

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** amending sections 24002., 24004., and 24005., Jackson County Code, 1984, relating to land use and development.

**ORDINANCE NO. 5277**, October 21, 2019

**INTRODUCED BY** Tony Miller, County Legislator

WHEREAS, on November 6, 2018, Missouri voters approved article XIV to the Missouri Constitution, which legalized the use of medical marijuana in Missouri; and,

WHEREAS, section 7(11) of article XIV grants Missouri local governments the authority to “enact ordinances as regulations not in conflict with this section, governing the time, place, and manner of operation of (marijuana) facilities in the locality”; and,

WHEREAS, the Jackson County Plan Commission after a public hearing on September 19, 2019, voted 5 to 0 to recommend adoption of this Ordinance; and,

WHEREAS, after a review of article XIV in connection with the Jackson County United Development Code (Chapter 240, Jackson County Code, 1984), and in consideration of the recommendation of the Plan Commission, the Legislature has determined it to be in the best interest of the health, welfare, and safety of the citizens of Jackson County that the time, place, and manner regulations embodied in this Ordinance be adopted; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause.

Sections 24002., 24004., and 24005., Jackson County Code, 1984, are hereby amended by the addition/revision of the following subsections, with existing subsections to be renumbered accordingly:

**24002.2      TERMS DEFINED**

a. For the purpose of the UDC, the following terms, words and their derivations and phrases shall have the following meanings. If any words and phrases are not defined by these regulations, but are defined in state or federal laws, the state or federal law definition shall apply.

7. Administer. The direct applications of Marijuana to a qualifying patient by way of any of the following methods:

- (a) Ingestion of capsules, teas, oils, and other marijuana-infused products;
- (b) Vaporization or smoking of dried flowers, buds, plant material, extracts, or oils;
- (c) Application of ointments or balms;
- (d) Transdermal patches and suppositories;
- (e) Consuming Marijuana-infused food products; or
- (f) Any other method recommended by a qualifying patient's physician.

111. Marijuana or Marihuana. *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute Marijuana, as well as resin extracted from the plant and Marijuana-infused Products. "Marijuana" or "Marihuana" do not include industrial hemp containing a cropwide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

112. Marijuana-infused Products. Products that are infused with Marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures, and concentrates.
115. Medical Marijuana Cultivation Facility. A facility licensed by the Missouri Department of Health and Senior Services to acquire, cultivate, process, store, transport, and sell Marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-infused Products Manufacturing Facility.
116. Medical Marijuana Dispensary Facility. A facility licensed by the Missouri Department of Health and Senior Services to acquire, store, sell, transport, and deliver Marijuana, Marijuana-infused Products, and drug paraphernalia used to administer Marijuana as provided for in Article XIV of the Missouri Constitution to a qualifying patient, a primary caregiver, another Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or a Medical Marijuana-infused Products Manufacturing Facility.
117. Medical Marijuana-infused Products Manufacturing Facility. A facility licensed by the Missouri Department of Health and Senior Services to acquire, store, manufacture, transport, and sell Marijuana-infused Products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or to another Medical Marijuana-infused Products Manufacturing Facility.
118. Medical Marijuana Testing Facility. A facility certified by the Missouri Department of Health and Senior Services to acquire, test, certify, and transport Marijuana.
119. Medical Use. The production, possession, delivery, distribution, transportation, or administration of Marijuana or a Marijuana-infused Product, or drug paraphernalia used to administer Marijuana or a Marijuana-infused Product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's Qualifying Medical Condition.
158. Physician. An individual who is licensed and in good standing to practice medicine or osteopathy under Missouri law.

163. Qualifying Medical Condition. The condition of, symptoms related to, or side-effects from the treatment of:

- (a) Cancer;
- (b) Epilepsy;
- (c) Glaucoma;
- (d) Intractable migraines unresponsive to other treatment;
- (e) A chronic medical condition that causes severe, persistent pain or persistent muscle spasms, including but not limited to those associated with multiple sclerosis, seizures, Parkinson's disease, and Tourette's syndrome;
- (f) Debilitating psychiatric disorders, including but not limited to, posttraumatic stress disorder, if diagnosed by a state licensed psychiatrist;
- (g) Human immunodeficiency virus or acquired immune deficiency syndrome;
- (h) A chronic medical condition that is normally treated with a prescription medication that could lead to physical or psychological dependence, when a physician determines that medical use of marijuana could be effective in treating that condition and would serve as a safer alternative to the prescription medication;
- (i) Any terminal illness; or
- (j) In the professional judgment of a physician, any other chronic, debilitating or other medical condition, including, but not limited to, hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's diseases, autism, neuropathies, sickle cell anemia, agitation of Alzheimer's disease, cachexia, and waste syndrome.

164. Qualifying Patient. A Missouri resident diagnosed with at least one Qualifying Medical Condition.

**24004.2 AGRICULTURAL DISTRICT (AG)**

b. **Permitted Uses.** The following uses are authorized as permitted uses subject to any conditions established in these district provisions:

13. Medical Marijuana Cultivation Facility, subject to the conditions established in Section 24005.14, except as to any property located in a platted subdivision and improved with a residential dwelling unit.

**24004.3 RESIDENTIAL RANCHETTE DISTRICT (RR)**

c. **Conditional Uses.** The following conditional uses are authorized subject to the provisions of Section 24003.21.

6. Medical Marijuana Cultivation Facility, pursuant to Section 24005.14.

**24004.8 LOCAL BUSINESS DISTRICT (LB)**

c. **Conditional Uses.** The following conditional uses are authorized, subject to the provisions of Section 244004.21.

4. Medical Marijuana Dispensary Facility, pursuant to Section 24005.14, except as to any property improved with a residential dwelling unit.

**24004.9 GENERAL BUSINESS DISTRICT (GB)**

b. **Permitted Uses.** The following uses are authorized as permitted uses subject to any conditions established in these district provisions.

11. Medical Marijuana Dispensary Facility, subject to the conditions established in Section 24005.14, except as to any property improved with a residential dwelling unit.

**24004.11 LIGHT INDUSTRIAL DISTRICT (LI)**

b. **Permitted Uses.** The following uses are authorized as permitted uses subject to any conditions established in these district provisions:

20. Medical Marijuana Cultivation Facility, subject to the conditions established in Section 24005.14.
21. Medical Marijuana Dispensary Facility, subject to the conditions established in section 24005.14.
22. Medical Marijuana-infused Products Manufacturing Facility, subject to the conditions established in Section 24005.14.
23. Medical Marijuana Testing Facility, subject to the conditions established in Section 24005.14.

**24005.14**      **MEDICAL MARIJUANA BUSINESSES**

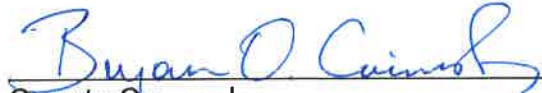
Medical Marijuana Cultivation Facilities, Medical Marijuana Dispensary Facilities, Medical Marijuana-infused Products Manufacturing Facilities, and Medical Marijuana Testing Facilities are permitted uses in certain districts, and may be authorized as conditional uses in others. However, any such facility, without regard to whether it is a permitted or conditional use, must comply with the following conditions:

- a. All such facilities must be licensed by the Missouri Department of Health and Senior Services.
- b. No such facility may be initially located within one thousand feet of any then-existing elementary or secondary school, child day-care center, or church.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5277 introduced on October 21, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5277.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** transferring \$50,000.00 within the 2019 Grant Fund and appropriating \$50,000.00 from the undesignated fund balance of the 2019 Park Enterprise Fund, to restore previously obligated matching grant funds relating to the supplemental grant from the Missouri Department of Natural Resources, Division of State Parks, Land and Water Conservation Fund.

**ORDINANCE NO. 5278**, October 21, 2019

**INTRODUCED BY** Crystal Williams, County Legislator

WHEREAS, by Ordinance 5201, dated February 25, 2019, the Legislature did authorize the acceptance of a supplemental grant from the Missouri Department of Natural Resources, Division of State Parks, Land and Water Conservation Fund, which required a local match of \$50,000.00; and,

WHEREAS, subsequent to signing the grant agreement, and in accordance with the grant's requirements, a cultural resource study was conducted on the site as directed by the Missouri State Historical Preservation Office (SHPO); and,

WHEREAS, the study found that the site contained significant amounts of cultural material, such that it is eligible to be placed on the National Register of Historic Places; and,

WHEREAS, SHPO then required further in-depth testing before any ground disturbing activity could be approved; and,



WHEREAS, due to the open-ended nature of the potential additional costs based on the high probability of new cultural resources being found, the Parks + Rec Department's project budget has been compromised, making the project no longer feasible as proposed in the supplemental grant application; and,

WHEREAS, the Parks + Rec Department has requested and received authorization from the Missouri Department of Natural Resources, Division of State Parks, Land and Water Conservation Fund to cancel the grant; and,

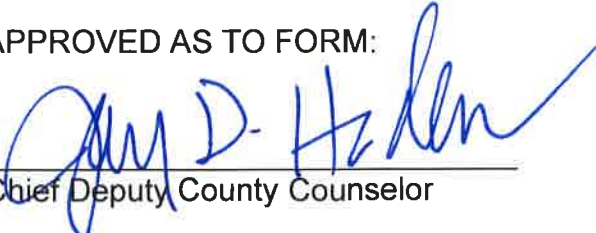
WHEREAS, an appropriation and transfer are now necessary to place the no longer needed matching funds in the appropriate, original spending account; now therefore,


BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following transfer and appropriation be and hereby are made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund Blue River Pkwy 010-1660	58060 – Other Improvements	\$50,000	
Operating Transfers 010-9100	56105- Operating Transfers Out		\$50,000
Park Enterprise Fund Construction Services 300-1608	47070- Operating Transfers In	\$50,000	
300-2810	Undesignated Fund Balance		\$50,000
300-2810	Undesignated Fund Balance	\$50,000	
Construction Services 300-1608	56790- Other Contractual		\$50,000

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5278 introduced on October 21, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5278.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

Funds sufficient for this transfer are available from the source indicated below.

ACCOUNT NUMBER: 010 1660 58060  
ACCOUNT TITLE: Grant Fund  
Blue River Pkwy  
Other Improvements  
NOT TO EXCEED: \$50,000.00

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 300 2810  
ACCOUNT TITLE: Park Enterprise Fund  
Undesignated Fund Balance  
NOT TO EXCEED: \$50,000.00

10/17/19

Date



Chief Administrative Officer

**REQUEST FOR LEGISLATIVE ACTION  
EXECUTIVE OFFICE**

**Version 6/10/19**

Completed by County Counselor's Office:

Res/Ord No.: 5278

Sponsor(s): Crystal Williams

Date: October 21, 2019

OCT 15 2019

<p><b>SUBJECT</b></p>	<p>Action Requested  <input type="checkbox"/> Resolution  <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: Authorizing an appropriation of \$50,000 to the Parks + Rec Department</p>																
<p><b>BUDGET INFORMATION</b>  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$50,000</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$275,000</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$325,000</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$50,000</td> </tr> <tr> <td>Source of funding (name of fund) and account code number: FROM:</td> <td></td> </tr> <tr> <td>010 (Grant Fund) -1660 (Blue River Pkwy) -58060 (Other Improvements)</td> <td>\$50,000</td> </tr> <tr> <td>TO:</td> <td></td> </tr> <tr> <td>300 (Park Enterprise Fund) -1608 (Construction Services) -56790 (Other Contractual Services)</td> <td>\$50,000</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$  <b>OTHER FINANCIAL INFORMATION:</b></p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:                  Department: _____ Estimated Use: _____</p> <p>Prior Year Budget (if applicable): _____                  Prior Year Actual Amount Spent (if applicable): _____</p>	Amount authorized by this legislation this fiscal year:	\$50,000	Amount previously authorized this fiscal year:	\$275,000	Total amount authorized after this legislative action:	\$325,000	Amount budgeted for this item * (including transfers):	\$50,000	Source of funding (name of fund) and account code number: FROM:		010 (Grant Fund) -1660 (Blue River Pkwy) -58060 (Other Improvements)	\$50,000	TO:		300 (Park Enterprise Fund) -1608 (Construction Services) -56790 (Other Contractual Services)	\$50,000
Amount authorized by this legislation this fiscal year:	\$50,000																
Amount previously authorized this fiscal year:	\$275,000																
Total amount authorized after this legislative action:	\$325,000																
Amount budgeted for this item * (including transfers):	\$50,000																
Source of funding (name of fund) and account code number: FROM:																	
010 (Grant Fund) -1660 (Blue River Pkwy) -58060 (Other Improvements)	\$50,000																
TO:																	
300 (Park Enterprise Fund) -1608 (Construction Services) -56790 (Other Contractual Services)	\$50,000																
<p><b>PRIOR LEGISLATION</b></p>	<p>Prior ordinances and (date): Ord. 5201 (2/25/19)                  Prior resolutions and (date): _____</p>																
<p><b>CONTACT INFORMATION</b></p>	<p>RLA drafted by (name, title, &amp; phone): Bruce Wilke, Landscape Architect, 816.503.4802</p>																
<p><b>REQUEST SUMMARY</b></p>	<p>Ord. 5201 was adopted February 25, 2019 to accept a supplemental grant from the Missouri Department of Natural Resources, Division of State Parks, Land and Water Conservation Fund which required a local match of \$50,000. Subsequent to signing the grant agreement, while following grant requirements, a cultural resource study was conducted on the site as directed by the Missouri State Historical Preservation Office (SHPO). The study found that the site contained significant enough amounts of cultural material that it is eligible to be placed on the National Register of Historic Places. SHPO then required further in-depth testing before any ground disturbing activity would be approved. Due to the open-ended nature of additional costs, based on the high probability of new cultural resources being found, our project budget has been compromised rendering the project no longer feasible as proposed in the grant.</p> <p>We have requested and received authorization from the State to cancel the grant.</p> <p>This adoption of this request for legislative action will have the effect of restoring the previously obligated \$50,000 in matching funds to the funds' original budgeted account, Park Enterprise Fund, Construction Services, Other Contractual Services (300-1608-56790).</p>																
<p><b>CLEARANCE</b></p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>																
<p><b>COMPLIANCE</b></p>	<p><input type="checkbox"/> MBE Goals  <input type="checkbox"/> WBE Goals  <input type="checkbox"/> VBE Goals</p>																

ATTACHMENTS	Division of State Parks grant cancellation notification.	
REVIEW	Department Director: <i>Michelle Jensen</i>	Date: <i>10-11-19</i>
	Finance (Budget Approval): <i>If applicable</i> <i>Suzel Matthe</i>	Date: <i>10/15/19</i>
	Division Manager: <i>Stump Mill</i>	Date: <i>10-15-19</i>
	County Counselor's Office: <i>SM - Cindy</i>	Date: <i>10/17/19</i>

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this transfer are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
010-1660-58060	Grant Fund – Blue River Pkwy – Other Improvements	\$50,000

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.





September 18, 2019

Bruce Wilke  
Jackson County  
22807 Woods Chapel Road  
Blue Springs, MO 64015

Re: LWCF Project 29-01682, Blue River Parkway Recreational Area Improvement Project

Dear Mr. Wilke:

The Grants Management Section received your letter requesting to cancel the LWCF grant project for the conversion of a former 4 field softball complex into a 4 field lighted soccer complex with restroom, parking, and several miles of mountain bike trail referenced to unforeseen environmental circumstances.

The LWCF Project 29-01682 for the Blue River Parkway Recreational Area Improvement Project with the Jackson County Parks + Rec is now closed and no further action is required.

We appreciate the time and consideration involved in developing this project and ensuring compliance with the requirements associated with utilizing the Land and Water Conservation Funds. We also look forward to future collaboration.

Do not hesitate to contact the Grants Management Section staff for questions. We can be reached at (573) 751-0848 or [lwcf.rtp@dnr.mo.gov](mailto:lwcf.rtp@dnr.mo.gov). Thank you for participating in the LWCF program..

Sincerely,  
MISSOURI STATE PARKS

Rebecca Rost, Section Chief  
Grants Management Section

RR/aa

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** transferring \$259,206.00 within the 2019 General Fund and appropriating \$564,412.00 from the undesignated fund balance of the 2019 Grant Fund, in acceptance of the Jackson County Sheriff's Office's DWI/Traffic Safety Unit Salary Grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds.

**ORDINANCE NO. 5279**, October 21, 2019

**INTRODUCED BY** Crystal Williams, County Legislator

WHEREAS, the Sheriff's Office has been awarded a grant in the amount of \$305,205.56 by the Missouri Department of Transportation, Traffic and Highway Safety Division, for the purpose of funding a five-person DWI/Traffic Safety Unit and fully funding the cost of a 2020 Dodge Durango with equipment for use by the DWI Traffic Unit, for the period of October 1, 2019, to September 30, 2020; and,

WHEREAS, the grant is subject to a local match in the amount of \$259,205.56; and,

WHEREAS, the Sheriff recommends the acceptance of this grant and the execution of a grant contract with the Missouri Department of Transportation, Traffic and Highway Safety Division; and,

WHEREAS, a transfer and appropriation are necessary to place the grant and matching funds in the proper spending accounts; now therefore,



BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following transfer and appropriation be and hereby are made:

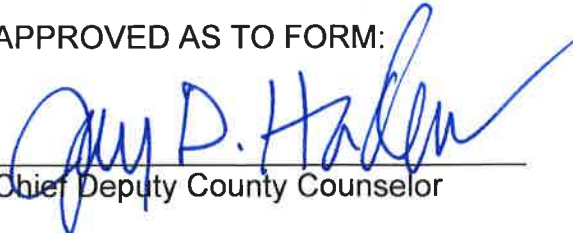
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund			
Sheriff			
001-4201	56790 – Other Contractual Svc.	\$ 79,206	
001-4201	56798 – Grant Match	\$180,000	
Operating Transfers			
001-9100	56105 – Operating Transfers Out		\$259,206
Grant Fund			
DWI Unit			
010-4212	47070-Operating Transfers In	\$259,206	
010-4212	45937- Increase Revenue	\$305,206	
010-2810	Undesignated Fund Balance		\$564,412
010-2810	Undesignated Fund Balance	\$564,412	
DWI Unit			
010-4212	55010 - Regular Salaries		\$347,960
010-4212	55030 – Overtime		\$ 12,000
010-4212	55040 – FICA Taxes		\$ 39,659
010-4212	55050 – Pension Contributions		\$ 46,657
010-4212	55060 – Insurance Benefits		\$ 64,936
010-4212	57190 – Wearing Apparel		\$ 7,200
010-4212	58120 – Vehicles		\$ 31,651
010-4212	58170 – Other Equipment		\$ 14,349

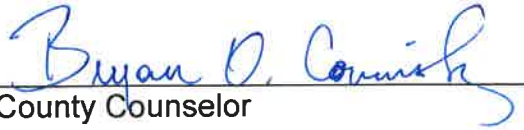
and,

BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached grant contract with the Missouri Department of Transportation, Traffic and Highway Safety Division.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5279 introduced on October 21, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5279.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

Funds sufficient for this transfer are available from the sources indicated below.

ACCOUNT NUMBER: 001 4201 56790  
ACCOUNT TITLE: General Fund  
Sheriff  
Other Contractual Services  
NOT TO EXCEED: \$79,206.00

ACCOUNT NUMBER: 001 4201 56798  
ACCOUNT TITLE: General Fund  
Sheriff  
Grant Match  
NOT TO EXCEED: \$180,000.00

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 010 2810  
ACCOUNT TITLE: Grant Fund  
Undesignated Fund Balance  
NOT TO EXCEED: \$564,412.00

10/17/19  
Date

  
Chief Administrative Officer

# CONTRACT

0.5279

Form HS-1

Revision Reason: Wording

Version: 3

09/04/2019

**Missouri Department of Transportation**  
**Highway Safety and Traffic Division**  
 P.O. Box 270  
 830 MoDOT Drive  
 Jefferson City, MO 65102  
**Phone:** 573-751-4161  
**Fax:** 573-634-5977

**Project Title:** DWI/Traffic Unit  
**Project Number:** 20-154-AL-022  
**Project Category:** Transfer  
**Program Area:** 154/164 Alcohol  
**Funding Source:** 154 AL / 20.607

**Name of Grantee**  
 Jackson County Sheriff's Office

**Type of Project:** Initial

**Grantee County**  
 Jackson

**Started:** 10/01/2019

**Grantee Address**  
 4001 NE Lakewood Court  
 Lee's Summit, MO 64064-1703

**Federal Funds Benefiting**

<b>State:</b>	
<b>Local:</b>	\$305,205.56
<b>Total:</b>	\$305,205.56

**Telephone**  
 816-524-4302

**Fax**  
 816-795-1969

**Source of Funds**

<b>Federal:</b>	\$305,205.56
<b>State:</b>	
<b>Local:</b>	\$259,205.57
<b>Total:</b>	\$564,411.13

**Contract Period**

**Effective:** 10/01/2019  
**Through:** 09/30/2020

**Prepared By**  
 Wilson, Scott

<u>AG Signature</u>	<u>AG Date Here</u>
<b>Subrecipient Authorizing Official</b>	<b>Date</b>
<u>PD Signature</u>	<u>PD Date Here</u>
<b>Subrecipient Project Director</b>	<b>Date</b>
<u>HSTD Signature</u>	<u>HSTD Date Here</u>
<b>MHTC Authorizing Official</b>	<b>Date</b>

It is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the **total obligated amount of \$305,205.56**; the recipient of funds shall proceed with the implementation of the program as detailed in attached forms (which become part of this agreement) and shall adhere to conditions specified in attachments (which become part of this agreement); all Federal and State of Missouri laws and regulations are applicable and any addendums or conditions thereto shall be binding; any facilities and/or equipment acquired in the connection with this agreement shall be used and maintained for highway safety purposes; the recipient of funds must comply with the Title VI of the Civil Rights Act of 1964, and the Federal Funds from other sources, excluding Federal Revenue Sharing Funds, will not be used to match the Federal funds obligated to this project.

IN ORDER TO RECEIVE FEDERAL FUNDING, THE SUBRECIPIENT AGREES TO COMPLY WITH THE FOLLOWING CONDITIONS IN ADDITION TO THOSE OUTLINED IN THE NARRATIVE OF THE CONTRACT.

**I. RELATIONSHIP**

The relationship of the Subrecipient to the Missouri Highways and Transportation Commission (MHTC) shall be that of an independent contractor, not that of a joint enterpriser. The Subrecipient shall have no authority to bind the MHTC for any obligation or expense without the express prior written approval of the MHTC. This agreement is made for the sole benefit of the parties hereto and nothing in the Agreement shall be construed to give any rights or benefits to anyone other than the MHTC and the Subrecipient.

**II. 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, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 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

**III. INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS**

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

**IV. EQUIPMENT**

**A. PROCUREMENT:** Subrecipient may use its own procurement regulations which reflect applicable state/local laws, rules and regulations provided they adhere to the following:

1. Equipment with a cost of \$3,000 or more must be purchased on a competitive bid basis, or purchased through use of state cooperative procurement;
2. Price or rate quotations shall be solicited from at least three (3) qualified sources;
3. All procurement transactions, regardless of whether by sealed bids or by negotiation, shall be conducted in a manner that provides maximum open and free competition;
4. Subrecipients shall have a clear and accurate description of the item to be purchased. Such description shall not, in competitive procurements, contain features that unduly restrict competition. A "brand name or equal" description may be used as a means to define the performance or other requirement of a procurement;
5. If for some reason the low bid is not acceptable, the Subrecipient must have written approval from the MHTC prior to bid approval and purchase.
6. Subrecipients will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services.

**B. DISPOSITION:** The Subrecipient shall make written request to the MHTC for instructions on the proper disposition of all items of equipment provided under the terms of this contract with a cost of \$5,000 or more. Subrecipient must keep and maintain equipment with a cost of under \$5,000 until it is no longer useful for its originally intended purpose.

**C. REPLACEMENT:** No equipment may be funded on a replacement basis. Participation in equipment and manpower projects must be in addition to the Subrecipient's previous twelve months authorized strength .

**V. FISCAL RESPONSIBILITY**

**A. MAINTENANCE OF RECORDS:** The Subrecipient agrees that the Commission and/or its designees or representatives shall have access to all records related to the grant. The Subrecipient further agrees that the Missouri Department of Transportation (MoDOT) Highway Safety and Traffic (HS) Division, the National Highway Traffic Safety Administration (NHTSA), the Federal Highway Administration (FHWA) and/or any Federal audit agency with jurisdiction over this program and the Auditor of the State of Missouri or any of their duly authorized representatives may have access, for purpose of audit and examinations, to any books, documents, papers or records maintained by the Subrecipient pertaining to this contract and further agrees to maintain such books and records for a period of three (3) years following date of final payments.

**B. REIMBURSEMENT VOUCHER, SUPPORTING DOCUMENTATION AND PAYMENT SCHEDULE:** The MHTC agrees to reimburse the Subrecipient for accomplishment of all authorized activities performed under this contract. Reimbursement proceedings will be initiated upon the receipt of a claim voucher and supporting documentation from the Subrecipient, as required by the MHTC. The voucher must reflect actual costs and work accomplished during the project period, to be submitted on the appropriate MHTC certified payroll form or in a format approved by the MHTC, and shall include project number, project period, hours worked, rate of pay, any other allowable expenditures, and must be signed by the person preparing the voucher and the project director or authorizing official. Vouchers should be received by the MHTC within ten (10) working days from the date of the authorizing official/project director's signature. Final payment is contingent upon receipt of final voucher. **AUDITS:** Subrecipient will be responsible for the required supporting documentation no later than 30 days after the end of the contract period.

**C. ACCOUNTING:** The Subrecipient shall maintain all documentation in file for audit review; failure to provide supporting documentation at the time of audit could result in questioned costs. The Subrecipient must document the following: (1) Receipt of federal funds, (2) date and amount paid to employees, (3) employee's timesheet (regular hours and overtime hours). Documentation shall be kept available for inspection for representatives of the MHTC for a period of three years following date of final payments. Copies of such records shall be made available upon request.

**D. OMB AUDIT:** A subrecipient that expends \$750,000 or more during the subrecipient's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of 2 CFR §200.501. A copy of the Audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. A subrecipient that expends less than \$750,000 during the subrecipient's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in 2 CFR §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO). Failure to furnish an acceptable audit may be basis for refunding federal funds to the MHTC. Cost records and accounts pertaining to the work covered by this contract shall be kept available for inspection for representatives of the MHTC for a period of three (3) years following date of final payments. Copies of such records shall be made available upon request.

**VI. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)**

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010,

([https://www.fsr.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsr.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to FSRs.gov for each sub-grant awarded:

- A. Name of the entity receiving the award;
- B. Amount of the award;
- C. Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance (or "Assistance Listings") number (where applicable), program source;
- D. Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- E. A unique identifier (DUNS);
- F. The names and total compensation of the five most highly compensated officers of the entity if :
  - 1. the entity in the preceding fiscal year received-
    - a. 80 percent or more of its annual gross revenues in Federal awards;
    - b. \$25,000,000 or more in annual gross revenues from Federal awards; and
  - 2. the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- G. Other relevant information specified by OMB guidance.

**VII. TERMINATION**

If, through any cause, the Subrecipient shall fail to fulfill in timely and proper manner its obligation under this contract, or if the Subrecipient shall violate any of the covenants, agreements or stipulations of this contract, the MHTC shall thereupon have the right to terminate this contract and withhold further payment of any kind by giving written notice to the Subrecipient of such termination and specifying the effective date thereof, at least thirty (30) days before such date. The MHTC shall be the sole arbitrator of whether the Subrecipient or its subcontractor is performing its work in a proper manner with reference to the quality of work performed by the Subrecipient -or its subcontractor under the provisions of this contract. The Subrecipient and the MHTC further agree that this contract may be terminated by either party by giving written notice of such termination and specifying the effective date thereof, at least thirty (30) days before such date.

**VIII. NONDISCRIMINATION**

**(applies to subrecipients as well as States)**

The State highway safety agency 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) and 49 CFR part 21;
- **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, sub-recipients 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** (prevents 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); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR at 74087 to 74100).

The State highway safety agency-

1. Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
2. Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
3. Agrees to comply (and require any of its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
4. Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
5. Insert in all contracts and funding agreements with other State or private entities the following clause:

During the performance of this contract/funding agreement, the contractor/funding recipient agrees-

1. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
2. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
3. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State Office of Highway Safety, US DOT or NHTSA;

4. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
5. To insert this clause, including paragraphs 1 through 5, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement that receives Federal funds under this program.

**IX. STATUTORY AND REGULATORY REQUIREMENTS**

**A. COMPLIANCE:** The Subrecipient must comply with the following Statutes or Rules:

1. Peace Officer Standards and Training (P.O.S.T.) Chapter 590 RSMo Department of Public Safety (DPS) certification of peace officers
2. Statewide Traffic Accident Records System (STARS) 43.250 RSMo--Law enforcement officer to file all crash reports with Missouri State Highway Patrol (MSHP).
4. Uniform Crime Reporting RSMo 43.505--Crime incident reports shall be submitted to DPS on forms or in format prescribed by DPS.
5. Racial Profiling RSMo 590.650--Law enforcement agency to file a report to the Attorney General each calendar year.
6. US DOT AND OMB REGULATIONS: The Subrecipient shall comply with all requirements of 2 CFR Parts 200 and 1201 beginning with the federal fiscal year 2016: starting October 1, 2015.

- X. PRODUCTION & DEVELOPMENT COSTS** Items produced with federal funds are within the public domain and are not bound by copyright restrictions. All items produced with federal funds, in whole or in part, must acknowledge this by clearly indicating that MoDOT Highway Safety and Traffic funding supported this effort. Examples may include, but are not limited to print materials; audio/video productions; and training aides such as curricula or workbooks. Any materials developed under this contract must be submitted to the MHTC for approval prior to final print and distribution. Copies of all final products are to be provided to the MHTC. The MHTC has the right to reproduce and distribute materials as the MHTC deems appropriate.

- XI. INDEMNIFICATION** Option 1 below only applies to State agencies, Cities, Counties and other political subdivisions or political corporations of the State of Missouri. Option 2 applies to all other entities (e.g. non-profit, private institutions).

**OPTION 1:**

**A.** To the extent allowed or imposed by law, the Subrecipient shall defend, indemnify and hold harmless the MHTC, including its members and MoDOT employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the Subrecipient's wrongful or negligent performance of its obligations under this Agreement. The Subrecipient may satisfy this requirement utilizing a self-funded program.

**B.** The Subrecipient will require any contractor procured by the Subrecipient to work under this Agreement :

1. To obtain a no cost permit from the MHTC's district engineer prior to working on the MHTC's right-of-way, which shall be signed by an authorized contractor representative (a permit from the MHTC's district engineer will not be required for work outside of the MHTC's right-of-way); and
2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the MHTC, and the MoDOT and its employees, as additional named insured's in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

**C.** In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

**OPTION 2:**

The Subrecipient shall defend, indemnify and hold harmless the MHTC, including its members and the MoDOT employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the Subrecipient's performance of its obligations under this Agreement .



**XII. AMENDMENTS** The Budget Proposal within this Agreement may be revised by the Subrecipient and the MHTC subject to the MHTC's approval without a signed amendment as long as the total contract amount is not altered. Prior to any revision being made to the Budget Proposal, Subrecipient shall submit a written request to the MHTC requesting the change. Any other change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representative of the Subrecipient and the MHTC.

**XIII. MHTC REPRESENTATIVE** The MoDOT Highway Safety and Traffic Division Director is designated as the MHTC's representative for the purpose of administering the provisions of this Agreement. The MHTC's representative may designate by written notice other persons having the authority to act on behalf of the MHTC in furtherance of the performance of this Agreement.

**XIV. ASSIGNMENT** The Subrecipient shall not assign, transfer, or delegate any interest in this Agreement without the prior written consent of the MHTC.

**XV. LAW OF MISSOURI TO GOVERN** This Agreement shall be construed according to the laws of the State of Missouri. The Subrecipient shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

**XVI. VENUE** It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

**XVII. SECTION HEADINGS** All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

**XVIII. NONSEGREGATED FACILITIES**

(Applicable to contracts over \$10,000) Subrecipient and its subcontractors, suppliers and vendors, should meet Federal requirements regarding nonsegregated facilities.

**XIX. FUNDING ORIGATION AND AUDIT INFORMATION**

The MHTC funds the following NHTSA program areas:

<u>Section</u>	<u>CFDA#</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
164	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated
405b	20.616	National Priority Safety Programs
405c	20.616	National Priority Safety Programs
405d	20.616	National Priority Safety Programs
405f	20.616	National Priority Safety Programs

\*The Highway Safety and Traffic Division is aware of the pending 2018 change in CFDA numbers to Assistance Listings. At the time of this contract preparation, the final format of revised CFDA/Assistance Listings was not available from the U.S. General Services Administration (GSA). Once final CFDA numbers are available, the Highway Safety and Traffic Division will provide them via memo.

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

The State 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 Subrecipient'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 Subrecipient'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:
  - a. Abide by the terms of the statement.
  - b. 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)(b) 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)(b), with respect to any employee who is so convicted:
  - a. Taking appropriate personnel action against such an employee, up to and including termination.
  - b. 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.

**XXI. POLITICAL ACTIVITY (HATCH ACT)  
(applies to 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.

**XXII. CERTIFICATION REGARDING FEDERAL LOBBYING  
(applies to 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:

- A. 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.
- B. 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.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-award 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.

**XXIII. 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.

**XXIV. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

**(applies to subrecipients as well as States)**

Instructions for Primary Certification (States)

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
- B. 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 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 participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. 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 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.
- D. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverage sections of 2 CFR Part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary 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 NHTSA.
- G. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier 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 1300.
- H. 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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
- I. 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.
- J. Except for transactions authorized under paragraph F 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, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions:

- 1. The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded 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 record, 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 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 Certification

- A. 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 1300.
- B. 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 and/or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to whom 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.
- D. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. 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 NHTSA.
- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier 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 1300.
- G. 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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
- H. 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.
- I. Except for transactions authorized under paragraph E 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, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

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 participation in this transaction 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.

**XXV. BUY AMERICA ACT  
(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 only steel, iron and manufactured products produced in the United States with Federal funds, 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 to and approved by the Secretary of Transportation.

All items purchased must be compliant with the National Highway Traffic Safety Administration (NHTSA) interpretation of the Buy America Act including, but not limited to:

1. Items valued over \$5,000 per unit must be manufactured or assembled in the United States of America, or as allowed by a current Buy America Act waiver issued by the NHTSA;
2. All vehicles must be manufactured or assembled in the United States of America regardless of cost.

[www.nhtsa.gov/staticfiles/administration/programs-grants/Buy-America-Act-revised-11202015.pdf](http://www.nhtsa.gov/staticfiles/administration/programs-grants/Buy-America-Act-revised-11202015.pdf)

**XXVI. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE  
(applies to 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.

**XXVII. POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Subrecipient 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 on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov). Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at [www.trafficsafety.org](http://www.trafficsafety.org).

**XXVIII. 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 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.

## CONTRACT REQUIREMENTS

### THE FOLLOWING REQUIREMENTS ONLY APPLY TO CONTRACTS THAT INCLUDE TRAINING

Subrecipients offering the MHTC-funded courses must adhere to the following standard elements required for training contracts:

- A. A course schedule must be presented to the MHTC program coordinator prior to the proposed training . The schedule should include: title of course; date(s); time; exact location; and agenda. Any changes to the course schedule must have prior approval from the MHTC.
- B. Each student must complete a survey form at the completion of the workshop/training. The survey will ask a series of questions concerning adequacy of: training received; instructor's presentation; training facility/location; and worth of the training.
- C. The Subrecipient must provide a sign-up sheet for every class when submitting a reimbursement request for the course (a typed list of everyone who registered is not acceptable). The sign-up sheet must capture the following information:
  1. Title of the class
  2. Date(s) and location of class
  3. Printed Name and signature of attendees (unless otherwise prohibited)
  4. Name of agency/organization of each attendee
- D. To ensure cost effectiveness, every effort should be made to enroll a minimum of fifteen (15) students per class.
- E. Copies of the student evaluations, number of students enrolled/number of students attending, agenda/syllabus/curriculum, and participant sign-up sheets must be retained in Subrecipient's files after the training has been conducted and available for MHTC review upon request.

### THE FOLLOWING REQUIREMENTS APPLY TO LAW ENFORCEMENT AGENCIES ONLY

#### **A. PROBLEM IDENTIFICATION**

Subrecipient must develop a selected traffic enforcement plan by evaluating crash data involving fatal , disabling and moderate injuries. This will be done on an annual basis to determine the highest crash locations, to include: month of year, day of week, time of day, and causation factors. This plan must be used to determine locations utilized in site selection for conducting enforcement efforts. Any changes to the enforcement plan must be made in writing to the MHTC project coordinator in advance of enforcement efforts.

#### **B. PROJECT ACTIVITIES**

1. Enforcement activities by the Subrecipient must remain at the current level. Enforcement efforts provided by this contract must be in addition to current enforcement activities.
2. Officers will be permitted to issue multiple citations and/or written warnings to drivers who have committed several violations.
3. High visibility enforcement is a key strategy to reducing traffic crashes ; therefore, law enforcement officers working overtime projects are strongly encouraged to make at least three (3) contacts per hour when conducting an enforcement project.
4. Subrecipient should report monthly or at least quarterly to MHTC using the *Grant Enforcement Activities Monthly Report Form*.
5. Subrecipient is strongly encouraged to participate in all national or state mobilization efforts in conjunction with , or at the direction of, the Highway Safety and Traffic Division. These mobilizations include, but are not limited to: Click It or Ticket campaign, Drive Sober or Get Pulled Over campaign, Youth Seat Belt enforcement campaign, Child Passenger Safety campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejis.org/>.
6. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training certified law enforcement officer will be reimbursed.
7. The Subrecipient will not be eligible for reimbursement for any individual law enforcement officer working under this grant in excess of 40 hours for any two week pay period. The Subrecipient will not be eligible for reimbursement for any individual law enforcement officer working under this grant where said officer is claiming to have worked as a law enforcement officer for more than 16 hours in any 24 hour period.

**C. PARTNERSHIPS**

Law Enforcement agencies are strongly encouraged to participate in the Law Enforcement Traffic Safety Advisory Council (LETSAC) and attend the general meetings and annual conference. Agencies located within the metropolitan areas of St. Louis or Kansas City should participate in Operation Impact (traffic safety task force).

**D. ALLOWABLE COSTS**

Full-time, part-time and reserve officers are eligible to participate in overtime enforcement projects . Part-time and reserve officers must have the same authority as a full-time permanent officer. MHTC will reimburse Subrecipient at officer's standard rate of pay in accordance with Subrecipient policies and procedures regarding standard rate of pay and overtime rate of pay. The Subrecipient will not be reimbursed at the overtime rate for work that according to Subrecipient's own policies and procedures does not constitute overtime. Non- POST certified personnel may be allowed, at the sole discretion of MHTC, in a support/administrative role.

Exceptions to allowable costs may be made with prior written permission of the MHTC.

**E. DRUNK DRIVING ENFORCEMENT PROJECTS**

1. Those officers conducting standardized field sobriety testing must have 24 hours of Standardized Field Sobriety Test training to participate in grant funded enforcement efforts .
2. Agency should participate in quarterly enforcement efforts and the national impaired driving crackdown held annually.

**F. SOBRIETY CHECKPOINTS**

Unless otherwise prohibited by state statute or appropriation,

1. The MHTC will fund enforcement agencies to conduct sobriety checkpoints in accordance with standards outlined in the Sobriety Checkpoint Reference Manual and the Sobriety Checkpoint Supervisor Training program .
2. Sobriety checkpoint enforcement efforts must be coupled with appropriate public information efforts to increase the perceived risk of arrest and to enhance the actual risk of arrest.
3. Enforcement statistics and the agency's sobriety checkpoint operations plan must be submitted with reimbursement vouchers.

## PROBLEM IDENTIFICATION

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Substance-impaired drivers contributed to 25.6 percent of Missouri's traffic crash fatalities during the past five years. Alcohol remains the primary contributor to substance-impaired driving crashes; however, the number of persons under the influence of prescription medications and/or illicit drugs continues to increase. Male drivers were more likely than females to be involved in substance-impaired driving crashes. During the past five years, males were responsible for 82.4 percent of substance-impaired driving fatalities. Ten percent of the children less than 15 years of age who were killed in motor vehicle crashes over the last five years, were riding with a substance-impaired driver.

### Jackson County Impaired Driving Crashes (as reported by MSHP Crash Data)

2009 - 987  
2010 - 833  
2011 - 832  
2012 - 752  
2013 - 815  
2014 - 688  
2015 - 662  
2016 - 650  
2017 - 816

### Jackson County Impaired Driving Fatal Crashes (as reported by MSHP Crash Data)

2009 - 27  
2010 - 10  
2011 - 18  
2012 - 10  
2013 - 13  
2014 - 13  
2015 - 10  
2016 - 10  
2017 - 16

Viewing the average number of impaired driving related fatalities during the first three years of in the charts above to the average of the last three years, it's clear that Jackson County's number of fatal impaired driving traffic crash fatalities has been more than cut in half since 2007, when funds were first granted by HSD for the formation of the Traffic Safety Unit. It's also obvious that over the past four years, the number of impaired driving traffic crashes appear to have "flatlined," with little to no movement up, or down. This may lead some to the flawed perception that "we're doing all we can do."

The TSU refuses to accept that "there just aren't that many drunks out there anymore." As long as impaired driving fatalities remain higher than zero, there remain more impaired drivers to be detected, and arrested. A quote which truly narrates the battle the TSU and all DWI Enforcement in the state of Missouri face, was best said by H.G. Wells in a book titled "The Time Machine" which states "Nature never appeals to intelligence until habit and instinct are useless. There is no intelligence where there is no need of change."

This statement outlines the very basic fact that human nature often times works in direct contradiction of intelligence and self preservation when there is no deterrent for the actions, continued impaired driving fatalities proves this hypothesis. Keeping this unfortunate reality in mind the mission of the TSU must continue. The TSU must continue to be the "need for change" through aggressive enforcement and education, which quite possibly could be the catalyst to implant the intelligence missing from the equation, as described by H.G. Wells.

The investigation of impaired driving offenses is an integral part of all law enforcement officers' skill sets. Agencies such as the Austin, TX Police Department have evaluated the success of DWI enforcement units compared to patrol. It is estimated that there is only one arrest for every 88 incidents of a person driving with a blood alcohol concentration over the legal limit (Zador, 2001.) Two reasons that are often cited for why there are not more arrests are the complexity of the DWI arrest process, and the length of time the officer must devote to processing the offender and completing the paperwork (Jones, Lacey, and Wiliszowski, 1998).

When considering the efficiency of DWI Enforcement conducted by patrol deputies, versus by full-time DWI Enforcement deputies, keep the following in mind:

Patrol Deputy:



- Receives initial DWI investigation training at the academy, and possibly refreshers once or twice in career.
- Performs SFSTs sometimes only a few times a year, or not at all, and is thus not comfortable with them.
- Subject to pressures of call volume and other serious crimes, may not invest the time in DWI investigations.
- Viewed by the public as "just another cop" who may, or may not be pursuing DWI offenders.
- May not recognize cases of drug-impaired driving, or other non-alcohol impaired driving cases.

**DWI Enforcement Deputy:**

- Receives regular continuing education in DWI enforcement.
- Performs SFSTs on a regular basis, is comfortable conducting, and testifying about the tests.
- Is assigned full-time to DWI enforcement, not subject to pressures of call volume or other serious crimes.
- Operate marked "DWI ENFORCEMENT" vehicles, perceived by the public as always seeking DWI arrests.

The Highway Safety Division, in the Problem Identification section of all DWI enforcement grant applications for fiscal year 2020, identified the problem of underreporting of impaired driving traffic crashes. Failure to recognize the impairment, or discretionary decisions by officers to not investigate the impairment due to the nature of the crash (single car, driver-only injury or fatality), are believed to contribute to the under-reporting. When agencies such as the Sheriff's Office have full-time DWI enforcement units working, the units frequently respond to crashes to determine if impairment is involved. In crashes handled by the Sheriff's Office, and even by outside agencies, many impaired driving investigations have resulted in arrests that otherwise would not have been made.

During fiscal year 2019, the Sheriff's Traffic Safety Unit arrested 366 subjects for driving while intoxicated. During that same period, deputies assigned to patrol, and other divisions of the Sheriff's Office arrested 39. Of the 29 DWI arrests made by deputies outside the Traffic Safety Unit over 75% were made by a single deputy who worked a significant amount of grant overtime enforcement. This is a clear indicator of the performance of DWI enforcement deputies compared to deputies working DWI enforcement during regular shift hours, or during overtime enforcement hours.

### Core Performance Measure Goals

1. To decrease alcohol-impaired driving involved fatalities by 3.45 percent annually, resulting in a five-year average alcohol-impaired driving involved fatality goal of 230.3 by December 31, 2019.

### Other Performance Measure Goals

1. To decrease alcohol-impaired driving involved serious injuries by 7.51 percent annually, resulting in a five-year average alcohol-impaired driving involved fatality goal of 505.1 by December 31, 2019.

Illustrated by the data in the Problem Identification section, Jackson County impaired driving traffic crash fatalities have not yet fallen below 10 in any single year. We can do better. 2018 crash statistics are not yet complete, and 2019 is in progress.

The Traffic Safety Unit Proposes the following goals, to be pursued by TSU and our partners going forward:

- 2019 - 9 or fewer impaired driving fatalities
- 2020 - 8 or fewer impaired driving fatalities
- 2021 - 7 or fewer impaired driving fatalities
- 2022 - 6 or fewer impaired driving fatalities

The cooperative efforts of interested parties have succeeded in the effective reduction of impaired driving traffic crash fatalities, effectively cutting in half the average number of fatalities over the past eight years. If we can cut the number of fatalities in half once, we can certainly make it our goal to do it again.

In pursuit of this goal, the Traffic Safety Unit has the following objectives:

1. Field a full-time DWI Enforcement Unit, the Traffic Safety Unit, of five deputies and one sergeant.
2. Perform as a full-time saturation patrol. The NHTSA publication "Countermeasures that Work," 8th Edition (2015), identified saturation patrols as among the most effective enforcement methods that can be used to address impaired driving. TSU works as a unit, every shift. The supervisor and all deputies work the same hours, and work in small geographical areas (which change based on day of week, time, and most recent crash data). We are, therefore, a saturation patrol in and of ourselves during each shift that we work. Increased visibility due to the specialized markings of deputies' patrol vehicles enhances this method.
3. Continue to develop as leaders in DWI enforcement amongst the law enforcement community in the Kansas City Metro. The TSU has assisted outside agencies on a regular basis during fiscal year 2018, by assisting with DWI investigations that result from crashes, and traffic stops made by patrol deputies and officers from outside agencies. The TSU will continue to develop this leadership role.
4. Engage the other interested parties in pursuit of the goal. The TSU will share our goals with the public, other law enforcement agencies, the Jackson County Traffic Safety Task Force, MADD, the Highway Safety Division, and others. We will provide updates on progress made. This will involve maintaining an active awareness of traffic crashes in Jackson County as they occur.
5. Increase the number of substance impaired drivers, and work with prosecutors and judges to ensure that adequate prosecution and sentencing are imposed. This work will come in the form of educating members of the courts to the substantial risk presented by substance impaired drivers and the emergent need for interdiction of those persons.
6. Utilize the Type II operators within the TSU to educate the newer members of the Sheriff's Office, and any outside agencies, on basic identification and interdiction of impaired drivers. This action will substantially increase the number of eyes on the streets working to identify and interdict impaired drivers.
7. Identify, interdict, and apprehend 400, or more, impaired drivers and forward all cases to successful prosecution.

## PROJECT DESCRIPTION

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The JCSO TSU functions like and organized saturation patrol on all deployment periods and is currently staffed with 1 sergeant and 5 deputies. The amount of arrests made for impaired driving by the unit has continued to increase since 2014, even posting a ten percent (10%) increase in DWI arrests in FY2018, totaling in a fifteen percent (15%) overall increase in DWI arrests over the two year period. This has been accomplished without the assistance of sobriety check points. The TSU saturates areas who historically have the highest percentage of alcohol related traffic crashes , and the data regarding the selected area's of operation show that a distinct decrease has taken place in these locations.

**SUPPLEMENTAL INFORMATION**

<u>Question</u>	<u>Answer</u>
You must answer the following questions.	
1 Does your agency have and enforce an internal safety belt policy for all personnel?	Yes
2 Does your agency have and enforce a policy restricting cell phone use while driving?	Yes
3 Does your agency report racial profiling data annually?	Yes
4 Does your agency report to STARS?	Yes
5 Does your agency report UCR information annually?	Yes
6 Please explain any NO answer(s) to questions 1-5:	
7 Have any of your officers/personnel been debarred and are therefore not eligible to receive federal funds for reimbursement of salary, fringe benefits, or overtime?	No
8 Does your agency have adequate manpower to fully expend the funds requested in this application?	Yes
9 If NO, please explain.	
10 Have any significant changes occurred with your agency within the last year that would affect performance, including personnel or system changes?	No
11 If YES, please explain.	
12 Are you aware of any fraud, waste or abuse on grant projects in your office/agency within the last 5 years?	No
13 If YES, please explain.	
14 If your agency received Highway Safety grant funding in the last three (3) fiscal years and there were unexpended balances, please explain why.	
<p align="center">The Jackson County Sheriff's Office has received funds through the grant process for several years. If any year there was outstanding balance in the funds it has been due to lack of participation in the enforcement activities; however as of last fiscal year it was necessary to obtain additional funding late in the year to facilitate payment of overtime hours for DWI enforcement.</p>	
15 Did your political entity receive more than 80% of its annual gross revenues in Federal Awards in your preceding fiscal year?	No
16 Did your political entity receive \$25,000,000 or more in Federal Awards in your preceding fiscal year?	No
17 If you answered NO to either question 15 and 16, DO NOT answer this question. If you answered YES to both question 15 and 16, and the public does not have access to this information, list the names and compensation amounts of the five most highly compensated employees in your business or organization (the legal entity to which the DUNS number it provided belongs).	

Please use the most current 12-months of data available for answering questions 18-23. Include ALL of your agency's statistics, not just those issued during grant activity.

18 Total number of DWI violations written by your agency.	390
19 Total number of speeding violations written by your agency.	925
20 Total number of HMV violations written by your agency.	1691
21 Total number of child safety/booster seat violations written by your agency.	48
22 Total number of safety belt violations written by your agency.	48
23 Total number of sobriety checkpoints hosted.	0

Use the most current three years crash data from the Missouri State Highway Patrol (MSHP) or your internal record management system for questions 24-34.

24 Total number of traffic crashes.	69,782
25 Total number of traffic crashes resulting in a fatality.	263
26 Total number of traffic crashes resulting in a serious injury.	1750
27 Total number of speed-related traffic crashes.	7576
28 Total number of speed-related traffic crashes resulting in a fatality.	108
29 Total number of speed-related traffic crashes resulting in a serious injury.	420
30 Total number of alcohol-related traffic crashes.	1942
31 Total number of alcohol-related traffic crashes resulting in a fatality.	39
32 Total number of alcohol-related traffic crashes resulting in a serious injury.	154
33 Total number of unbuckled fatalities.	95
34 Total number of unbuckled serious injuries.	266

Enter your agency's information below.

35 Total number of commissioned law enforcement officers.	104
36 Total number of commissioned patrol and traffic officers.	50
37 Total number of commissioned law enforcement officers available for overtime enforcement.	100
38 Total number of vehicles available for enforcement.	100
39 Total number of radars/lasers.	16

40	Total number of in-car video cameras.	70
41	Total number of PBTs.	16
42	Total number of Breath Instruments.	6

The following information explains the strategies your agency will use to address the traffic crash problem. This information is considered to be the Project Description and should be specific to the crash problem.

43 Identify primary enforcement locations.

The DWI/Traffic Unit regularly reviews the MSHP's Traffic Crash Mapping Utility, and selects enforcement locations based upon high concentrations of crashes, and/or impaired driving crashes. Currently those locations include I-70 and US 24 Hwy between Blue Ridge Cutoff and Lee's Summit Road, US 71 Hwy, US-350 Hwy, 63rd Street, in Kansas City/Raytown area. It also includes Main St., Broadway Blvd., I-35 and I-670/I-70 in the Mid town Kansas City area.

The DWI/Traffic Unit will conduct enforcement operations through out the entire Jackson County area, with targeted enforcement at specific locations based on crash data as follows:

Tuesday: I-70, I-435, and US-40 Hwy, between Grain Valley and Manchester Traffic Way.

Wednesday: I-70, US-24 Hwy, 23rd Street, I-435 and any ancillary roadways between State Line and MO-291 Hwy.

Thursday and Friday: US-71 Hwy, I-49, Main St., Broadway Blvd., 39th St., Southwest Traffic Way, Southwest Blvd., and I-70 in the portions of Jackson County west of I-435.

Saturday: The TSU will focus on the Mid Town Kansas City area, Down town Kansas City area, MO 291 through Independence, I-70 from east to west county limits, I-435 from north to south county limits, US-71 Hwy and I-49 north to south county limits, I-470 from I-435 to Douglas Rd. in Lee's Summit, and any ancillary roadways.

44 Enter the number of enforcement periods your agency will conduct each month. 20

45 Enter the months in which enforcement will be conducted.

All months of the year (12).

46 Enter the days of the week in which enforcement will be conducted.

Tuesday through Friday, with Saturday's utilized for saturation patrols and mobilizations

47 Enter the time of day in which enforcement will be conducted.

Primarily 6:00 p.m. to 4:00 a.m., while only deviating from this schedule to attend training, conferences, and the occasional secondary duty.

48 Enter the number of officers assigned during the enforcement period. 6

49 If equipment or supplies are requested to conduct this project, explain below why it is needed and how it will be used.

The Sheriff's Office DWI/Traffic Unit was originally equipped with five patrol vehicles funded by the Highway Safety Division in 2008. Two replacement vehicles were funded by HSD in 2014, and another in 2017, to replace Traffic Unit vehicles that were either lost in crashes, or were past their service life. Three additional patrol vehicles have been provided by the Sheriff's Office to replace the other three patrol vehicles used by the DWI/Traffic Unit. We are requesting HSD fund the purchase of two additional patrol vehicles for the DWI/Traffic Unit. The vehicle will be specially marked "DWI ENFORCEMENT", and assigned exclusively for the use of the DWI/Traffic Unit.

## PROJECT EVALUATION

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The MHTC will administratively evaluate this project. Evaluation will be based, at a minimum, upon the following:

1. Law enforcement compliance with state UCR, Racial Profiling, and STARS reporting requirements (law enforcement contracts only)
2. Timely submission of monthly reimbursement vouchers and appropriate documentation to support reimbursement for expenditures (i.e., personal services, equipment, materials)
3. Timely submission of periodic reports (i.e., monthly, quarterly, semi-annual) as required
4. Timely submission of the Year End Report of activity (due within 30 days after contract completion date)
5. Attaining the Goals set forth in this contract\*
6. Accomplishing the Objectives\* established to meet the project Goals, such as:
  - Enforcement activities (planned activities compared with actual activities)
  - Programs (number and success of programs held compared to planned programs, evaluations if available)
  - Training (actual vs. anticipated enrollment, student evaluations of the class, student test scores on course examinations, location of classes, class cancellation information)
  - Equipment purchases (timely purchase of equipment utilized to support and enhance the traffic safety effort ; documentation of equipment use and frequency of use)
  - Public awareness activities (media releases, promotion events, or education materials produced or purchased)
  - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Highway Safety and Traffic Division through annual crash analysis .

Evaluation results will be used to determine:

- The success of this type of activity in general and this particular project specifically ;
- Whether similar activities should be supported in the future; and
- Whether grantee will receive funding for future projects.

\*Evaluation and requests to fund future projects will not be based solely on attaining Goals and/or Objectives if satisfactory justification is provided.

The TSU will continually monitor the location of increase for DWI related traffic crashes , as well as the number of DWI related arrests made, including geographical data, age of offender, time of day or night, and day of the week. These numbers function as our Littman's test for efficiency, and guide the TSU in making adjustments.

**ADDITIONAL FUNDING SOURCES**

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**BUDGET**

<b>Category</b>	<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Cost</b>	<b>Total</b>	<b>Local</b>	<b>Total Requested</b>
<b>Equipment</b>							
	Vehicle	2019 - 2020 Pursuit rated Dodge Durango, with all necessary emergency equipment, communications equipment, and vehicle markings, with "DWI Enforcement Unit" conspicuously displayed on the rear of the vehicle, for use by the DWI/Traffic Unit.	1.00	\$46,000.00	\$46,000.00	\$0.00	\$46,000.00
					<b>\$46,000.00</b>	<b>\$0.00</b>	<b>\$46,000.00</b>
<b>Personnel</b>							
	Enforcement Hours and Fringe	2,080 hours of dedicated impaired driving enforcement. Rate includes fringe.	1.00	\$518,411.13	\$518,411.13	\$259,205.57	\$259,205.56
					<b>\$518,411.13</b>	<b>\$259,205.57</b>	<b>\$259,205.56</b>
<b>Training</b>							
					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Total Contract</b>					<b>\$564,411.13</b>	<b>\$259,205.57</b>	<b>\$305,205.56</b>

## ATTACHMENTS

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**Document Type**  
WORD

**Description**  
County Authorization Form

**Original File Name**  
Authorization Form.pdf

**Date Added**  
02/11/2019

**EXECUTIVE OFFICE**  
**REQUEST FOR LEGISLATIVE ACTION**

OCT 15 '19 AM 11:38

OCT 15 2019

**Version 6/10/19**

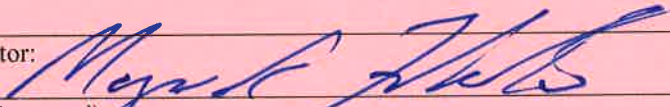

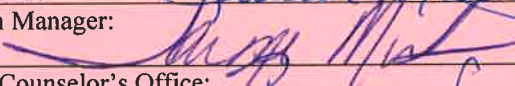
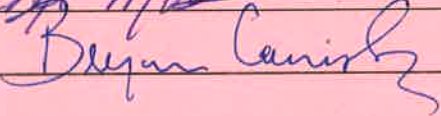
Completed by County Counselor's Office:

Res/Ord No.: 5279

Sponsor(s): Crystal Williams

Date: October 21, 2019

<p><b>SUBJECT</b></p>	<p>Action Requested  <input type="checkbox"/> Resolution  <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: Jackson County Sheriff's Office DWI Enforcement Unit. An ordinance to appropriate \$305,205.56 from the undesignated fund balance by transferring \$180,000.00 from the Sheriff's Office Grant Match Fund and \$79,205.57 from Other Contractual Services and to authorize the County Executive to execute an agreement with the Missouri Traffic and Highway Safety Division in acceptance of a grant awarded by the Missouri Department of Transportation (hereinafter referred to as MODOT) to the Sheriff's Office. Contract # 20-154-AL-022</p>																																											
<p><b>BUDGET INFORMATION</b>  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$564,411.13</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0.00</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$564,411.13</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0.00</td> </tr> <tr> <td>FROM:</td> <td>FROM ACCT:</td> </tr> <tr> <td>Grant Fund – 010 - 2810</td> <td>\$305,205.56</td> </tr> <tr> <td>Grant Match 001-4201-56798</td> <td>\$180,000.00</td> </tr> <tr> <td>Other Contractual Services 001-4201-56790</td> <td>\$79,205.57</td> </tr> <tr> <td>TO: Grant Fund 010 - 4212</td> <td>TO ACCT:</td> </tr> <tr> <td>Regular Salaries – 55010</td> <td>\$347,959.51</td> </tr> <tr> <td>Overtime Salaries (worked holidays only) – 55030</td> <td>\$12,000.00</td> </tr> <tr> <td>FICA Taxes– 55040</td> <td>\$39,658.45</td> </tr> <tr> <td>Pension Contributions – 55050</td> <td>\$46,657.00</td> </tr> <tr> <td>Insurance Benefits – 55060</td> <td>\$64,936.17</td> </tr> <tr> <td>Wearing Apparel – 57190</td> <td>\$7,200.00</td> </tr> <tr> <td>Total Salary and Fringe:</td> <td>\$518,411.13</td> </tr> <tr> <td>Grant Fund – 010 – 4212</td> <td></td> </tr> <tr> <td>Vehicles – 58120</td> <td>\$31,651.00</td> </tr> <tr> <td>Other Equipment – 58170</td> <td>\$14,349.00</td> </tr> <tr> <td>Total Automobile and Equipment:</td> <td>\$46,000.00</td> </tr> <tr> <td><b>TOTAL:</b></td> <td><b>\$564,411.13</b></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p><b>OTHER FINANCIAL INFORMATION:</b></p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:  Department: _____ Estimated Use: _____</p> <p>Prior Year Budget (if applicable): \$491,899  Prior Year Actual Amount Spent (if applicable): \$491,899</p>		Amount authorized by this legislation this fiscal year:	\$564,411.13	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$564,411.13	Amount budgeted for this item * (including transfers):	\$0.00	FROM:	FROM ACCT:	Grant Fund – 010 - 2810	\$305,205.56	Grant Match 001-4201-56798	\$180,000.00	Other Contractual Services 001-4201-56790	\$79,205.57	TO: Grant Fund 010 - 4212	TO ACCT:	Regular Salaries – 55010	\$347,959.51	Overtime Salaries (worked holidays only) – 55030	\$12,000.00	FICA Taxes– 55040	\$39,658.45	Pension Contributions – 55050	\$46,657.00	Insurance Benefits – 55060	\$64,936.17	Wearing Apparel – 57190	\$7,200.00	Total Salary and Fringe:	\$518,411.13	Grant Fund – 010 – 4212		Vehicles – 58120	\$31,651.00	Other Equipment – 58170	\$14,349.00	Total Automobile and Equipment:	\$46,000.00	<b>TOTAL:</b>	<b>\$564,411.13</b>
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<p><b>PRIOR LEGISLATION</b></p>	<p>Prior ordinances and (date): 5148 (10/1/2018)</p>																																											
<p><b>CONTACT INFORMATION</b></p>	<p>RLA drafted by (name, title, &amp; phone): Sgt. Doug Blodgett TSU Sergeant 816-316-6440</p>																																											

REQUEST SUMMARY	<p>An ordinance to appropriate \$305,205.56 from the undesignated fund balance <sup>and so</sup> by transferring \$180,000.00 from the Sheriff's Office Grant Match Fund and \$79,205.57 from Other Contractual Services, and to authorize the County Executive to execute an agreement with the Missouri Traffic and Highway Safety Division in acceptance of a grant awarded by the Missouri Department of Transportation (hereinafter referred to as MODOT) to the Sheriff's Office. Contract # 20-154-AL-022</p> <p>The grant awarded in the amount of \$305,205.56 and requires \$259,205.56 in Grant Match Funding.</p> <p>The term of this grant is from 01 October 2019 to 30 September, 2020.</p> <p>The Goal of this grant is to fund the Jackson County Sheriff's Office DWI Enforcement Unit at 50% of the salary and fringe, and provided 100% of the cost of a 2020 Dodge Durango with equipment, for use by the unit primarily for DWI Enforcement operations, to reduce impaired driving related injury and fatality crashes in Jackson County, Missouri.</p>	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals	
ATTACHMENTS	MODOT Contract # 20-154-AL-022	
REVIEW	Department Director: 	Date: 10-10-19
	Finance (Budget Approval):  <i>If applicable</i>	Date: 10/14/19
	Division Manager: 	Date: 10-15-19
	County Counselor's Office: 	Date: 10/17/19

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation and transfer are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
001-4201-56798	General Fund Sheriff Grant Match	\$180,000.00

001-4201-56790	General Fund Sheriff – Other Contractual Services	\$79,205.57
8M 001-2810	<i>General Fund - Undesignated Fund Balance</i>	\$305,205.56

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** appropriating \$18,629.00 from the undesignated fund balance of the 2019 General Fund, representing payments of insurance proceeds to be used to fund repairs to and the restoration of the downtown Jackson County Courthouse and related costs, necessitated by recent water damage.

**ORDINANCE NO. 5280**, October 21, 2019

**INTRODUCED BY** Theresa Galvin, County Legislator

WHEREAS, the County has received a check in the amount of \$18,628.24, representing a partial payment of insurance proceeds to be used to fund repairs to and the restoration of the downtown Jackson County Courthouse and related costs, necessitated by recent water damage; and,

WHEREAS, an appropriation is necessary to place the received funds in the proper spending accounts; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2019 General Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund			
Courthouse Flood Ins			
001-1240	47040 – Reimb. Damage Claims	\$18,629	
001-2810	Undesignated Fund Balance		\$18,629
001-2810	Undesignated Fund Balance	\$18,629	
Courthouse Flood Ins			
001-1240	56620-Rent Buildings		\$18,629

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Jay D. Holden  
Chief Deputy County Counselor

Bryan O. Cairns  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5280 introduced on October 21, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No.5280.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 001 2810  
ACCOUNT TITLE: General Fund  
Undesignated Fund Balance  
NOT TO EXCEED: \$18,629.00

10/17/19  
\_\_\_\_\_  
Date

[Signature]  
\_\_\_\_\_  
Chief Administrative Officer



**REQUEST FOR LEGISLATION**

OCT 15 2019

Completed by County Counselor's Office:

Res/Ord No.: 5280

Sponsor(s): Theresa Galvin

Date: October 21, 2019

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Appropriating \$18,628.24 from the undesignated fund balance in acceptance of insurance proceeds from Travelers as it relates to burst pipes at the Downtown Courthouse</u>												
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" style="width: 100%;"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$18,629</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$3,201,056</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$3,219,685</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;"><i>\$18,629</i></td> </tr> <tr> <td>Source of funding (name of fund) and account code number: FROM 001 (General Fund)-1240 (Courthouse Flood Insurance) -47040 (Reimbursement for Damage Claims)</td> <td style="text-align: right;">FROM ACCT \$18,629</td> </tr> <tr> <td>TO 001 (General Fund) - 1240 (Courthouse Flood Insurance) – 56620 (Rent)</td> <td style="text-align: right;">TO ACCT \$18,629</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____  Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____	Amount authorized by this legislation this fiscal year:	\$18,629	Amount previously authorized this fiscal year:	\$3,201,056	Total amount authorized after this legislative action:	\$3,219,685	Amount budgeted for this item * (including transfers):	<i>\$18,629</i>	Source of funding (name of fund) and account code number: FROM 001 (General Fund)-1240 (Courthouse Flood Insurance) -47040 (Reimbursement for Damage Claims)	FROM ACCT \$18,629	TO 001 (General Fund) - 1240 (Courthouse Flood Insurance) – 56620 (Rent)	TO ACCT \$18,629
Amount authorized by this legislation this fiscal year:	\$18,629												
Amount previously authorized this fiscal year:	\$3,201,056												
Total amount authorized after this legislative action:	\$3,219,685												
Amount budgeted for this item * (including transfers):	<i>\$18,629</i>												
Source of funding (name of fund) and account code number: FROM 001 (General Fund)-1240 (Courthouse Flood Insurance) -47040 (Reimbursement for Damage Claims)	FROM ACCT \$18,629												
TO 001 (General Fund) - 1240 (Courthouse Flood Insurance) – 56620 (Rent)	TO ACCT \$18,629												
PRIOR LEGISLATION	Prior ordinances and (date): 5205 (3/11/19); 5211 (3/25/19); 5228 (5/20/19); 5232 (6/10/19); 5235 (6/10/19); 5237 (7/1/19); 5240 (7/22/19); 5258 (9/9/19) Prior resolutions and (date): _____												
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Sarah Matthes, Grant Audit & Risk Manager, 881.3202												
REQUEST SUMMARY	Travelers Insurance sent check #90590838 for \$18,628.24 to go towards repairs and other expenses related to the water line breaks at the Downtown Courthouse.  Requesting that the \$18,629 be appropriated into the following accounts: 001-1240-56620 \$18,629 Rent for 1301 Oak												
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)												
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals												
ATTACHMENTS	Copy of Travelers Insurance check												
REVIEW	<table border="1" style="width: 100%;"> <tr> <td>Department Director: <i>[Signature]</i></td> <td>Date: <i>10-15-2019</i></td> </tr> <tr> <td>Finance (Budget Approval): <i>[Signature]</i> <i>If applicable</i></td> <td>Date: <i>10/15/19</i></td> </tr> <tr> <td>Division Manager: <i>[Signature]</i></td> <td>Date: <i>10-15-19</i></td> </tr> <tr> <td>County Counselor's Office: <i>[Signature]</i></td> <td>Date: <i>10/17/19</i></td> </tr> </table>	Department Director: <i>[Signature]</i>	Date: <i>10-15-2019</i>	Finance (Budget Approval): <i>[Signature]</i> <i>If applicable</i>	Date: <i>10/15/19</i>	Division Manager: <i>[Signature]</i>	Date: <i>10-15-19</i>	County Counselor's Office: <i>[Signature]</i>	Date: <i>10/17/19</i>				
Department Director: <i>[Signature]</i>	Date: <i>10-15-2019</i>												
Finance (Budget Approval): <i>[Signature]</i> <i>If applicable</i>	Date: <i>10/15/19</i>												
Division Manager: <i>[Signature]</i>	Date: <i>10-15-19</i>												
County Counselor's Office: <i>[Signature]</i>	Date: <i>10/17/19</i>												

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation and transfer are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
001-1240-47040	General Fund – Courthouse Flood Insurance – Reimbursement for Damage Claims	\$18,629

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

## Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: October 15, 2019

ORD # 5280

Department / Division	Character/Description	From	To
<b>General Fund - 001</b>			
1240 - Courthouse Flood Ins	47040 - Reimb Damage Claims	18,629	
2810	Undesignated Fund Balance		18,629
2810	Undesignated Fund Balance	18,629	
1240 - Courthouse Flood Ins	56620 - Rent - Buildings		18,629
		<u>\$ 37,258</u>	<u>\$ 37,258</u>

*Saul M. D.* 10/15/19  
Budgeting

005996

THE TRAVELERS - TRAVELERS - PROPERT  
TRAVELERS - PROPERTY CLAIM  
P.O. BOX 430  
BUFFALO NY 14240-0430  
SA02990

891A 90590838

TRAVELERS 

DATE: 09/23/19  
LOSS DATE: 01/31/19  
FILE NUMBER: 877 FR FDH7165 J

JACKSON COUNTY, MO  
415 EAST 12TH ST. ROOM105  
KANSAS CITY MO 64106

AGENT:  
LOCKTON COMPANIES LLC

ACCOUNT NAME:  
JACKSON COUNTY, MO

THE TRAVELERS INDEMNITY COMPANY

EXPLANATION OF PAYMENT

Building \$18628.24  
TOTAL PAID \$18628.24

001-1240-47040  
Travelers Paid DTCH 1/31/19 #10

SUPPLEMENT - BASEMENT  
ATTN: SARAH MATTHES

FOR ADDITIONAL INFORMATION, CONTACT: DAVID B MCLEAN AT (913)967-9095

266003006  
DETACH CHECK

UNSUMM -111911  
OVRPUN2-121296  
DETACH CHECK

THIS DOCUMENT HAS A RED BACKGROUND - BORDER CONTAINS MICRO PRINTING AND AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

Citibank, N.A.  
One Penns Way  
New Castle DE 1972

TRAVELERS 

891A 90 90838

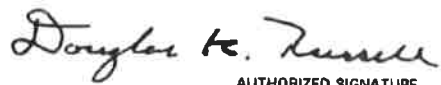
P.O. BOX 430  
BUFFALO NY 14240-0430  
(913)967-9095

DATE ACCOUNT NUMBER FILE NUMBER  
09/23/19 J99 877 FR FDH7165 J  
EIGHTEEN THOUSAND SIX HUNDRED TWENTY EIGHT AND 24/100

VOID IF NOT PRESENTED WITHIN  
ONE YEAR AFTER DATE OF ISSUE

PAY: \$\*\*\*18,628.24 DBM

PAY  
TO THE ORDER OF JACKSON COUNTY, MO  
415 EAST 12TH ST. ROOM105  
KANSAS CITY MO 64106  
005996  
SA02990

  
AUTHORIZED SIGNATURE

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** appropriating \$54,452.00 from the undesignated fund balance of the 2019 Health Fund in acceptance of funds received from the Missouri Department of Health and Senior Services for the Opioid and Violent Death tracking program and Opioid Surveillance Toxicology testing, and the Missouri Department of Social Services for forensic autopsy services, to be applied to various expenses within the Medical Examiner's Office.

**ORDINANCE NO. 5281**, October 21, 2019

**INTRODUCED BY** Crystal Williams, County Legislator

WHEREAS, by Resolution 19879, dated June 4, 2018, the Legislature did authorize a renewal to the agreement with the Missouri Department of Social Services relating to autopsy services; and,

WHEREAS, by Resolution 19962, dated August 20, 2018, the Legislature did authorize an amendment to the program services agreement with the Missouri Department of Health and Senior Citizens relating to the Opioid and Violent Death tracking program; and,

WHEREAS, by Resolution 19964, dated August 20, 2018, the Legislature did authorize an agreement with the Missouri Department of Health and Senior Citizens relating to Opioid Surveillance Toxicology testing; and,

WHEREAS, the Medical Examiner's Office has a continuing need for contractual services of outside forensic pathologists to provide coverage for the remainder of 2019; and,

WHEREAS, the 2019 budgeted monies for contractual services have been depleted due to the need to fund this coverage; and,

WHEREAS, in order to support the next few months of the contractual services, the funds collected from opioid and violent death tracking, opioid surveillance toxicology testing, and forensic services provided to the State of Missouri will need to be used; and,

WHEREAS, additional funds are also required for the repair of an office vehicle and to pay the Chief Medical Examiner’s contractually specified automobile allowance; and,

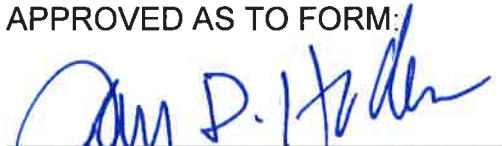
WHEREAS, an appropriation is necessary to place these funds in the appropriate spending accounts; now therefore,

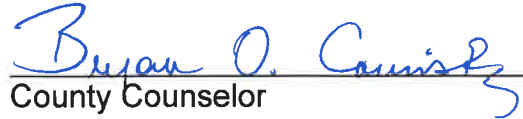
BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2019 Health Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Health Fund			
002-9999	45907-Opioid Surveillance ME	\$32,380	
002-9999	42625- Medical Examiners Fees	\$22,072	
002-2810	Undesignated Fund Balance		\$54,452
002-2810	Undesignated Fund Balance	\$54,452	
Medical Examiner			
002-2001	56530- Maint. & Repair-Auto		\$ 7,000
002-2001	56790- Other Contractual Svc.		\$45,452
002-2001	56120- Car Allowance & Mileage		\$ 2,000

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5281 introduced on October 21, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5281.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 002 2810  
ACCOUNT TITLE: Health Fund  
Undesignated Fund Balance  
NOT TO EXCEED: \$54,452.00

10/17/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Administrative Officer

**REQUEST FOR LEGISLATIVE ACTION**

**Version 6/10/19**

Completed by County Counselor's Office:



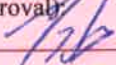
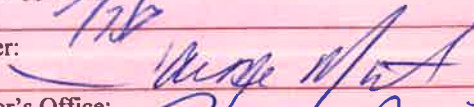
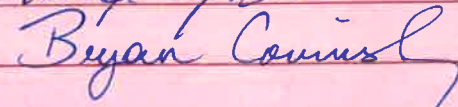
Res/Ord No.: 5281

Sponsor(s): Crystal Williams

Date: October 21, 2019

<p><b>SUBJECT</b></p>	<p>Action Requested  <input type="checkbox"/> Resolution  <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: Transfer of funds collected through Violent Death and Enhanced Opioid Surveillance Reporting, Opioid Surveillance Toxicology Testing Reimbursement, Agreement for Medical Examiner services with the State of Missouri, and forensic autopsy services in 2019</p>																								
<p><b>BUDGET INFORMATION</b>  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" style="width: 100%;"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$54,452</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$54,452</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$54,452</td> </tr> <tr> <td colspan="2">Source of funding (name of fund) and account code number:</td> </tr> <tr> <td colspan="2">From:</td> </tr> <tr> <td>002-9999-45907 Opioid Surveillance ME</td> <td style="text-align: right;">\$32,380.</td> </tr> <tr> <td>002-9999-4262<sup>MS</sup> Exam Fees</td> <td style="text-align: right;">\$22,072.</td> </tr> <tr> <td colspan="2">To:</td> </tr> <tr> <td>002-2001-56530 Maint &amp; Repair Auto</td> <td style="text-align: right;">\$7,000</td> </tr> <tr> <td>002-2001-56790 Other Contractual Svcs</td> <td style="text-align: right;">\$45,452</td> </tr> <tr> <td>002-2001-56120 Car Allowance &amp; Mileage</td> <td style="text-align: right;">\$2,000</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p><b>OTHER FINANCIAL INFORMATION:</b></p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:          Department: _____ Estimated Use: _____</p> <p>Prior Year Budget (if applicable): _____          Prior Year Actual Amount Spent (if applicable): _____</p>	Amount authorized by this legislation this fiscal year:	\$54,452	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$54,452	Amount budgeted for this item * (including transfers):	\$54,452	Source of funding (name of fund) and account code number:		From:		002-9999-45907 Opioid Surveillance ME	\$32,380.	002-9999-4262 <sup>MS</sup> Exam Fees	\$22,072.	To:		002-2001-56530 Maint & Repair Auto	\$7,000	002-2001-56790 Other Contractual Svcs	\$45,452	002-2001-56120 Car Allowance & Mileage	\$2,000
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<p><b>PRIOR LEGISLATION</b></p>	<p>Prior ordinances and (date): _____          Prior resolutions and (date): Res. 19964 August 2018,          Res. 19962 August 2018          Res. 19879 June 2018</p>																								
<p><b>CONTACT INFORMATION</b></p>	<p>RLA drafted by (name, title, &amp; phone): RLA drafted by Kandi Brooke, Administrative Supervisor for Dr. Marius Tarau, Chief Medical Examiner, (816) 881-6609</p>																								
<p><b>REQUEST SUMMARY</b></p>	<p>Due to a shortage in doctors, the Medical Examiner's Office has required the contractual services of outside forensic pathologists to provide coverage throughout the remainder of 2019. The 2019 budgeted amount in the contractual services line (56790) was depleted while funding contracts for coverage during June – October. The best option we have in order to support the next few months utilizing those locum doctors is an RLA to transfer funds (\$54,452) collected through the Missouri Violent Death/Opioid reporting, Opioid Surveillance Toxicology Testing Reimbursement, Agreement for Medical Examiner services with the State of Missouri, and 2019 revenue collected from forensic services provided by JCMEO to outside referral counties.</p> <p style="text-align: right;">Cont.</p>																								



	<p>For that reason, the Medical Examiner's Office is requesting to receive funds that our department has collected through the two following sources:</p> <p>1. Funds collected through the Missouri Violent Death and Enhanced Opioid Surveillance Reporting (Res. 19962 August 2018) and Opioid Surveillance Toxicology Testing Reimbursement (Res. 19964, August 2018) and in the amount of \$ 32,380 Transferred from (002-9999-45907 Opioid Surveillance ME)</p> <p>2. Funds collected through Agreement for Medical Examiner services with the State of Missouri (Res. 19879, June 2018), and forensic autopsy services provided by JCMEO to outside referral counties in the amount of \$ 22,072 (Actual amount collected in 2019 YTD was \$57,072. However, the Medical Examiner's estimated revenue for 2019 was \$35,000)  Transferred from (002-9999-42625 Exam Fees)</p> <p>Transferred to the MEO budget lines: 002-2001-56530 Maint and Repair Auto \$7000 - Needed repair on investigators vehicle 002-2001-56790 Other Contractual Services \$45,452 - Contract doctors 002-2001-56120 Car Allowance &amp; Mileage \$2000 - To cover terms included in the Chief Medical Examiner's contract</p>	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals	
ATTACHMENTS	JCMEO 2019 Revenue Spreadsheet Res. 19962 August 2018 Res. 19964, August 2018 Res. 19879, June 2018	
REVIEW	Department Director:  Finance (Budget Approval)  If applicable Division Manager:  County Counselor's Office: 	Date: 10/16/2019 Date: 10/16/19 Date: 10-16-19 Date: 10/17/19

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_

- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



**JCMEO 2019 Revenue Spreadsheet as of 9-26-19**

20190123	EF 01181901698	\$2,000.00	State of Missouri	Lewis Autopsy DSS
20190104	EF 01021903814	\$1,500.00	State of Missouri	Ferguson Autopsy DOC

2/5/2019	20073	\$29.90	Turner and Sweeny	18-8616 Garner
1/10/2019	79773	\$25.60	Dysart Taylor Cotter	17-2904 Cheatem
1/30/2019	1421821	\$10.90	Dearborn National Life	18-05555 Lee
1/16/2019	2155	\$11.00	Melinda Faye Brown	13-2003 Scroggs
1/22/2019	69718	\$28.20	Sanders Warren Russell	15-2684 Williams
1/14/2019	221774	\$11.50	Covent Bridge	18-7415 Moore
<b>1/17/2019</b>	<b>95996</b>	<b>\$2,000.00</b>	<b>Lafayette County</b>	<b>18-8169 Hartzell</b>
1/11/2019	117567	\$23.30	Hinkle Law Firm	18-5999 Crosby
12/31/2018	28431	\$10.80	The Insight Group Risk	18-0748 Miller
1/9/2019	42790	\$24.60	Dollar, Burns, & Becker	18-3645 Smith
2/7/2019	22255	\$11.00	Covent Bridge	18-6027 Yoest

20190222	EF 02201902057	\$1,500.00	State of Missouri	Nolan Autopsy DOC
20190213	EF 02081901675	\$1,500.00	State of Missouri	Richardson Autopsy DOC
20190206	EF 02041901488	\$1,500.00	State of Missouri	Sprague Autopsy DOC

3/1/2019	70185	\$39.95	Sanders Warren & Russell	14-2518 Winding
3/14/2019	1209	\$11.50	L David Covino	19-0966 Deffenbaugh
3/13/2019	29652	\$10.30	The Redfearn Law Firm	17-0682 Johnson
3/13/2019	29650	\$11.00	The Redfearn Law Firm	17-0682 Johnson
3/14/2019	94442	\$11.20	Edelman & Thompson	18-8770 Wright
3/14/2019	5349	\$27.50	Fowler Eisenmenger Norfleet	18-8772 Warmack
3/11/2019	58226	\$12.50	Lashly & Baer	17-1954 Pennington
2/24/2019	2570	\$29.80	Meyerkord, Russell,	17-4971 Mohamud
2/20/2019	19139	\$40.05	Legal Fulfillment Group	18-4369 San Nichols
2/22/2019	6708	\$28.40	DiPasquale	18-8771 Fordham
2/21/2019	6005	\$10.90	Diligence International Group	19-0668 Coughlin
2/13/2019	199611	\$22.20	State Farm	18-8770 Wright
2/13/2019	199610	\$22.10	State Farm	18-8771 Fordham
2/13/2019	199612	\$22.10	State Farm	18-8772 Warmack
<b>2/14/2019</b>	<b>57561</b>	<b>\$2,000.00</b>	<b>Henry County</b>	<b>19-0403 Simmons</b>
<b>2/27/2019</b>	<b>96354</b>	<b>\$2,000.00</b>	<b>Lafayette County</b>	<b>18-7979 Wehmeyer</b>

3/28/2019	1171	\$75.00	The Potts Law Firm	16-3977 Dunlap
<b>4/9/2019</b>	<b>105035</b>	<b>\$2,000.00</b>	<b>Saline County</b>	<b>19-1466 Lance</b>
<b>4/18/2019</b>	<b>96957</b>	<b>\$2,000.00</b>	<b>Lafayette County</b>	<b>19-1237 Sanz-Agero</b>
3/20/2019	20113	\$33.10	Legal Fulfillment Group	18-5554 Ham
3/21/2019	397479	\$11.00	Wallace, Saunders, Austin	18-8650 Walker

3/22/2019	1109	\$27.90	The Backer Law Firm	18-4076 Porter
3/26/2019	80074839	\$15.00	Shred It	refund from TS
4/8/2019	32730	\$28.40	Legal Investigative Serv	19-1151 Henderson
4/5/2019	6000036090	\$10.50	Unum Life Ins Company	18-8630 Templeton
4/11/2019	707074	\$11.20	Cotiviti Inc	18-7960 Thomas
4/9/2019	6867	\$10.90	DePasquale Moore	18-8649 Penn
4/10/2019	617669	\$44.90	Sandberg Phoenix	15-1207 Jones
4/15/2019	2174	\$34.75	Daniel R. Brown	18-5396 Barnett
4/9/2019	6000036179	\$10.90	Unum Life Ins Company	18-8649 Penn

20190410	EF 04081901407	\$1,500.00	State of Missouri	Wren Autopsy DOC
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20190520	EF 05161901477	\$1,500.00	State of Missouri	Palmer Autopsy DOC
20190503	EF 05011903958	\$750.00	State of Missouri	MARCH2019V

6/24/2019	49803	\$34.20	Shamberg, Johnson, & Bergman	18-6996 Rajanna
6/21/2019	1226	\$12.55	Torhoerman Law	19-2291 Messenger
6/17/2019	9692	\$10.90	James Manning	16-7185 Christiansen
6/19/2019	53156	\$2,000.00	Bates County	19-2941 Hasselman
6/14/2019	81778	\$40.85	Franke Schultz	16-5905 Nguyen
6/16/2019	25145	\$33.50	Brian Timothy Meyers	17-5306 Sales
6/10/2019	53071	\$2,000.00	Bates County	19-2693 Eicholz
5/30/2019	58278	\$2,000.00	Henry County	19-2683 Hahrstedt
5/29/2019	14785	\$11.80	Norton & Norton	18-0527 Coomes
6/3/2029	21315	\$35.15	Law Office of Charles Sticklen	18-6165 Samuel
6/4/2019	131352	\$11.60	McAnany, Van Cleave	16-6385 Friend
6/3/2019	14896	\$11.90	Hubbard & Kurtz	18-4339 Bates
5/31/2019	6037	\$11.00	Wayne Wilkenson	19-0953 Wilkenson
5/24/2019	1394	\$10.90	Doug Bradley Attn	17-6947 Bailey
5/23/2019	81619	\$27.85	Franke Schultz	18-3239 Wilson
5/20/2019	95552	\$38.95	Edelman & Thompson	19-0953 Wilkenson
5/20/2019	52964	\$2,900.00	Bates County	19-2646 McCoy
5/17/2019	6310918	\$10.90	EMSI	19-2040 Williams
5/14/2019	49583	\$34.75	Shamberg, Johnson, & Bergman	18-4344 Davis
5/7/2019	9515	\$11.00	Robynn Saucier	18-8799 Saucier
5/2/2019	386935	\$11.30	Trustmark	18-5594 Campbell
5/7/2019	112116154	\$10.80	Metropolitan Reporting	18-3716 Russell
5/8/2019	13506	\$29.50	Scharnhorst Ast Kennard	17-8291 King
5/3/2019	35594466	\$47.90	Sentry	18-3298 Palominos
5/6/2019	6310472	\$11.20	EMSO	19-0832 Potts
5/3/2019	9326	\$11.10	Troppito Miller Griffin	08-1413 Sawvell
3/19/2019	37101	\$11.70	Peterson & Assoc	18-8842 Mosby
5/1/2019	5315	\$40.35	Kuhlman & Lucus	18-8197 Parker
4/25/2019	97046	\$2,000.00	Lafayette County	19-2003 McGuire

20190619	EF 06171902092	\$3,810.00	State of Missouri	2MAY2019V
20190612	EF 06101901930	\$1,500.00	State of Missouri	Ebling Autopsy DOC
20190610	EF 06061901935	\$3,030.00	State of Missouri	MAY2019V

20190816	EF 08141901536	975	State of Missouri	Michael Autopsy MSPD
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9/9/2019	43712	\$4,200.00	Bates County	19-3604 and 19-4349
8/9/2019	129079	\$20.00	Norris & Keplinger	15-2250 Diaz
8/23/2019	32888	\$39.90	Legal Invest Services	19-3524 Heishman
8/13/2019	1275	\$2,000.00	Henry County	19-3877 Ladd
8/12/2019	8936685	\$98.06	Overpay from Allina	
7/31/2019	97905	\$2,000.00	Lafayette County	19-3573 Hicklin
7/29/2019	142886	\$37.00	Brown & Ruprecht	17-2262 Ruehling
7/25/2019	6769	\$50.00	Star Investigations	18-7695 Odell (add blood panel)
7/25/2019	6768	\$25.60	Star Investigations	18-7695 Odell
7/25/2019	1146	\$2,000.00	Lafayette County	19-3205 Panasuk
7/18/2019	17-813751220	\$7.85	Quicktrip Money Order	18-8197 Parker
7/17/2019	11015	\$2,000.00	Daviess County	19-3209 Santiago
7/8/2019	53233	\$2,000.00	Bates County	19-3100 Horner
7/10/2019	71167	\$11.80	Kranitz, Sadoun, Carpenter	15-2556 Stufflebean
7/11/2019	15518	\$34.50	Shank and Moore	19-1725 Tripp
8/1/2019	142913	\$7.85	Brown & Ruprecht	19-0836 Gillpatrick
8/6/2019	32557	\$19.30	Horn Aylward & Bandy	John Doe vs Spire
8/5/2019	43858	\$22.10	Dollar, Burns, & Becker	No notes

20190926	EF 09241902272	\$1,710.00	State of Missouri	JAN2019OP
20190905	EF 09031903335	\$17,500.00	State of Missouri	AUGUST2019TO
20190830	EF 08281902400	\$3,090.00	State of Missouri	AUGUST2018OP

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** awarding a contract for the furnishing of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Athco of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 45-19, at an actual cost to the County in the amount of \$39,590.00.

**RESOLUTION NO. 20289**, October 21, 2019

**INTRODUCED BY** Tony Miller, County Legislator

WHEREAS, the Department of Finance and Purchasing has solicited formal written bids on Invitation to Bid No. 45-19 for the furnishing of a metal shelter house for use by the Parks + Rec Department at Longview Beach; and,

WHEREAS, a total of thirty-three notifications were distributed and four responses were received, with one having been rejected due to failure to meet the response deadline, and with the remaining three responses as follows:

<u>BIDDER</u>	<u>BID</u>
Athco Lenexa, KS	\$39,590.00
Hartline Construction Kansas City (Jackson County), MO	\$49,740.00
NW Rogers Construction Blue Springs, MO	\$57,624.00

and,

WHEREAS, pursuant to section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommends the award of a contract for the furnishing of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Athco of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 45-19, as the lowest and best bidder; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be and hereby is authorized to execute for the County any documents necessary for the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract.



Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20289 of October 21, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of the Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 300 1608 58020  
ACCOUNT TITLE: Park Enterprise Fund  
Construction Services  
Buildings & Improvements  
NOT TO EXCEED: \$39,590.00

10/17/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Administrative Officer

**REQUEST FOR LEGISLATIVE ACTION**  
**EXECUTIVE OFFICE**

**Version 6/10/19**

Completed by County Counselor's Office:

Res/Ord No.: 20289

Sponsor(s): Tony Miller

Date: October 21, 2019

OCT 10 2019

<p><b>SUBJECT</b></p>	<p>Action Requested  <input checked="" type="checkbox"/> Resolution  <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Awarding a contract for the purchase of a Metal Shelter House at Longview Beach for use by Parks + Rec to Athco of Lenexa, KS under the terms and conditions of Invitation to Bid 45-19.</u></p>										
<p><b>BUDGET INFORMATION</b>  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$39,590.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$39,590.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number: 300-1608-58020 Park Enterprise Fund – Capital Projects – Buildings and Improvements</td> <td>\$39,590.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p><b>OTHER FINANCIAL INFORMATION:</b></p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:  Department: _____ Estimated Use: _____</p> <p>Prior Year Budget (if applicable): _____  Prior Year Actual Amount Spent (if applicable): _____</p>	Amount authorized by this legislation this fiscal year:	\$39,590.00	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$39,590.00	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number: 300-1608-58020 Park Enterprise Fund – Capital Projects – Buildings and Improvements	\$39,590.00
Amount authorized by this legislation this fiscal year:	\$39,590.00										
Amount previously authorized this fiscal year:											
Total amount authorized after this legislative action:	\$39,590.00										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number: 300-1608-58020 Park Enterprise Fund – Capital Projects – Buildings and Improvements	\$39,590.00										
<p><b>PRIOR LEGISLATION</b></p>	<p>Prior ordinances and (date): _____  Prior resolutions and (date): _____</p>										
<p><b>CONTACT INFORMATION</b></p>	<p>RLA drafted by (name, title, &amp; phone): Katie Bartle, Senior Buyer, 816-881-3465</p>										
<p><b>REQUEST SUMMARY</b></p>	<p>Parks + Rec requires the purchase of a Metal Shelter house for use by patrons of Longview Beach. The Purchasing Department issued Invitation to Bid 45-19 in response to this requirement.</p> <p>A total of thirty-three notifications were distributed and four responses were received. One response was rejected because it failed to meet the response deadline. The remaining responses were evaluated as follows:</p> <table border="1"> <thead> <tr> <th>Item</th> <th>Athco Lenexa, KS</th> <th>Hartline Construction Kansas City, MO</th> <th>NW Rogers Construction Blue Springs, MO</th> </tr> </thead> <tbody> <tr> <td>1.0 Metal Shelter House</td> <td>\$39,590.00</td> <td>\$57,624.00</td> <td>\$49,740.00</td> </tr> </tbody> </table> <p>Pursuant to Chapter 1054.6 of the Jackson County Code, the Purchasing Department recommends the award of a contract to purchase a Metal Shelter House at Longview Beach for use by Parks + Rec to Athco of Lenexa, KS under the terms and conditions of Invitation to Bid 45-19 as the lowest bid received.</p>	Item	Athco Lenexa, KS	Hartline Construction Kansas City, MO	NW Rogers Construction Blue Springs, MO	1.0 Metal Shelter House	\$39,590.00	\$57,624.00	\$49,740.00		
Item	Athco Lenexa, KS	Hartline Construction Kansas City, MO	NW Rogers Construction Blue Springs, MO								
1.0 Metal Shelter House	\$39,590.00	\$57,624.00	\$49,740.00								
<p><b>CLEARANCE</b></p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department) N/A  <input checked="" type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
<p><b>COMPLIANCE</b></p>	<p><input type="checkbox"/> MBE Goals  <input type="checkbox"/> WBE Goals  <input type="checkbox"/> VBE Goals</p> <p style="text-align: center;">No Goals Assigned</p>										
<p><b>ATTACHMENTS</b></p>	<p>Recommendation Memo from Parks, Abstract of Bids Received, Pertinent pages of Athco's bid</p>										

REVIEW	Department Director: <i>Michelle Newman</i>	Date: <i>10-7-19</i>
	Finance (Budget Approval): <i>If applicable</i>	Date: <i>10/10/19</i>
	Division Manager: <i>John M. A.</i>	Date: <i>10-14-19</i>
	County Counselor's Office: <i>Bryan Caruso</i>	Date: <i>10/17/19</i>

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.





**JACKSON COUNTY**  
**Parks + Rec**

22807 Woods Chapel Road  
Blue Springs, Missouri 64015  
MakeYourDayHere.com

Michele Newman, Director  
(816) 503-4800  
Fax (816) 795-1234

**To:** Katie Bartle  
**From:** Bruce Wilke *Bruce*  
**Date:** September 30, 2019  
**Re:** Bid No. 45-19  
Shelter House at the Longview Beach

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Katie,

After reviewing the bid tabulation, we recommend award of bid No 45-19 for providing and erection of one 30'x30' metal shelter. We recommend awarding to the apparent low bidder, Athco of Olathe, Kansas in the amount of \$39,590.00. Two other bids were received but were significantly higher at \$49,740.00 and \$57,624.00. Athco's bid meets specifications and was within budget. The others were too far over budget to consider. This shelter is to be constructed at the Longview Lake beach to provide shade for patrons and to allow event programming at the beach. Funds are available in the 2019 budget under line 300-1608-58020.

Thank you for your assistance on this project.



*Frank White, Jr., County Executive*

ABSTRACT OF BIDS

NO	DESCRIPTION	UNIT	QTY	Athco		Hartline Construction KCMO		NW Rogers Construction Blue Springs		AMOUNT
				Lenexa KS	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	
	Furnishing and Installation of Shelter House			394	59,000	57,624		49,740		
				<del>394</del>	<del>59,000</del>					

CERTIFICATION OF BID OPENING  
 BIDS WERE PUBLICLY  
 OPENED AND RECORDED  
 ON: Sept 3 2019 BY  
[Signature]  
 CLERK OF THE LEGISLATURE  
[Signature]  
 PURCHASING

7.3 Bidders and their agents (including subcontractors, employees, consultants, or anyone else acting on their behalf) must follow this procedure. Bidders or their agents **may not** contact any other County staff regarding matters covered by this Invitation to Bid during the solicitation and evaluation process. Inappropriate contact are grounds for REJECTION of the Bidder's submission.

**8.0 QUOTATION**

8.1 Quotation is to include all labor, materials, tools, equipment, and other ancillary expenses necessary to Furnish and Install the Shade Structures according the Specifications detailed in this Invitation to Bid herein. This quotation shall be all-inclusive and satisfactory for completing this project. The County will not reimburse for mileage, fuel expenses, freight, shipping, or expenses associated with travel to and from the worksite.

No.	Description	Location	Quantity	Price
1.	Furnishing and Installation of Shelter House	Longview Beach	1	\$39,590.00

\*INSTALLATION ASSUMES EASY ACCESS TO SITE FOR INSTALLATION EQUIPMENT AND NO ROCK AT FOOTING LOCATIONS. IF ROCK IS ENCOUNTERED THERE WILL BE EXTRA CHARGES TO DRILL THROUGH THE ROCK.  
 ASSUMES A LEVEL SITE. SITE PREPARATION BY OTHERS.  
 PRICE DOES NOT INCLUDE A CONCRETE PAD.

SIGNATURE: <i>Brad Mohr</i>	DATE: 8/30/19
NAME (PRINT): Brad Mohr	PHONE: 913-469-5600
TITLE (PRINT): General Manager	CELL: 913-469-5600
COMPANY NAME (PRINT): Athco	FAX: 913-469-8134
E-MAIL ADDRESS (PRINT) athco@athcollc.com	
E-MAIL ADDRESS FOR PO'S (PRINT) athco@athcollc.com	
URL (PRINT): www.athcollc.com	





ATHCO / COVERWORX SHELTER INSTALLATIONS

City of Blue Springs  
Burrus Old Mill Park  
112 NW Woods Chapel Road  
Blue Springs, MO 64015  
#PG-1520-SW and #HP-2040-VT-LA-W

Clover Dell Park  
5301 W 32 St. (OUTSIDE CITY LIMIT - ADDRESS IS NOT MARKED)  
Sedalia, MO 65301  
#GA-4084-SW

Liberty Park (North Side of Park)  
1501 Liberty Park Blvd.  
Sedalia, MO 65301  
#GA-2434-SW Qty. 4

Ark City Sports Complex  
1200 West Radio Lane  
Arkansas City, KS 67005  
#OC-36-SW-10E Qty. 2

Deanna Rose Farmstead  
13800 Switzer Road  
Overland Park, KS 66220  
Steel 36' Hex with Vented Roof & Ornamental Lattice #HXVT-36-SW

Ivanhoe Park  
E 43rd St. & Brooklyn Ave.  
Kansas City, MO 64130  
#GA-2032SW

South Park  
City of Lee's Summit  
4201 S.W. Pryor Road  
Lee's Summit, MO 64063  
Steel 32' Vented top Hex #HXVT-32-SW

Maryville Parks & Recreation  
Maryville, MO 64468  
32' Octagon #8532P

City of Sterling  
Sterling, KS 67579  
Steel Hip Duo-Top 21' x 27' #8220DS

City of Joplin  
Schifferdecker Park  
4<sup>th</sup> St. & Schifferdecker  
Joplin, MO 64801  
Woodworx Gable Arch Beam 60' x 28'  
32' Octagonal Gazebo #OCGZ-32SW10DMTG

City of Monett  
Ozark Regional YMCA  
Monett, MO 65708  
Steel Hip 16'X 24' #HP-1624-SW with precut metal roof

City of Wakeeney  
Wakeeney, KS 67672  
Steel hip end 25' x 50' #HP-2550-SW with precut metal roof

City of Greensburg  
Big Well Park  
315 S. Sycamore  
Greensburg, KS 67054  
Steel 20' X20' Square with vented roof, precut metal roof #SQ-20-SW

City of Overland Park  
Osage Park  
6300 W. 87th St.  
Overland Park, KS 66212  
Contact : Bryan Schanze  
Phone : 913-451-9164  
20' x 30' – customer to provide roofing

City of Overland Park  
Roe Park  
105th & Roe  
Overland Park, KS 66212  
Contact : Bryan Schanze  
Phone : 913-451-9164  
20' x 20' with metal roof

City of Overland Park  
Shannon Valley Park  
112th & Grant  
Overland Park, KS 66212  
Contact : Bryan Schanze  
Phone : 913-451-9164  
12' x 12' with metal roof

City of Overland Park  
Foxhill North & Foxhill South Parks  
10600 Indian Creek Pkwy. and 10900 Mission Road  
Overland Park, KS 66212  
Contact : Bryan Schanze  
Phone : 913-451-9164  
16' x 20' steel gable end with metal roof

City of Columbia  
Nifong Park  
2900 E Nifong Blvd.  
Columbia, MO 65201  
Contact : Ryan Atkinson  
Phone : 573-874-7709  
28' steel hexagon with vented top & metal roof