Commission on POST
Accounting Section
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

2. Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

**EXHIBIT D
(Standard Agreement)**

SPECIAL TERMS AND CONDITIONS

1. Settlement of Disputes

Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement which is not disposed of by compromise shall be decided by POST, who shall reduce its decision in writing and mail or otherwise furnish a copy thereof to Contractor. Contractor has fifteen (15) calendar days after receipt of such a decision to submit a written protest to POST specifying in detail in what particulars the agreement requirements were exceeded. Failure to submit such a protest within the period specified shall constitute a waiver of any and all right to adjustment in agreement terms and POST's decision shall be final and conclusive. Pending final decision of a dispute hereunder, Contractor shall proceed diligently with the performance of this agreement, upon receipt of written order from POST to do so.

2. Amendments

This agreement may be amended for time, scope or increase/decrease of funds, by mutual written consent by the parties hereto.

3. Cancellation Clause

POST reserves the right to cancel this agreement subject to 30 days written notice to Contractor.

4. Contractor Evaluation *(if applicable)*

In accordance with provisions of the State Administrative Manual, Section 1283, Contractor's performance under this agreement will be evaluated. The evaluation will be prepared by POST within 30 days after completion of the agreement.