



COUNTY LEGISLATURE JACKSON COUNTY, MISSOURI

MARY JO SPINO

CLERK OF THE COUNTY LEGISLATURE
415 East 12th Street
Kansas City, MO 64106

201 West Lexington, 2nd Floor
Independence, MO 64050

November 12 – November 18, 2021

11-12-2021 Friday

NO ANTI-CRIME, JUSTICE & LAW ENFORCEMENT,
INTER-GOVERNMENTAL AFFAIRS, HEALTH &
ENVIRONMENT, FINANCE & AUDIT, LAND USE,
PUBLIC WORKS, RULES, OR SITE PREPARATION
OVERSIGHT COMMITTEE MEETINGS

9:30 A.M. Budget Committee Meeting – (Outside Agencies)
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

10:45 A.M. **LEGISLATIVE MEETING –**
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

11-15-2021 Monday

NO MEETINGS –

11-16-2021 Tuesday

NO ANTI-CRIME, JUSTICE & LAW ENFORCEMENT,
INTER-GOVERNMENTAL AFFAIRS, FINANCE &
AUDIT, LAND USE, RULES, OR SITE PREPARATION
OVERSIGHT COMMITTEE MEETINGS

9:45 A.M. Health & Environment Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

9:50 A.M. Budget Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

9:55 A.M. Public Works Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

- 10:00 A.M. LEGISLATIVE MEETING –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area
- 2:05 P.M. Bid Opening Purchasing Department –
Hila “Dutch” Newman Legislative Conference Room
415 East 12th Street, 2nd Floor, Kansas City, MO
- 11-17-2021 Wednesday 11:30 A.M. Land Trust of Jackson County Meeting –
Conducted by teleconference: Dial #605-313-6003
Access #821-980
- 11-18-2021 Thursday 10:00 A.M. Pension Plan Board of Trustees Meeting –
Meeting will be held via Zoom. For more information
contact, Maria Leathers at mleathers@jacksongov.org
- 5:15 P.M. Ethics, Human Relations & Citizen Complaints
Commission Meeting –
Meeting will be held via Zoom. For more information
contact, Anita Mackrel at amckrel@jacksongov.org.

Persons with disabilities wishing to participate in the above meetings and who require a reasonable accommodation may call the County Clerk’s Office at 881-3242 or 1-800-735-2466 (Missouri Relay). Forty-eight (48) hour notice is required. To put information on Activity Calendar, please contact the County Clerk’s Office by NOON Wednesday of each week

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 3.00± acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 5562, November 12, 2021

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RE" (Residential Estates) Districts, so that there will be transferred from District AG to District RE a tract of land with a street address of 26105 E. Wyatt Road, Jackson County, MO, legally described as follows:

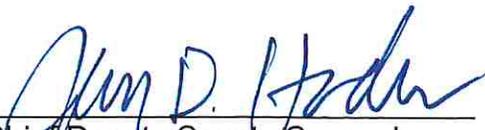
A tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the 5th P. M., Jackson County, Missouri, to wit: Commencing at a found iron rod at the Southeast corner of Lot 9-A, Replat of Lots 7, 8 & 9, Meadow Run, a subdivision in Jackson County, Missouri, being on the west right of way of Missouri Highway No. 7; thence along the south line of said lot, North 88 degrees, 09 minutes, 27 seconds West, 661.69 feet to a point at the Southwest corner of said Lot 9-A; thence along the west line of Meadow Run, North 01 degree, 51 minutes 59 seconds West, 917.76 feet to a point; thence leaving said west line, South 88 degrees 03 minutes 14 seconds East, 121.41 feet to the point of beginning, also being the Southwest corner of Lot 3 Meadow Run, a subdivision in Jackson County, Missouri a subdivision in Jackson County, Missouri; thence South 01 degrees, 57 minutes 00 seconds West, 232.50 feet; thence North 88 degrees, 06 minutes, 00 Seconds West, 220.00 feet; thence North 01 degrees, 57 minutes, 00 seconds East 594.00 feet; thence South 88 degrees, 06 minutes, 00 East 220.00 feet; thence South 01 degrees, 57 minutes, 00 seconds West 361.50 feet to the point of the beginning.

Section 2. The Legislature, pursuant to the application of Robert K. Kavanaugh (RZ-2021-614), requesting the amendment embodied in this Ordinance and with notice that

the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on October 21, 2021, does hereby adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

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. 5562 introduced on November 12, 2021, was duly passed on _____, 2021 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. 5562.

Date

Frank White, Jr., County Executive

Request for Legislative Action

Ord. #5562
Date: November 12, 2021

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5562
Sponsor(s):		Legislature Meeting Date:	11/12/2021

Introduction
Action Items: ['Authorize']
Project/Title:
Robert K. Kavanaugh - RZ-2021-614

Request Summary
<p>Requesting a change of zoning from District AG (Agricultural) on 3.00 ± acres to District RE (Residential Estates). The purpose is to create one single family residential lot at 26105 E. Wyatt Road.</p> <p>Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.</p> <p>The Jackson County Plan Commission held a public hearing on October 21, 2021 and accepted testimony pertaining to the rezoning request.</p> <p>The Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>

Contact Information			
Department:	Public Works	Submitted Date:	11/8/2021
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Administrator	Phone:	816-881-4577

Budget Information			
Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> This legislative action does not impact the County financially and does not require Finance/Budget approval. 	

Request for Legislative Action

History

Randy D. Diehl at 11/8/2021 3:47:45 PM - [Submitted | This eRLA is to replacing ID 295 per Counselor's Office. The address of the subject property was in error within the body of the text.]

Department Director: Brian Gaddie at 11/8/2021 5:48:27 PM - [Approved |]

Finance (Purchasing): Barbara J. Casamento at 11/9/2021 9:07:52 AM - [Not applicable |]

Compliance: Katie M. Bartle at 11/9/2021 9:40:00 AM - [Approved | eRLA 305]

Finance (Budget): Mark Lang at 11/9/2021 10:13:26 AM - [Not applicable |]

Executive: Sylvya Stevenson at 11/9/2021 10:50:13 AM - [Approved |]

Legal: Elizabeth Freeland at 11/9/2021 11:05:11 AM - [Approved |]

RZ-2021-614

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the 5th P. M., Jackson County, Missouri, to wit: Commencing at a found iron rod at the Southeast corner of Lot 9-A, Replat of Lots 7, 8 & 9, Meadow Run, a subdivision in Jackson County, Missouri, being on the west right of way of Missouri Highway No. 7; thence along the south line of said lot, North 88 degrees, 09 minutes, 27 seconds West, 661.69 feet to a point at the Southwest corner of said Lot 9-A; thence along the west line of Meadow Run, North 01 degree, 51 minutes 59 seconds West, 917.76 feet to a point; thence leaving said west line, South 88 degrees 03 minutes 14 seconds East, 121.41 feet to the point of beginning, also being the Southwest corner of Lot 3 Meadow Run, a subdivision in Jackson County, Missouri a subdivision in Jackson County, Missouri; thence South 01 degrees, 57 minutes 00 seconds West, 232.50 feet; thence North 88 degrees, 06 minutes, 00 Seconds West, 220.00 feet; thence North 01 degrees, 57 minutes, 00 seconds East 594.00 feet; thence South 88 degrees, 06 minutes, 00 East 220.00 feet; thence South 01 degrees, 57 minutes, 00 seconds West 361.50 feet to the point of beginning.

RZ-2021-614

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from October 21, 2021

Staff Report

Location Map

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Preliminary Plat

Randy Diehl gave the staff report:

RE: RZ-2021-614

Applicant: Robert K Kavanaugh

Location: 26105 E. Wyatt Road

Area: 3.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: To create a single family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is predominantly Agricultural with single family residences on tracts 5 acres and larger. To the East is a residence on a 3.00 acre lot and along 7 Highway is Industrial and Commercial zonings. To the North across Wyatt Road is the City of Blue Springs.

The applicant is wishing to construct a single family residence on the 3.00 acres.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2021-614

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

Mr. Tarpley: Are there any other homes on three acre lots?

Mr. Diehl: There is a three acre platted lot to the east. To the west are legal non-conforming tracts of various sizes.

Mr. Antey: Is the applicant here?

Robert Kavanaugh: 18407 E 26th Terrace Ct S, Independence, MO

Mr. Antey: Do you have anything to add to the report?

Mr. Kavanaugh: No.

Mr. Antey: Is there anyone else who is in favor of this application?

There were none.

Mr. Antey: Is there anyone who is opposed or has questions regarding this application?

There were none

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Ms. Mershon seconded.

Discussion under advisement

Mr. Hilliard moved to approve. Mr. Tarpley seconded.

Ms. Mershon	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Mr. Hilliard	Approve
Mr. Akins	Approve
Mr. Tarpley	Approve
Chairman Antey	Approve

Motion Carried 7 – 0

STAFF REPORT

PLAN COMMISSION October 21, 2021

RE: RZ-2021-614

Applicant: Robert K Kavanaugh

Location: 26105 E. Wyatt Road

Area: 3.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: To create a single family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is predominantly Agricultural with single family residences on tracts 5 acres and larger. To the East is a residence on a 3.00 acre lot and along 7 Highway is Industrial and Commercial zonings. To the North across Wyatt Road is the City of Blue Springs.

The applicant is wishing to construct a single family residence on the 3.00 acres.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

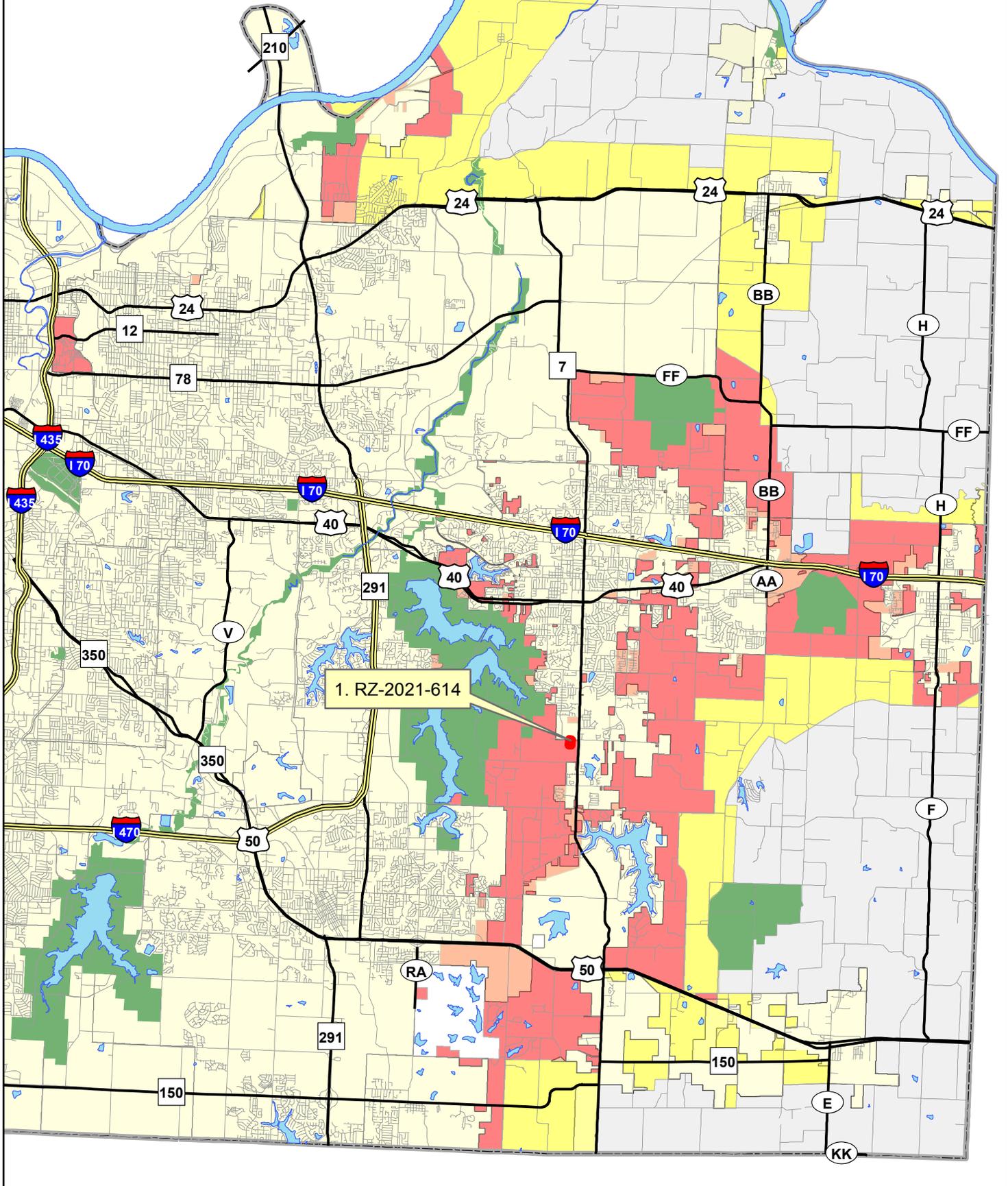
This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2021-614

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
October 21, 2021
Agenda Location Map





SW 12TH ST

SW LINCOLN AVE

E WYATT RD

SW 7 HWY

SW 6TH ST

SW WYATT RD

25611

25709

25809

25907

26105

26201

26211

26305

LI

8316

LI

8322

GB

8400

AG

LI-p

LI-p

8408

Llp Llp

GB

8422

1 inch = 325 feet

Plan Commission October 21, 2021

RZ-2021-614

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
41-930-03-03-00-0-00-000	FIRST BAPTIST CHURCH OF BLUE SPRINGS	4500 LITTLE BLUE PARKWAY	INDEPENDENCE	MO	64057
54-300-02-12-00-0-00-000	KEEFER JAMES H & PAMELA S	26201 WYATT RD	BLUE SPRINGS	MO	64015
54-300-02-21-00-0-00-000	TKG-STORAGEMART PTRS PORTFOLIO LLC	215 N STADIUM BLVD STE 207	COLUMBIA	MO	65203
54-300-02-17-00-0-00-000	CATON PROPERTIES LLC	25907 SW WYATT RD	BLUE SPRINGS	MO	64015



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

October 6, 2021

RE: Public Hearing: RZ-2021-614
Robert K Kavanaugh

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Robert K. Kavanaugh for a change of zoning from District AG (Agricultural) on 3.00 ± acres to District RE (Residential Estates). The 3.00 ± acres are located in the Northwest Quarter of Section 19, Township 48, Range 30, aka 26105 E. Wyatt Road.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, October 21, 2021 at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4577.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
 4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
 5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2021- ~~62~~ 614
Date filed 7-28-21 Date of hearing 10-21-21
Date advertised 10-6-21 Date property owners notified 10-6-21
Date signs posted 10-6-21
Hearings: Heard by PC Date 10-21-21 Decision _____
Heard by LU Date _____ Decision _____
Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):

- a. Applicant(s) Name: Robert K. KAVANAUGH
Current Mailing Address: 18407 E. 26th Terr. C.T.S. Independence, Mo 64057
Phone: 816-795-1264 email: jodie.R.1969@COMCAST.NET
- b. Legal Owner of Property: CATON Properties LLC
Current Mailing Address: 25907 SE. WATSON RD. Blue Springs, Mo
Phone: 913-244-1531 email: brayau@midlandmarble.com
- b. Legal Owner of Property: _____
Current Mailing Address: _____
Phone: _____ email: _____

2. General location (Road Name) Wyatt Road

3. Present Zoning Agriculture Requested Zoning Residential

4. AREA (sq. ft. / acres) 130,680 SF 3 Acres

5. Legal Description of Property: (Write Below or provide copy of deed and survey)
See Attachments

6. Present Use of Property: Agriculture

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: EARLY 2022

9. What effect will your proposed development have on the surrounding properties?
None

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? NO

If so, will any improvements be made to the property which will increase or decrease the elevation? NO

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water Provider Hotawana Water District 15

b. Sewage disposal: Onsite Waste Water Public Sewer

c. Electricity Energy

d. Fire and Police protection Southern Jackson County Fire DIST ^{Jackson County Sheriff}

12. Describe existing road width and condition: 28' Poor Condition

13. What effect will proposed development have on existing road and traffic conditions? None

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? NO

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): _____

The LEGAL OWNER(s) of the property must be signatory to this application. If the owner is also the applicant then only the Property Owner portion needs to be filled out. Applications will not be accepted to move forward without the proper signatories. Verification of ownership will be made using the Tax Rolls and the Recorder of Deeds database.

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature _____ Date _____
Property Owner(s) Bryan Caton Caton Properties LLC 7-24-21

STATE OF MO
COUNTY OF Jackson

On this 24 day of July, in the year of 2021, before me the undersigned notary public, personally appeared Bryan Caton

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.
In witness whereof, I hereunto set my hand and official seal.

Notary Public [Signature]

Commission Expires 10-18-23



The LEGAL OWNER(s) of the property must be signatory to this application. If the owner is also the applicant then only the Property Owner portion needs to be filled out. Applications will not be accepted to move forward without the proper signatories. Verification of ownership will be made using the Tax Rolls and the Recorder of Deeds database.

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature _____ Date _____
Property Owner(s) Brian Caten Properties LLC 7-24-21

STATE OF MO
COUNTY OF JACKSON

On this 24 day of July, in the year of 2021, before me the undersigned notary public, personally appeared Brian Caten

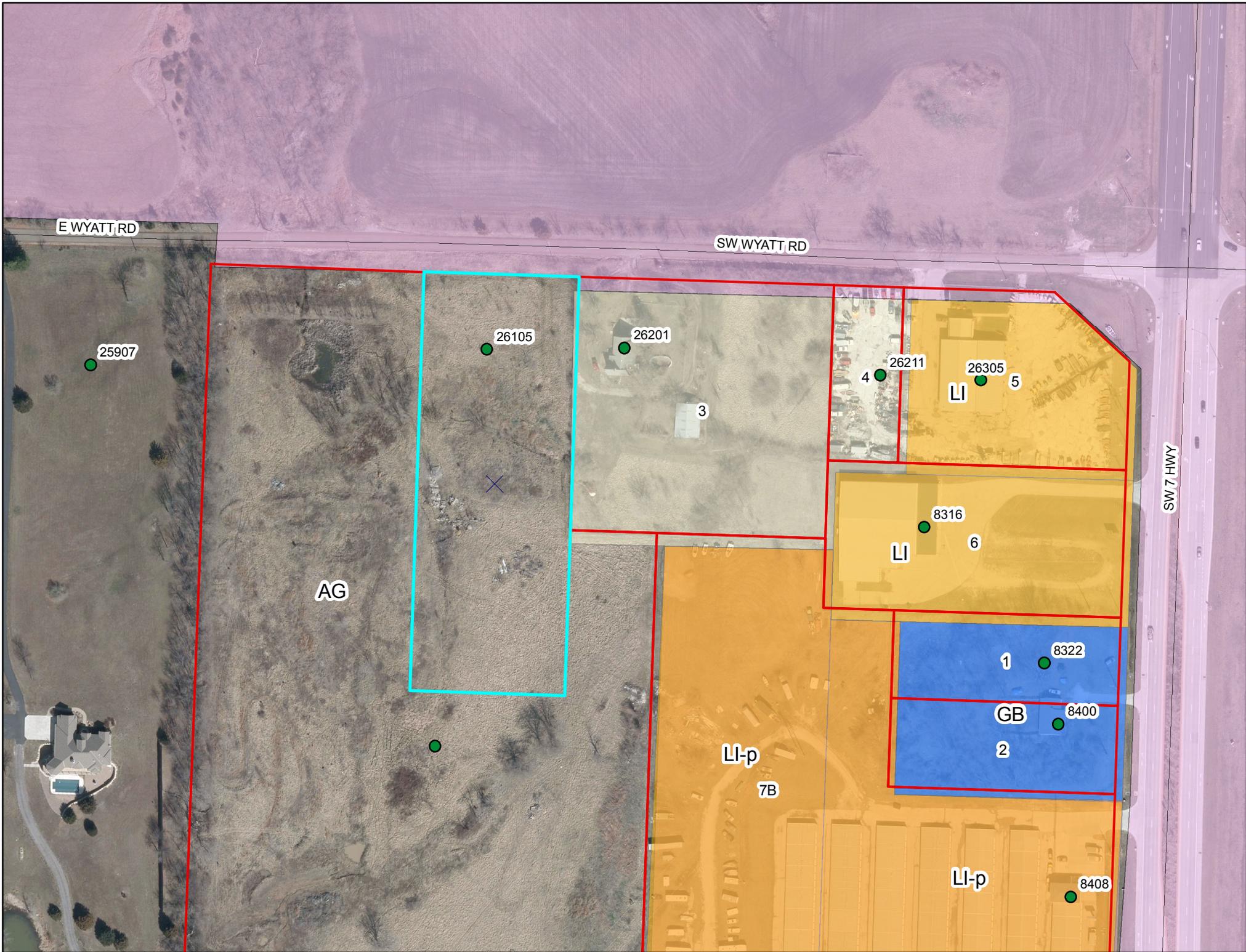
known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[Signature]
Notary Public _____

Commission Expires 10-18-23





E WYATT RD

SW WYATT RD

SW 7 HWY

25907

26105

26201

26211

26305

8316

8322

8400

8408

AG

3

LI

LI

1

GB

2

LI-p

LI-p

7B

4

5

6

X

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.05± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 5563, November 12, 2021

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RR" (Residential Ranchette) Districts, so that there will be transferred from District AG to District RR a tract of land, legally described as follows:

The West Half or the East Half of the Southwest Quarter of the Northwest Quarter of Section 20, Township 49, Range 29, Jackson County, Missouri, being more particularly described as follows: Commencing at the West Quarter Corner of said Section 20; thence South 86 degrees, 11 minutes, 45 seconds East, along the South line of said Southwest Quarter Northwest Quarter, 660.87 feet, to the Point of Beginning; Thence North 01 degrees, 41 minutes, 46 seconds East, 1324.77 feet to the Northwest Corner of said West Half or the East Half of the Southwest Quarter of the Northwest Quarter; thence S 86 degrees, 08 minutes, 11 seconds East, 330.60 feet to the Northeast Corner of said West Half or the East Half of the Southwest Quarter of the Northwest Quarter; thence South 01 degrees, 42 minutes, 09 seconds West, 1324.42 feet to the Southeast Corner of said West Half or the East Half of the Southwest Quarter of the Northwest Quarter; thence North 86 degrees, 11 minutes, 45 seconds West, 330.44 feet to the Point of Beginning.

Section 2. The Legislature, pursuant to the application of Anthony & Darleen Hicks (RZ-2021-616), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on October 21, 2021, does hereby adopt this

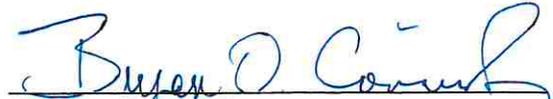
Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

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. 5563 introduced on November 12, 2021, was duly passed on _____, 2021 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. 5563.

Date

Frank White, Jr., County Executive

Request for Legislative Action

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5563
Sponsor(s):		Legislature Meeting Date:	11/12/2021

Introduction
Action Items: ['Authorize']
Project/Title:
Anthony & Darleen Hicks - RZ-2021-616

Request Summary
<p>Requesting a change of zoning from District AG (Agricultural) on 10.05 ± acres to District RR (Residential Ranchette). The purpose is to create two single family residential lots at 37404 E. Old Pink Hill Road.</p> <p>Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.</p> <p>The Jackson County Plan Commission held a public hearing on October 21, 2021 and accepted testimony pertaining to the rezoning request.</p> <p>The Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>

Contact Information			
Department:	Public Works	Submitted Date:	11/1/2021
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Administrator	Phone:	816-881-4577

Budget Information			
Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> This legislative action does not impact the County financially and does not require Finance/Budget approval. 	

Request for Legislative Action

History

Randy D. Diehl at 11/1/2021 10:00:45 AM - [Submitted |]
Department Director: Brian Gaddie at 11/1/2021 3:12:45 PM - [Approved |]
Finance (Purchasing): Barbara J. Casamento at 11/2/2021 9:24:26 AM - [Not applicable |]
Compliance: Katie M. Bartle at 11/2/2021 9:50:55 AM - [Approved | eRLA 296]
Finance (Budget): Mark Lang at 11/2/2021 10:09:04 AM - [Not applicable |]
Executive: Troy Schulte at 11/2/2021 12:41:23 PM - [Approved |]
Legal: Elizabeth Freeland at 11/8/2021 2:51:13 PM - [Approved |]

RZ-2021-616

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

The West Half or the East Half of the Southwest Quarter of the Northwest Quarter of Section 20, Township 49, Range 29, Jackson County, Missouri, being more particularly described as follows: Commencing at the West Quarter Corner of said Section 20; thence South 86 degrees, 11 minutes, 45 seconds East, along the South line of said Southwest Quarter Northwest Quarter, 660.87 feet, to the Point of Beginning; Thence North 01 degrees, 41 minutes, 46 seconds East, 1324.77 feet to the Northwest Corner of said West Half or the East Half of the Southwest Quarter of the Northwest Quarter; thence S 86 degrees, 08 minutes, 11 seconds East, 330.60 feet to the Northeast Corner of said West Half or the East Half of the Southwest Quarter of the Northwest Quarter; thence South 01 degrees, 42 minutes, 09 seconds West, 1324.42 feet to the Southeast Corner of said West Half or the East Half of the Southwest Quarter of the Northwest Quarter; thence North 86 degrees, 11 minutes, 45 seconds West, 330.44 feet to the Point of Beginning.

RZ-2021-616

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from October 21, 2021

Staff Report

Location Map

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Preliminary plat

Randy Diehl gave the staff report:

RE: RZ-2021-616

Applicant: Anthony & Darleen Hicks

Location: 37404 E. Old Pink Hill Road

Area: 10.05 ± acres

Request: Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)

Purpose: Applicant is requesting the change in zoning in order to create two single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with the majority of the land use being single family residences and some agricultural uses.

The existing home will be within Lot 2. Lot 1 will be for a future residence. Access for lot 1 will be a 60 foot strip along the East side the tract.

There are seven platted developments in the proximity of the subject property. Four of these developments were established under the guidelines of the Unified Development Code (UDC) Lot sizes range from approximately 5 acres to 8 acres in size. The remaining three were created prior to 1995 and remain with District AG. Lots sizes are 2 to 5 acres in size.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2021-616

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

There were none

Mr. Antey: Is the applicant here?

Anthony Hicks: 37404 E. Old Pink Hill Road.

Mr. Antey: Do you have anything to add to the report?

Mr. Hicks: No.

Mr. Antey: Is there anyone else who is in favor of this application?

Scott Pequin: 3620 S Ketterman Road. The whole tract of land is being rezoned, correct?

Mr. Antey: Yes

Mr. Diehl: The area highlighted in red will be the new property boundaries.

Mr. Pequin: The only question I have is can they subdivide this area further?

Mr. Antey: No. The minimum lot size for Residential Ranchette is 5 acres.

Mr. Diehl: There would be no way to subdivide these tracts to anything smaller.

Mr. Pequin: My concern is that I have 25 acres that butts up to their rear property line. We have cattle that we run back there.

Mr. Antey: Is there anyone who is opposed or has questions regarding this application?

There were none

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Mr. Hilliard seconded.

Discussion under advisement

Ms. Mershon moved to approve. Mr. Hilliard seconded.

Ms. Mershon	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Akins	Approve
Mr. Tarpley	Approve
Chairman Antey	Approve

Motion Carried 7- 0

STAFF REPORT

PLAN COMMISSION October 21, 2021

RE: RZ-2021-616

Applicant: Anthony & Darleen Hicks

Location: 37404 E. Old Pink Hill Road

Area: 10.05 ± acres

Request: Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)

Purpose: Applicant is requesting the change in zoning in order to create two single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with the majority of the land use being single family residences and some agricultural uses.

The existing home will be within Lot 2. Lot 1 will be for a future residence. Access for lot 1 will be a 60 foot strip along the East side the tract.

There are seven platted developments in the proximity of the subject property. Four of these developments were established under the guidelines of the Unified Development Code (UDC) Lot sizes range from approximately 5 acres to 8 acres in size. The remaining three were created prior to 1995 and remain with District AG. Lots sizes are 2 to 5 acres in size.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

Recommendation:

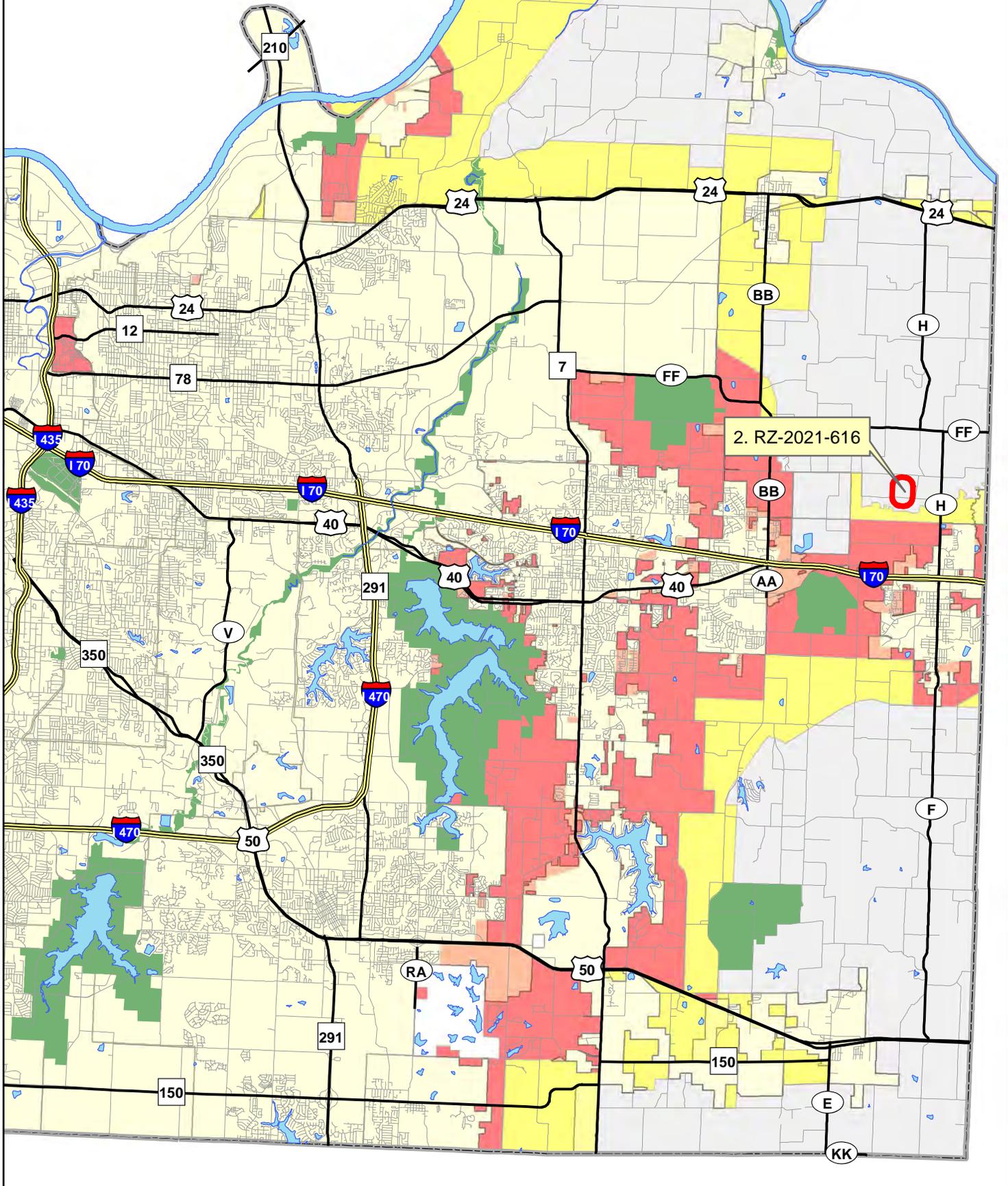
This request for rezoning is consistent with the intent and purpose of the County Plan.

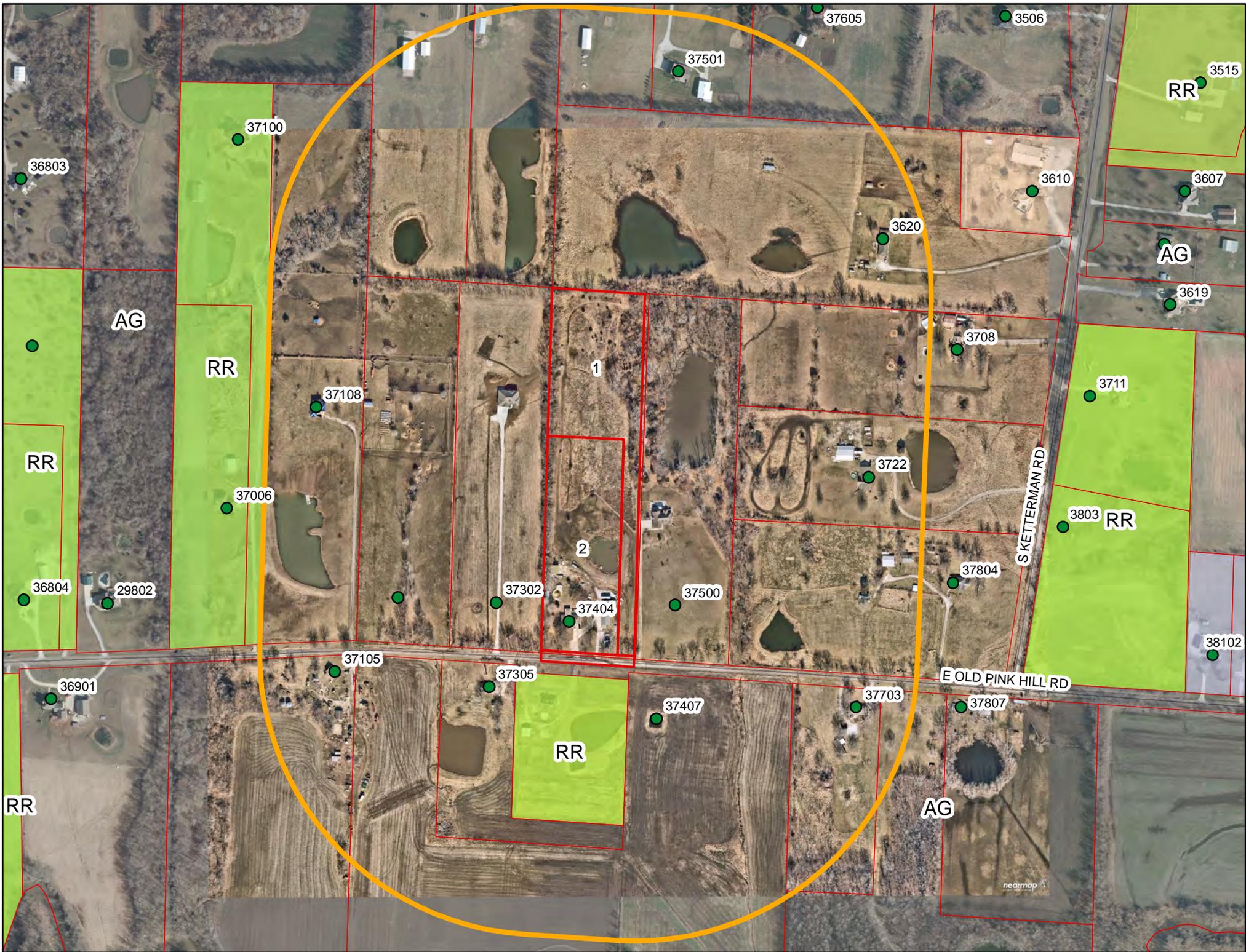
Staff recommends APPROVAL of RZ-2021-616

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
October 21, 2021
Agenda Location Map





Plan Commission October 21, 2021

RZ-2021-616

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
38-200-02-17-00-0-00-000	STEWART MICHAEL A & TERESA C	37305 E PINK HILL RD	OAK GROVE	MO	64075
38-200-02-06-01-0-00-000	PEQUIN SCOTT R & CORA J	3620 S KETTERMAN RD	OAK GROVE	MO	64075
38-200-02-22-02-0-00-000	MITCHELL LINVELL A & BEVERLY E	37403 E PINK HILL RD	OAK GROVE	MO	64075
38-300-04-11-00-0-00-000	HACKLEY RONALD W	37105 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-22-01-0-00-000	WEIGEL JOSEPH B & CYNTHIA M	37501 E PINK HILL RD	OAK GROVE	MO	64075
38-200-03-06-00-0-00-000	HODGES JOHN R	37703 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-09-02-1-00-000	BRIGHT KRISTOPHER J	3722 S KETTERMAN RD	OAK GROVE	MO	64075
38-200-03-05-00-0-00-000	NICHOLS CHARLES W & JEFFERY J	PO BOX 118	OAK GROVE	MO	64075
38-200-02-18-00-0-00-000	HOFFMAN JENNIFER L TRUSTEE	37209 E PINK HILL RD	OAK GROVE	MO	64075
38-300-01-06-00-0-00-000	CAMPBELL JOSEPH L & ROBERTA PAGE-TR	11426 W 99TH PL	OVERLAND PARK	KS	66214
38-200-02-20-00-0-00-000	FANNON KENNETH & ROXANNA	37605 E PINK HILL RD	OAK GROVE	MO	64075
38-200-02-07-02-0-00-000	BROSAM ERIC L & KIMBERLY R	37108 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-07-01-0-00-000	DABBS RON & DONNA	7609 DANELL LN	GRAIN VALLEY	MO	64029
38-200-02-09-02-2-00-000	SANDERS SYLVIA M-TRUSTEE	37804 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-300-01-05-02-4-00-000	BROSAM ERIC L & KIMBERLY R	37108 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-09-01-0-00-000	BRALEY DAVID L JR & KLEMENZ JACKIE R	3708 S KETTERMAN RD	OAK GROVE	MO	64075
38-200-03-08-00-0-00-000	HACKLEY RONALD WAYNE	37105 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-08-01-0-00-000	CALDARELLA BRYAN R & ALANNA J	37500 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-03-03-01-0-00-000	HACKLEY RONALD WAYNE	37105 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-03-07-00-0-00-000	KENNEDY JESSICA A & RYAN J	37405 OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-08-02-0-00-000	HICKS ANTHONY N & DARLLEEN	37404 E OLD PINK HILL RD	OAK GROVE	MO	64075



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

October 6, 2021

RE: Public Hearing: RZ-2021-616
Anthony N & Darleen Hicks

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Anthony N & Darleen Hicks for a change of zoning from District AG (Agricultural) on 10.05 ± acres to District RR (Residential Ranchette). The purpose is to create two single family residential lots at 37404 E. Old Pink Hill Road.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 1000' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, October 21, 2021 at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4577.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
 4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
 5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2021- 614
Date filed 9-7-21 Date of hearing 10-21-21
Date advertised 10-6-21 Date property owners notified 10-6-21
Date signs posted 10-6-21
Hearings: Heard by PC Date 10-21-21 Decision _____
Heard by LU Date _____ Decision _____
Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: ANTHONY & DARLEEN HICKS
Address: 37404 E. OLD PINK HILL RD.
OAK GROVE, MO 64075
Phone: 816-739-4992
 - b. Owner(s) Name: SAME AS ABOVE
Address: _____
Phone: _____
 - c. Agent(s) Name: SAME AS ABOVE

Address: _____

Phone: _____

d. Applicant's interest in Property: OWNER

2. General location (Road Name) E. OLD PINK HILL RD

3. Present Zoning AG Requested Zoning RR

4. AREA (sq. ft. / acres) 10.05 ACRES

5. Legal Description of Property: (Write Below or Attached 9)

SEE ATTACHED

6. Present Use of Property: RESIDENTIAL

7. Proposed Use of Property: RESIDENTIAL

* 8. Proposed Time Schedule for Development: 1 year

9. What effect will your proposed development have on the surrounding properties?

ADDITION OF ONE SINGLE-FAMILY RESIDENCE.

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? NO

If so, will any improvements be made to the property which will increase or decrease the elevation? _____

* 11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water PWSD #16

b. Sewage disposal INDIVIDUAL

c. Electricity West Central

d. Fire and Police protection Smi Valley

12. Describe existing road width and condition: +/- 18' WIDE CHIP & SEAL

13. What effect will proposed development have on existing road and traffic conditions? ADDITION OF ONE DRIVEWAY FOR

SINGLE-FAMILY RESIDENCE

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? UNKNOWN

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): _____

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature _____ Date _____
Property Owner(s) Darleen + Tony Hicks 9-7-21
TH 9-7-21

Applicant(s): _____

Contract Purchaser(s): _____

A STATE OF Missouri
COUNTY OF Jackson

On this 7th day of Sept, in the year of 2021, before me
the undersigned notary public, personally appeared Darleen + Tony Hicks

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and
acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Patricia Hancock Commission Expires 7-20-23



PATRICIA HANCOCK
My Commission Expires
July 20, 2023
Jackson County
Commission #15636810



3620

37108

1

AG

3722

2

37302

37500

37404

37105

AG

37305

RR

E OLD PINK HILL RD

AG

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 319.28± acre tract from District AG (Agricultural) to District RE (Residential Estates) and approving the preliminary plat "Heritage Farm," creating an eighty-four-lot residential subdivision.

ORDINANCE NO. 5564, November 12, 2021

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RE" (Residential Estates) Districts, so that there will be transferred from District AG to District RE a tract of land, legally described as follows:

All of the East Half of the Northeast Quarter of section 21, and all of the West Half of the Northwest Quarter of Section 22, in Township 47, Range 30, in Jackson County, Missouri, except part in roads.

All of the Southeast Quarter of Section 21, Township 47, Range 30, in Jackson County Missouri, Except that part platted as Le Coteau, a subdivision in Jackson County, Missouri, and further Except that part that follows: Beginning at the intersection of the East line of said South Half of the Southeast Quarter with the center line of the concrete slab of State Route 150; thence North along the East line of said South Half of the southeast Quarter, 640.6 feet; thence West and parallel to the concrete slab of said Route 150, 340.0 feet; thence South and parallel to the East line of said South Half of the Southeast Quarter, 640.6 feet; thence East along the center line of said Route 150, 340.0 feet to the point of beginning, except part in roads, and Except that part of follows: Beginning at the Southeast corner of Lot 8, Le Coteau, a subdivision in Jackson County, Missouri; thence North 02 degrees, 08 minutes, 09 seconds East, 604.00 to the Northeast corner of Lot 7, said subdivision; thence along the Easterly extension of the North line of said Lot 7, North 89 degrees, 42 minutes, 28 seconds East, 30.03 feet; thence South 02 degrees, 08 minutes, 09 seconds West, 30 feet Easterly and parallel to the East line of said Lots 7 & 8, 604.10 feet to the North line of Outer Belt Road (State Route 150), as now established; thence along the North line of said Outer Belt Road, South 89 degrees, 54 minutes, 07 seconds West, 30.02 feet to the point of beginning.

All that part of the West Half of the Southwest Quarter of Section 16, Township 47, Range 30, Jackson County, Missouri, lying south of the US Highway 50, as said highway is now located, except part platted as Lot 1 and 2, Moody Estates, a subdivision in Jackson County, Missouri; and except that part described as follows: Beginning at the Southeast corner of Lot 2, Moody Estates, a subdivision in Jackson County, Missouri; thence North 02 degrees, 05 minutes, 25 seconds East, along the East line of said lot 2, to the Northeasterly corner of said Lot 2; thence South 01 degrees, 43 minutes, 49 seconds East, 585.30 feet; thence South 08 degrees, 55 minutes, 59 seconds West, 327.33 feet to the point of beginning.

Lots 9, 10, 11 & 12, Le Coteau, a subdivision in Jackson County, Missouri.

Section 2. The preliminary plat "Heritage Farm," creating an eighty-four-lot residential subdivision, is hereby approved.

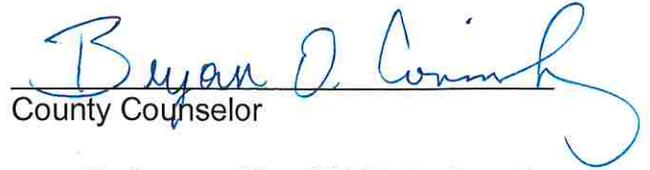
Section 3. The Legislature, pursuant to the application of Blue Springs Safety Storage South, LLC (RZ-2021-599), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on October 21, 2021, does hereby adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

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. 5564 introduced on November 12, 2021, was duly passed on _____, 2021 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. 5564.

Date

Frank White, Jr., County Executive

Request for Legislative Action

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5564
Sponsor(s):		Legislature Meeting Date:	11/12/2021

Introduction
Action Items: ['Authorize']
Project/Title:
Blue Springs Safety Storage South, LLC - RZ-2021-599

Request Summary
<p>Requesting a change of zoning from District AG (Agricultural) on 319.28 ± acres to District RE (Residential Estates). The purpose is to create a residential development consisting of approximately 84 single family residential lots in Sections 15, 21 & 22, Township 47, Range 30, and requesting approval of the preliminary plat "Heritage Farm" for the creation of a 84 lot residential lot subdivision.</p> <p>Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.</p> <p>The Jackson County Plan Commission held a public hearing on October 21, 2021 and accepted testimony pertaining to the rezoning request.</p> <p>The Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> for the rezoning, and 7 to 0 to recommend the <u>APPROVAL</u> of the preliminary plat to the County Legislature.</p>

Contact Information			
Department:	Public Works	Submitted Date:	11/1/2021
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Administrator	Phone:	816-881-4577

Budget Information			
Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> This legislative action does not impact the County financially and does not require Finance/Budget approval. 	

Request for Legislative Action

History

Randy D. Diehl at 11/1/2021 11:30:42 AM - [Submitted |]
Department Director: Brian Gaddie at 11/1/2021 3:14:22 PM - [Approved |]
Finance (Purchasing): Barbara J. Casamento at 11/2/2021 9:25:15 AM - [Not applicable |]
Compliance: Katie M. Bartle at 11/2/2021 9:52:20 AM - [Approved | eRLA 297]
Finance (Budget): Mark Lang at 11/2/2021 10:05:25 AM - [Not applicable |]
Executive: Troy Schulte at 11/2/2021 12:39:16 PM - [Approved |]
Legal: Elizabeth Freeland at 11/8/2021 3:00:13 PM - [Approved |]

RZ-2021-599

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

All of the East Half of the Northeast Quarter of section 21, and all of the West Half of the Northwest Quarter of Section 22, in Township 47, Range 30, in Jackson County, Missouri, except part in roads.

All of the Southeast Quarter of Section 21, Township 47, Range 30, in Jackson County Missouri, Except that part platted as Le Coteau, a subdivision in Jackson County, Missouri, and further Except that part that follows: Beginning at the intersection of the East line of said South Half of the Southeast Quarter with the center line of the concrete slab of State Route 150; thence North along the East line of said South Half of the southeast Quarter, 640.6 feet; thence West and parallel to the concrete slab of said Route 150, 340.0 feet; thence South and parallel to the East line of said South Half of the Southeast Quarter, 640.6 feet; thence East along the center line of said Route 150, 340.0 feet to the point of beginning, except part in roads, and Except that part of follows: Beginning at the Southeast corner of Lot 8, Le Coteau, a subdivision in Jackson County, Missouri; thence North 02 degrees, 08 minutes, 09 seconds East, 604.00 to the Northeast corner of Lot 7, said subdivision; thence along the Easterly extension of the North line of said Lot 7, North 89 degrees, 42 minutes, 28 seconds East, 30.03 feet; thence South 02 degrees, 08 minutes, 09 seconds West, 30 feet Easterly and parallel to the East line of said Lots 7 & 8, 604.10 feet to the North line of Outer Belt Road (State Route 150), as now established; thence along the North line of said Outer Belt Road, South 89 degrees, 54 minutes, 07 seconds West, 30.02 feet to the point of beginning.

All that part of the West Half of the Southwest Quarter of Section 16, Township 47, Range 30, Jackson County, Missouri, lying south of the US Highway 50, as said highway is now located, except part platted as Lot 1 and 2, Moody Estates, a subdivision in Jackson County, Missouri; and except that part described as follows: Beginning at the Southeast corner of Lot 2, Moody Estates, a subdivision in Jackson County, Missouri; thence North 02 degrees, 05 minutes, 25 seconds East, along the East line of said lot 2, to the Northeasterly corner of said Lot 2; thence South 01 degrees, 43 minutes, 49 seconds East, 585.30 feet; thence South 08 degrees, 55 minutes, 59 seconds West, 327.33 feet to the point of beginning.

Lots 9, 10, 11 & 12, Le Coteau, a subdivision in Jackson County, Missouri.

RZ-2021-599

ATTACHMENT 2: ZONING SUPPORT DUCUMENTATION

Attachments

Plan Commission Public Hearing Summary from October 21, 2021

Staff Report

Location Map

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Copy of Preliminary Plat

Randy Diehl gave the staff report:

RE: RZ-2021-599

Applicant: Blue Springs Safety Storage South LLC

Location: Sections 15, 21 & 22, Township 47, Range 30

Area: 319.28 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: Create 84 single family residential lots

Current Land Use and Zoning in the Area:

Zoning is predominately Agricultural. To the Northwest is Country Summit Estates and The Hideaway. Both developments are within District RR (Residential Estates).

To the West is Le Coteau, a 12 lot development. This was platted in 1976. Prior to the adaption of the Unified Development Code in 1995, land could be platted in lots without the benefit of being rezoned. Four of these lots are undeveloped and are owned by the applicant. The new plat be re-platted within the new development.

Woodland Ranch, a 44 lot development within the City of Lone Jack, is directly to the East. Lots are 3 to 10 acres in size.

Lone Summit Estates within Lake Lotawana is a five lot subdivision. These lots are 5 and 6 acres in size. There is also a 39 lot development being planned to the East on 150 Highway. Lot sizes range from 3 to 16 acres.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

The Residential Estates is appropriate for the Suburban Development Tier.

SUBDIVISION REPORT

RE: Heritage Farms

APPLICANT/DEVELOPER: Blue Springs Safety Storage South LLC

A revised preliminary plat was received on September 30, 2021.

Lot sizes are 3.00 acres to about 4.00 acres in size. Each lot has met the minimum lot width requirement of 180 feet. For lots on cul-de-sacs where the lot width is less than the minimum, the front yard setback will increase to a minimum of 180 feet.

Public Water Supply District No. 15: The water district has provided a letter stating they are willing and able to provide water to the proposed development.

Lone Jack Fire Protection District: Letter provided by the district regarding fire hydrant and turning radius requirements.

Missouri Department of Transportation: A traffic study was submitted to MoDOT, which they have concurred to the recommendations.

Access will be onto State Route 150 and 135th Street. 135th Street will be extended east from the Le Coteau subdivision.

MoDOT will not allow direct access onto 50 Highway.

The applicant owns a 60 foot strip of ground that serves as a private driveway onto 50 Highway. This is for the benefit for the three existing homes lying west of lots 47 & 48. MoDOT will not allow this to be used as a public street and should only be used as the private ingress/egress easement.

MoDOT has stated any connection to 50 Highway would occur at a point adjacent to the junction of 50 with Buckner Tarsney Road.

Mr. Antey: Where is the access again?

Mr. Diehl: South access will be from State Route 150. From the West, 135th Street will be extended into the development. There will be a stubbed-out street in the North portion of the development that will be able to connect to any future development and provide State approved access onto 50 Highway across from where Buckner Tarsney Road currently terminates at 50.

Department of Natural Resources: A letter from MDNR was provided giving approval for use of individual onsite wastewater treatment systems for the individual lots. Engineered septic plans are required to be submitted at the time building permits applications are taken for residences.

Floodplain: There are a couple of tributaries of Crawford Creek that pass through the area. The lower branch is within a designated floodplain area as defined by FEMA. The upper has a smaller portion of floodplain along it.

Stormwater & Erosion: Both tributaries are considered regulated creeks and therefore are subject to Chapter 241 of the Jackson County Code. These creeks are to be buffered by a No Build Zone that is measured at 150 feet each side of the thread of the creek.

Lot 23 is also totally affected by the No Build Zone which renders it unbuildable.

Mr. Tarpley: Are there any other lots affected by the floodplain?

Mr. Diehl: Yes. There are a few that are impacted by that.

Mr. Crawford: So some of these may be reconfigured to?

Mr. Antey: Yes. This is just the preliminary plat, the final plat will then need to be submitted to us prior to it being recorded.

Mr. Diehl: That is correct.

Environmental: Soil conditions ratings may determine that a few lots should be served with a polishing pond. Each lot is sufficient in size to accommodate a pond system. Those lots with reduced buildable area (Lots 5, 68-70), due to the No Build Zone, may not be able to accommodate a home and adhere to the setbacks for pond systems.

The County recommends soil testing on those lots affected by the No Build Zone to determine which type of waste-water system would best serve those lots. Test results may warrant reconfiguring or consolidating lots to accommodate a polishing pond system.

The setbacks for pond system are: Pond should be a minimum of 100 feet from the homes it serves and 200 feet from any other residence. Ponds shall be a minimum of 75 feet from the top of the berm to the closest point of the nearest property line, and 75 feet from the apparent high bank of a creek or any other waterway.

At the time building permits are submitted for residences, the permit review process will include reviewing any requirements pertaining to the floodplain.

Mr. Crawford: Is there a maximum number of lots that can be served by just one exit?

Mr. Diehl: I'll defer that question to our Engineering Department.

Mr. Jenkins: In this case, MoDOT looked at that with their traffic study. I was never proved the exact number. Usually there is a threshold that would then require a turn lane to be put in. As noted there will be an connection through 135th Street and in the future, a connection onto 50 Highway.

Mr. Crawford: Are there houses along 135th Street?

Mr. Diehl: Yes, there are four houses. The street stops at the property line of the lots on the East side of the subdivision. The street in front of the other four lots was never constructed. These lots will be re-platted and reconfigured by the new development.

Recommendation:

Staff recommends APPROVAL of RZ-2021-599

And, Staff recommends APPROVAL of Preliminary subdivision plat Heritage Farms. Subject to compliance with comments noted in this report and the condition that it may require future additions, deletions, and or corrections through reviews by staff.

Mr. Antey: *Are there any other questions for Staff?*

Mr. Crawford: 135th Street will be utilized, correct?

Mr. Jenkins: Yes.

Mr. Antey: In my subdivision we have 130 homes and only one entrance at this point. I'll will have more in the future. Any two at the start is sufficient.

Mr. Antey: *Is the applicant here?*

Brian Rahn: 1000 high Point Drive, Lee's Summit. I represent Blue Springs Safety Storage.

Mr. Antey: *Do you have anything to add to the report?*

Mr. Rahn: No. We have been working on this for some time. Working through the questions and concerns as they have been raised.

Mr. Antey: Do you plan on conduction and perc tests and mentioned?

Mr. Rahn: We have been looking at those and our engineering representative can answer those questions.

Mr. Hilliard: You realize that some of these lots may not be buildable?

Mr. Antey: There may be less lots do to reconfiguring.

Tobi Williams: I'm with Powell CWM. We've been working on this since January. We've been through 3 or 4 revisions of this with staff due to the access onto 50 Highway and the stream setback concerns. Are original connection onto 50 was through the 60 foot strip and MoDOT would not allow it.

We have gotten to the point we feel the lots should have sufficient room to develop. We can adjust those on the final plat to the most stringent regulations. The lots are three acres plus. That gives us a little more room to adjust lot lines.

Mr. Tarpley: What is the square footage of the houses?

Mr. Williams: These will be Estate size lots and home sizes would be 2,000 square feet and up. Those regulations (deed restrictions) have not been set in stone as this point.

Ms. Ryerkerk: (audio hard to make out) Question regarding Lot 23 and the floodplain.

Mr. Williams: The lot is not in the floodplain.

Mr. Diehl: The floodplain for the northern branch is a distance from the lot. (Illustrating on map)

Mr. Williams: Even though this is not in the floodplain, it is a regulated creek as identified by the State. The southern branch is within the floodplain.

Mr. Tarpley: Where do these creeks go? What do they flow into?

Mr. Diehl: They are tributaries of Crawford Creek, which flow to the south.

Mr. Crawford: These will be like Windsor Estates?

Mr. Williams: Yes

Mr. Antey: *Is there anyone else who is in favor of this application?*

There were none

Mr. Antey: *Is there anyone who is opposed or has questions regarding this application?*

Dennis Easterla, 30209 E. Hideaway Lane. I'm the President of the HOA for The Hideaway subdivision. I guess my primary question is understanding that there will be no access onto 50 Highway. You have 84 homes, and my assumption is that a significant portion of all that traffic will be accessing 50 Highway at Alley-Jackson or in front of Lone Summit Ranch. And to be perfectly honest, Gammon Road is garbage. My question is what is going to be done with that road? I would assume traffic will exit from 135th and not onto 150 Highway. That's a lot of traffic going up and down that road.

Mr. Tarpley: What's the speed limit on Gammon?

Mr. Easterla: I believe 35 MPH. Who actually owns that? Who is responsible for the maintenance?

Mr. Diehl: The area shaded in green is the corporate boundary for the City of Lake Lotawana. From a point North of 135th Street running South across 150 Highway, the City has the full right of way.

Mr. Tarpley: They do the maintenance?

Mr. Easterla: They do the bare minimum.

Mr. Antey: To the East of Gammon

Mr. Crawford: So, the maintenance is split 50-50 between the County and the City?

Mr. Diehl: If there is a maintenance agreement with the city, who does what would be spelled out in that document.

Mr. Jenkins: That is something that would be handled by our Road and Bridge Maintenance Division. We would need to see if there is an agreement with the City. We can look into that and see.

Mr. Antey: Anyone else that would like to speak?

Mark Simmons: 30407 E. Hideaway Lane. Could I get a little more clarity on the drawing? I'm a little confused on the route Gammon Road runs.

Mr. Diehl indicated on map the road layout for Gammon Road and 135th Street.

Mr. Simmons: The West egress is 135th Street. And for the record, I'm neither for nor against this development. The red lines are the future lots? What is the purple color represent?

Mr. Diehl: The red indicates the proposed lots. The purple is the area within the corporate boundaries of the City of Lone Jack.

Mr. Simmons: I walk along Gammon Road quite a lot. I'm concerned about traffic. When 7 Highway was having some improvements, a lot of traffic cut through this area. Is there a cost on the homes?

Mr. Antey: The applicant has already answered that these will be Estate type lots.

Mr. Simmons: What type of green space will this have?

Mr. Antey: These will be three plus acre lots. There won't be any common area since the lots are that size.

Mr. Diehl: The Hideaway is unique. The zoning is Residential Ranchette – Planned. The planned zoning allowed a trade-off in lot sizes under the 5-acre minimum with a portion of the land being deemed Common Area. This development is not required to have common area.

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Ms. Mershon seconded.

Discussion under advisement

Mr. Crawford: Who pays for the extension of 135th Street?

Mr. Diehl: The developer pays for the improvements for the development.

Mr. Crawford: I can't believe the people who live on this street aren't here. They are going to have an increase in traffic.

Mr. Diehl: The original plan from 1975 shows 135th extending to the East. The intent was for this street to continue into additional development at some point in time.

Mr. Crawford: I travel on Gammon occasionally. It'll have to be improved some time or another.

Jay Haden: We have formal contracts between cities and the County. It's usually not a 50-50 type agreement for maintenance. They deal in road segments, between point A and point B. It's either City or County performing some type of agreed maintenance. The status of this road, I'm not sure about. We'll have staff investigate that.

Note: The right of way of Gammon Road at the intersection of 135th Street is wholly inside the City of Lake Lotawana. At this time, there is no agreement between the City of Lake Lotawana and the County for road maintenance.

Mr. Crawford: What of the County or City making improvements to the road in the future. Acquiring right of way and all that is not cheap.

Mr. Haden: We are generally not in the increasing right of way business. We have plenty of right of way. The paved portion of a road may need to be widened.

Mr. Akins: Is Gammon Road only within the City?

Mr. Antey: No.

Mr. Diehl: From Old 50 Highway or Lone Jack-Lee's Summit Road the County portion runs south approximately a mile. The Lake Lotawana portion then continues across 150 Highway for about a mile. The remainder of the road to Springtown Road is County.

Mr. Tarpley: The storm water will empty out into the creeks:

Mr. Jenkins: The storm water in the northern portion will be handled by the two ponds on the East side of the development.

Mr. Tarpley: Who owns the ponds?

Mr. Diehl: The developer.

Mr. Jenkins: The South half will drain into the creeks.

Mr. Crawford moved to approve RZ-2021-599. Mr. Tarpley seconded.

Mr. Tarpley	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Mr. Akins	Approve
Mr. Hilliard	Approve
Ms. Mershon	Approve
Chairman Antey	Approve

Motion Carried 7 – 0

Preliminary Plat of Heritage Farms

Mr. Crawford moved to approve RZ-2021-599. Mr. Tarpley seconded.

Mr. Tarpley	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Mr. Akins	Approve
Mr. Hilliard	Approve
Ms. Mershon	Approve
Chairman Antey	Approve

Motion Carried 7 – 0

STAFF REPORT

PLAN COMMISSION

October 21, 2021

RE: RZ-2021-599

- Applicant:** Blue Springs Safety Storage South LLC
- Location:** Sections 15, 21 & 22, Township 47, Range 30
- Area:** 319.28 ± acres
- Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)
- Purpose:** Create 84 single family residential lots

Current Land Use and Zoning in the Area:

Zoning is predominately Agricultural. To the Northwest is Country Summit Estates and The Hideaway. Both developments are within District RR (Residential Estates).

To the West is Le Coteau, a 12 lot development. This was platted in 1976. Prior to the adaption of the Unified Development Code in 1995, land could be platted in lots without the benefit of being rezoned. Four of these lots are undeveloped and are owned by the applicant. The new plat be replatted within the new development.

Woodland Ranch, a 44 lot development within the City of Lone Jack, is directly to the East. Lots are 3 to 10 acres in size.

Lone Summit Estates within Lake Lotawana is a five lot subdivision. These lots are 5 and 6 acres in size. There is also a 39 lot development being planned to the East on 150 Highway. Lot sizes range from 3 to 16 acres.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

The Residential Estates is appropriate for the Suburban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2021-599

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

SUBDIVISION REPORT

By Randy Diehl

Planning Commission

October 21, 2021

RE: Heritage Farms

APPLICANT/DEVELOPER: Blue Springs Safety Storage South LLC

A revised preliminary plat was received on September 30, 2021.

Lot sizes are 3.00 acres to about 4.00 acres in size. Each lot has meets the minimum lot width requirement of 180 feet. For lots on cul-de-sacs where the lot width is less than the minimum, the front yard setback will increased to a minimum of 180 feet.

Public Water Supply District No. 15: The water district has provided a letter stating they are willing and able to provide water to the proposed development.

Lone Jack Fire Protection District: Letter provided by the district regarding fire hydrant and turning radius requirements.

Missouri Department of Transportation: A traffic study was submitted to MoDOT, which they have concurred to the recommendations.

Access will be onto State Route 150 and 135th Street. 135th Street will be extended east from the Le Coteau subdivision.

MoDOT will not allow direct access onto 50 Highway.

The applicant owns a 60 foot strip of ground that serves as a private driveway onto 50 Highway. This is for the benefit for the three existing homes lying west of lots 47 & 48. MoDOT will not allow this to be used as a public street and should only be used as the private ingress/egress easement.

MoDOT has stated any connection to 50 Highway would occur at a point adjacent to the junction of 50 with Buckner Tarsney Road.

Department of Natural Resources: A letter from MDNR was provided giving approval for use of individual onsite wastewater treatment systems for the individual lots. Engineered septic plans are required to be submitted at the time building permits applications are taken for residences.

Floodplain: There are a couple of tributaries of Crawford Creek that pass through the area. The lower branch is within a designated floodplain area as defined by FEMA. The upper has a smaller portion of floodplain along it.

Stormwater & Erosion: Both tributaries are considered regulated creeks and therefore are subject to Chapter 241 of the Jackson County Code. These creeks are to be buffered by a No Build Zone that is measured at 150 feet each side of the thread of the creek.

Lot 23 is also totally affected by the No Build Zone which renders it unbuildable.

Environmental: Soil conditions ratings may determine that a few lots should be served with a polishing pond. Each lot is sufficient in size to accommodate a pond system. Those lots with reduced buildable area (Lots 5, 68-70), due to the No Build Zone, may not be able to accommodate a home and adhere to the setbacks for pond systems.

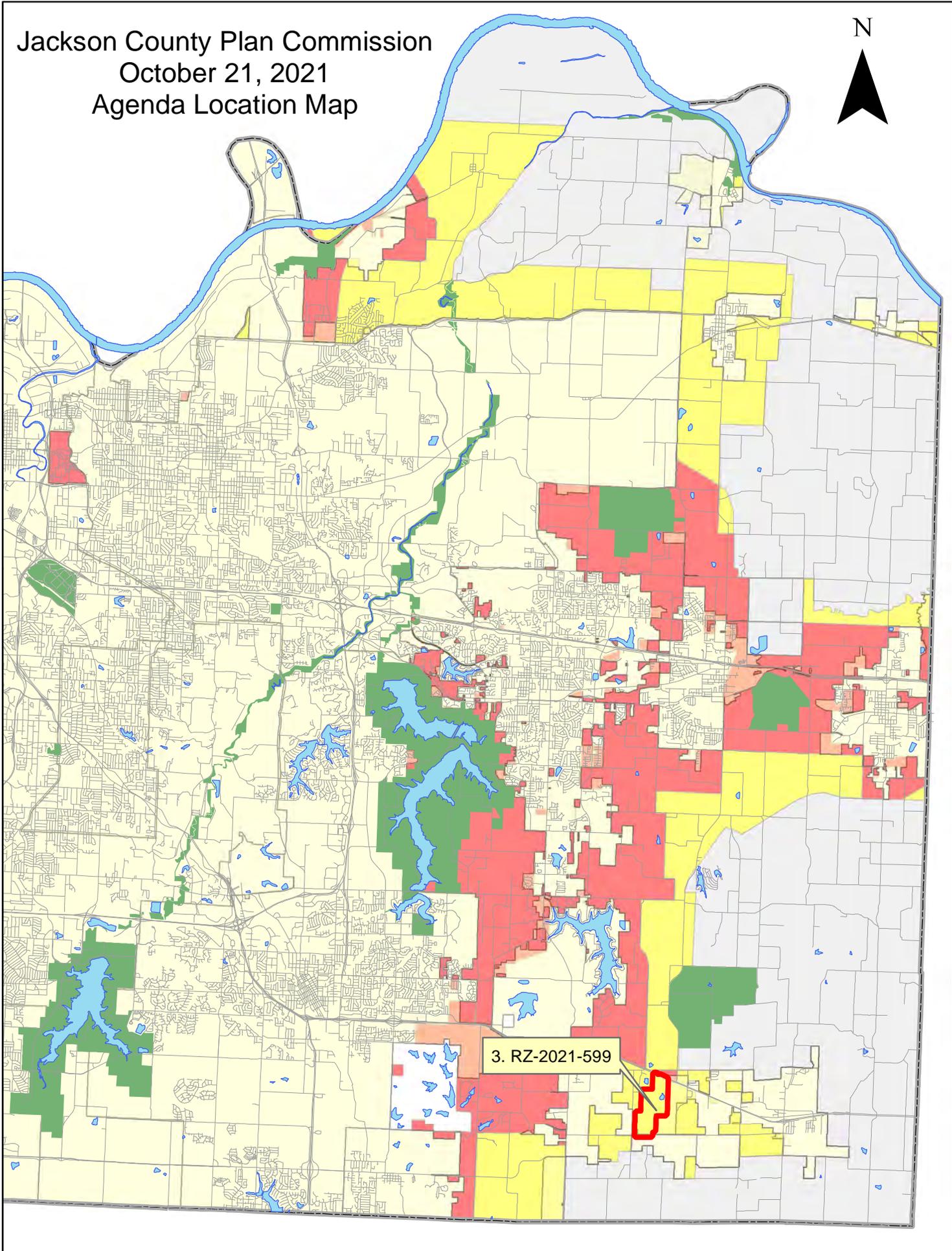
The County recommends soil testing on those lots affected by the No Build Zone to determine which type of waste water system would best serve those lots. Test results may warrant reconfiguring or consolidating lots to accommodate a polishing pond system.

The setbacks for pond system are: Pond should be a minimum of 100 feet from the homes it serves and 200 feet from any other residence. Ponds shall be a minimum of 75 feet from the top of the berm to the closest point of the nearest property line, and 75 from the apparent high bank of a creek or any other waterway.

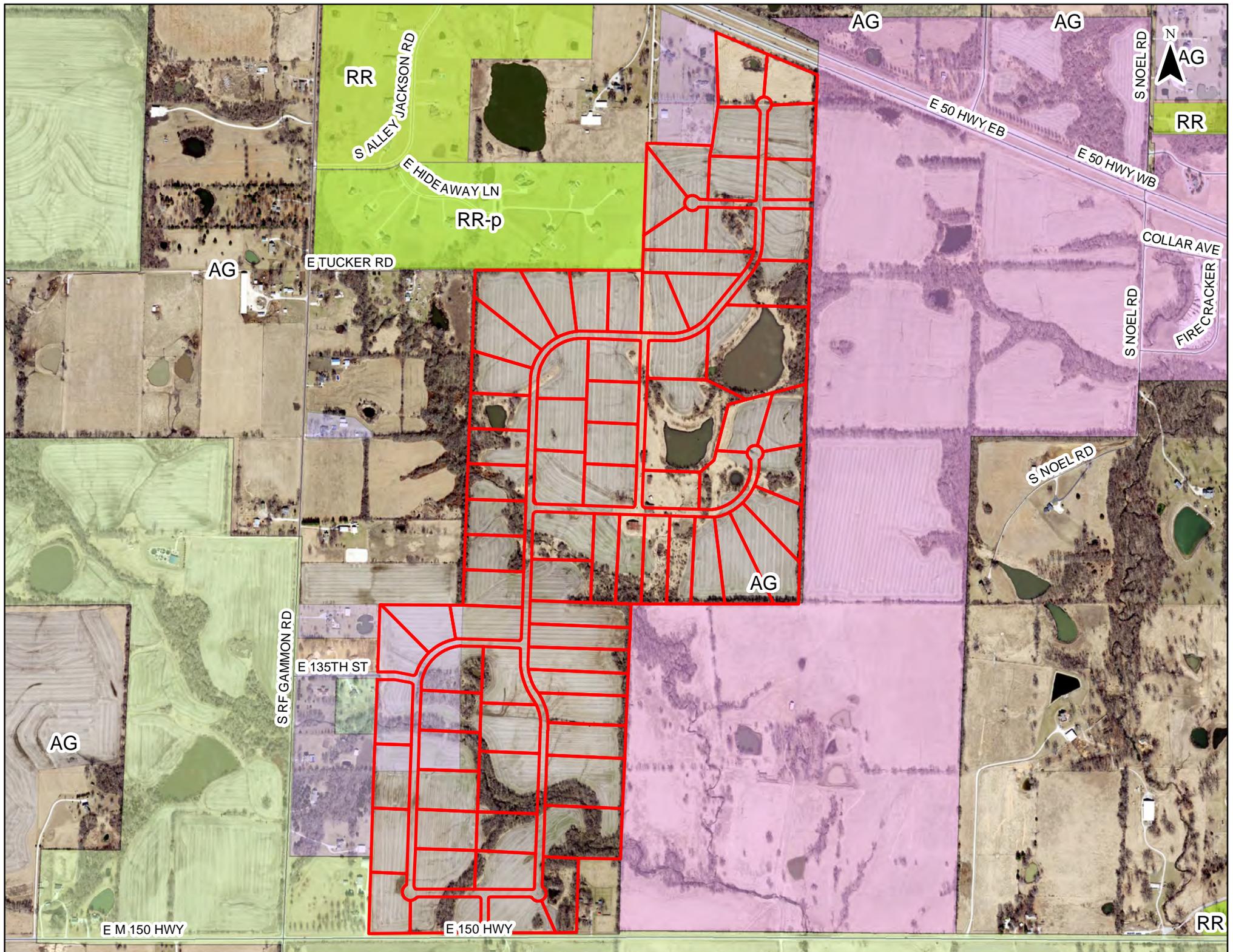
COMMENTS:

Staff recommends APPROVAL of Preliminary subdivision plat Heritage Farms. Subject to compliance with comments noted in this report and the condition that it may require future additions, deletions, and or corrections through reviews by staff.

Jackson County Plan Commission
October 21, 2021
Agenda Location Map



3. RZ-2021-599



Plan Commission October 21, 2021

RZ-2021-599

Property Owners Within 300 feet

Name	Name	Address	City	State	Zip
59-700-04-32-00-0-00-000	THE HIDEAWAY HOMES ASSOC	30605 E HIDEAWAY LN	LEES SUMMIT	MO	64086
59-700-04-22-00-0-00-000	HORTON KALE E & ADELLE J-TR	30605 E HIDEAWAY LN	LEES SUMMIT	MO	64086
72-100-01-04-01-0-00-000	GEVORKOV YURIY & NAZEMTSEVA LYUDMILA	13207 S GAMMON RD	LEES SUMMIT	MO	64086
72-100-01-08-00-0-00-000	BUCK DAVID W & MURPHY BUCK JENNIFER O	13405 GAMMON RD	LEES SUMMIT	MO	64086
72-100-04-14-00-0-00-000	WOLF ROBERT D & BRENDA S-TR	13721 S GAMMON RD	LEES SUMMIT	MO	64086
72-100-01-06-00-0-00-000	JENSEN HELMER N JR-TRUSTEE	1707 NW DEER RUN TRL	BLUE SPRINGS	MO	64015
72-100-04-04-00-0-00-000	REYNOLDS ROBERT N & BEVERLY A-TR	30704 E M 150 HWY	LEES SUMMIT	MO	64086
59-700-04-31-00-0-00-000	RYAN PAUL J & KIMBERLY S	30315 E HIDEAWAY LN	LEES SUMMIT	MO	64086
72-100-01-02-00-0-00-000	HEEDICK EVA M LIVING-TR C/O TRUST DEPT	4200 LITTLE BLUE PKWY	INDEPENDENCE	MO	64057
59-700-04-36-00-0-00-000	KOURY JOSEPH & CHRISTY	30601 E HIDEAWAY LN	LEES SUMMIT	MO	64086
59-700-04-35-00-0-00-000	WILHELM PATRICK	30511 E HIDEAWAY LN	LEES SUMMIT	MO	64086
72-100-04-16-00-0-00-000	MCCORKENDALE GEORGE E & CHERYL A-TRS	30100 E OUTER BELT RD	LAKE LOTAWANA	MO	64086
72-100-04-12-00-0-00-000	MOULDER GARY M & KAREN D	13621 S GAMMON RD	LEES SUMMIT	MO	64086
59-700-04-04-01-1-00-000	COSENTINO WILLIAM D & PAULA S	30703 E 50 HWY	LEES SUMMIT	MO	64086
58-900-03-14-00-0-00-000	HALE EDWARD B & REBECCA L	30805 E 50 HWY	LEES SUMMIT	MO	64086
58-900-03-15-00-0-00-000	STOCKER ROGER A & S JOY	30905 E US 50 HWY	LEES SUMMIT	MO	64086
72-100-04-15-00-0-00-000	MCCORKENDALE GEORGE E & CHERYL A-TRS	30100 E OUTER BELT RD	LAKE LOTAWANA	MO	64086
72-100-04-19-00-0-00-000	MCLAUGHLIN DONALD GENE & CHERYL BETH-TR	30106 E 135TH ST	LEES SUMMIT	MO	64086
72-100-04-20-00-0-00-000	MEDRANO CESAR & ESQUIVEL LORENA	30105 E 135TH ST	LEES SUMMIT	MO	64086
72-100-01-09-00-0-00-000	COMBS CLIFFORD L & DOROTHY -TR	399 SE D D HWY	WARRENSBURGMO	MO	64093
72-100-04-13-00-0-00-000	POOS RUSSELL K & BROOKE M	13707 S GAMMON RD	LEES SUMMIT	MO	64086
72-100-04-07-00-0-00-000	FRANCIS KENNETH W & COREE-TR	13433 GAMMON RD	LEES SUMMIT	MO	64086
59-700-04-34-00-0-00-000	SIMMONS MARK R & DONNA M	30407 HIDEAWAY LN	LEES SUMMIT	MO	64086
73-300-04-32-00-0-00-000	NICK ZVACEK CONSTRCTION LLC	1009 INDUSTRIAL DR	PLEASANT HILL	MO	64080
73-300-04-31-00-0-00-000	FIELD JORGE & ELISA	31108 E OUTERBELT RD	LEES SUMMIT	MO	64086
73-300-04-41-00-0-00-000	FARR ELIZABETH & DARRELL A	4455 NE PARK SPRINGS CT	LEES SUMMIT	MO	64064
73-300-03-09-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029

73-300-02-10-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-02-11-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-02-06-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-03-12-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-03-11-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-03-08-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-02-09-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-03-10-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-02-07-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-02-08-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029
73-300-02-05-00-0-00-000	CAMPBELL NANCY E-TRUSTEE	11400 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
58-900-03-08-00-0-00-000	CAMPBELL NANCY E-TRUSTEE	11400 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
72-600-01-01-01-0-00-000	LAMPTON DAVID M & BRENDA S	13504 CLAIRE CT	GREENWOOD	MO	64034
72-100-04-01-01-0-00-000	BLUE SPRINGS SAFETY STORAGE SOUTH LLC	1120 NW EAGLE RIDGE BLVD	GRAIN VALLEY	MO	64029
72-100-04-23-00-0-00-000	BLUE SPRINGS SAFETY STORAGE SOUTH LLC	1120 NW EAGLE RIDGE BLVD	GRAIN VALLEY	MO	64029
72-100-04-22-00-0-00-000	BLUE SPRINGS SAFETY STORAGE SOUTH LLC	1120 NW EAGLE RIDGE BLVD	GRAIN VALLEY	MO	64029
73-300-02-04-00-0-00-000	BLUE SPRINGS SAFETY STORAGE SOUTH LLC	1120 NW EAGLE RIDGE BLVD	GRAIN VALLEY	MO	64029
58-900-03-09-01-0-00-000	BLUE SPRINGS SAFETY STORAGE SOUTH LLC	1120 NW EAGLE RIDGE BLVD	GRAIN VALLEY	MO	64029



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

October 6, 2021

RE: Public Hearing: RZ-2021-599
Blue Springs Safety Storage South LLC

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Blue Springs Safety Storage South LLC, Inc for a change of zoning from District AG (Agricultural) on 319.28 ± acres to District RE (Residential Estates). The purpose is to create a residential development consisting of approximately 84 single family residential lots.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 300' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, October 21, 2021 at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4649.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division,
303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application.
Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2021-599
Date filed 2-3-21 Date of hearing 10-21-21
Date advertised 10-6-21 Date property owners notified 10-6-21
Date signs posted 10-6-21
Hearings: Heard by AC Date 10-21-21 Decision _____
Heard by LU Date _____ Decision _____
Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Blue Springs Safety Storage South LLC
Address: 1120 Eagle Ridge Blvd, Grain Valley, MO 64029

Phone: 816-229-8115
 - b. Owner(s) Name: Same as above
Address: _____
Phone: _____
 - c. Agent(s) Name: Tony Ward

Address: 1120 Eagle Ridge Blvd, Grain Valley, MO 64029

Phone: 816-229-8115

- d. Applicant's interest in Property: Property Owner
2. General location (Road Name) Between US 50 Highway and MO 150 just east of Gammon Rd
3. Present Zoning County Agriculture Requested Zoning Residential Estates (RE)
4. AREA (sq. ft. / acres) 319.28 acres
5. Legal Description of Property: (Write Below or Attached 9)
Attached
6. Present Use of Property: Agriculture
7. Proposed Use of Property: Low Density Residential
8. Proposed Time Schedule for Development: 2021-2022
9. What effect will your proposed development have on the surrounding properties?
There is no foreseen impact on the surrounding properties
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? Yes
If so, will any improvements be made to the property which will increase or decrease the elevation? No
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Development will require new water mains and increase demand.
 - b. Sewage disposal Development will utilize on-site septic systems
 - c. Electricity Local power distribution lines maintained by the local service provider
 - d. Fire and Police protection Local police and fire
12. Describe existing road width and condition: Property does not have existing roads.

13. What effect will proposed development have on existing road and traffic conditions? The proposed development should have minimal impact on existing local roads and traffic patterns based on the density of the proposed zoning.

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): N/A

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature _____ Date _____
Property Owner(s) Blue Springs Safety Storage South LLC 2/1/21
[Signature] 2/1/21

Applicant(s): Blue Springs Safety Storage South LLC 2/1/21
[Signature] 2/1/21

Contract Purchaser(s): _____

STATE OF Missouri
COUNTY OF Jackson



On this 1st day of Feb. in the year of 2021, before me
the undersigned notary public, personally appeared Anthony Ward

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and
acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Tresa Thornhill Commission Expires 06/11/2024

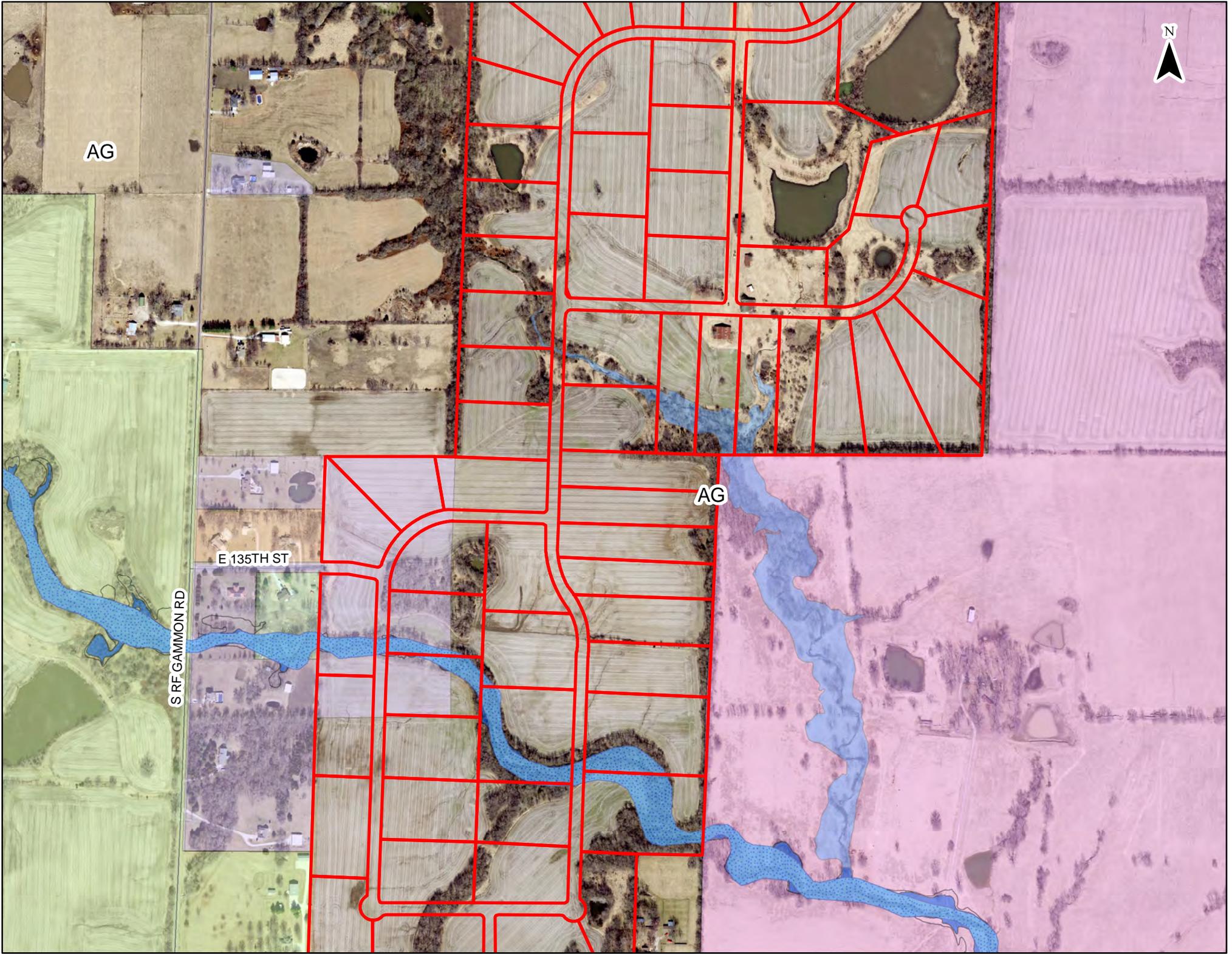


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E 135TH ST

S RF GAMMON RD



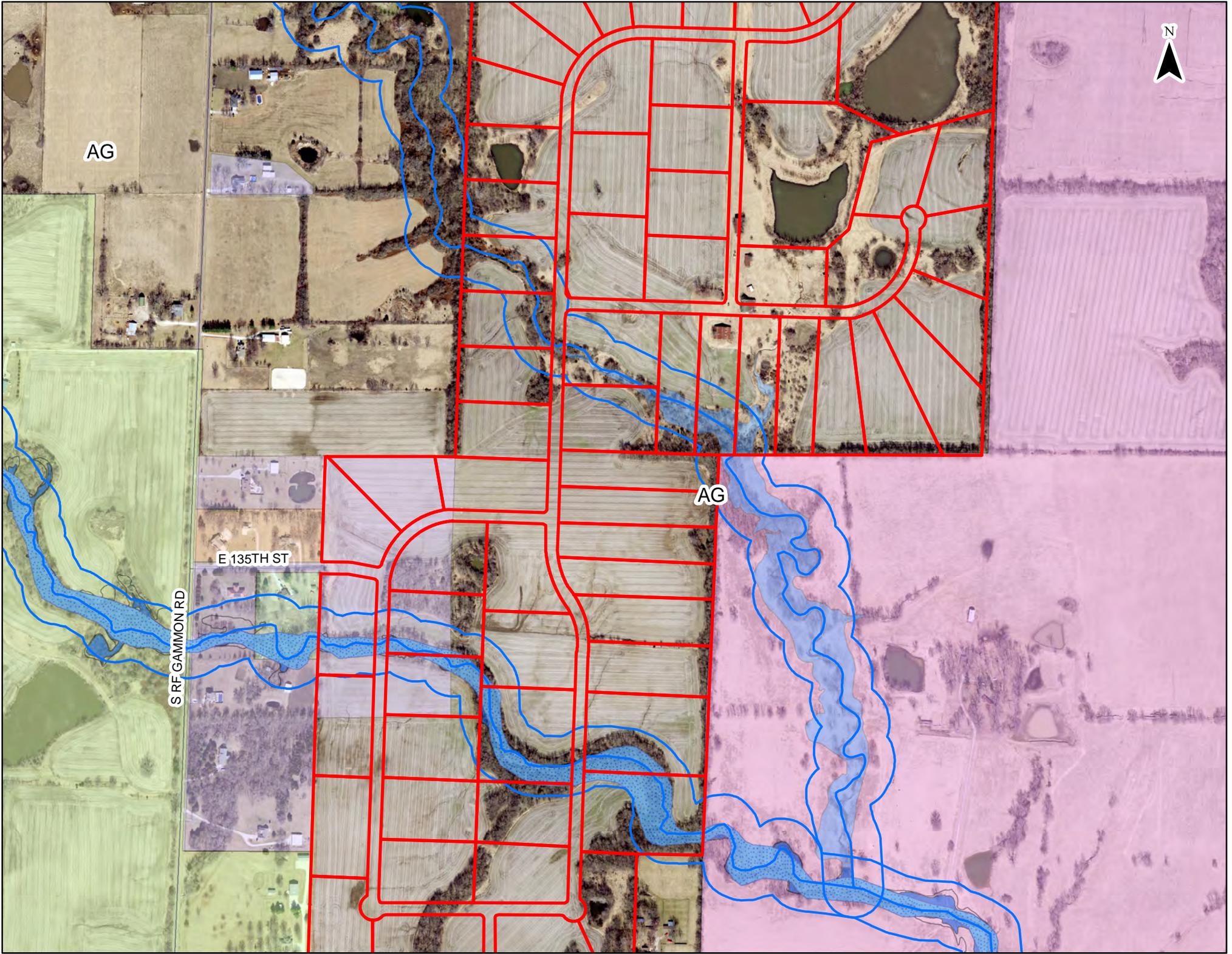


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E 135TH ST

S RF GAMMON RD



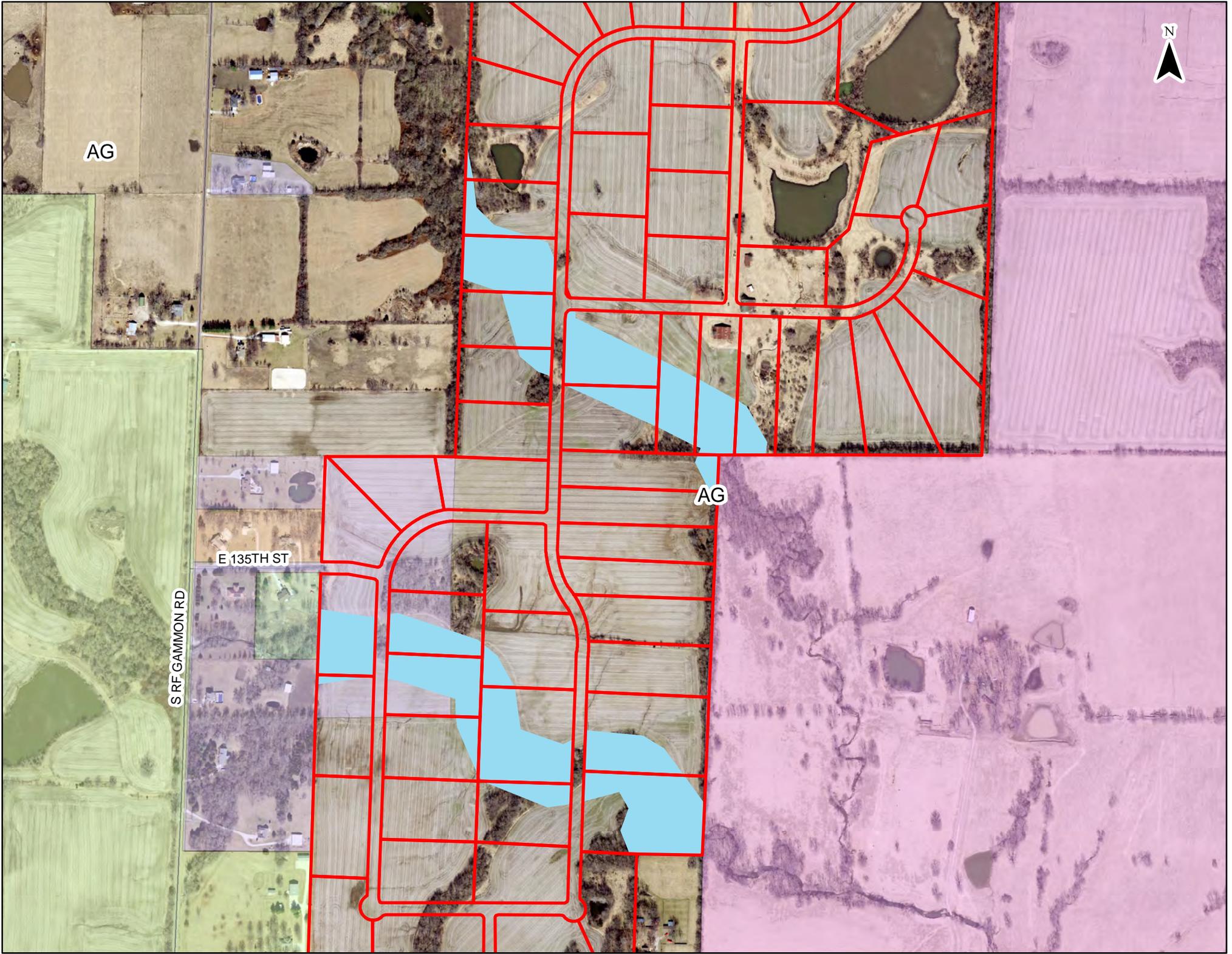


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E 135TH ST

S RF GAMMON RD



PRELIMINARY PLAT FOR HERITAGE FARMS

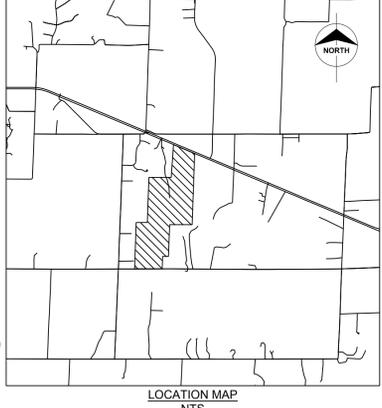
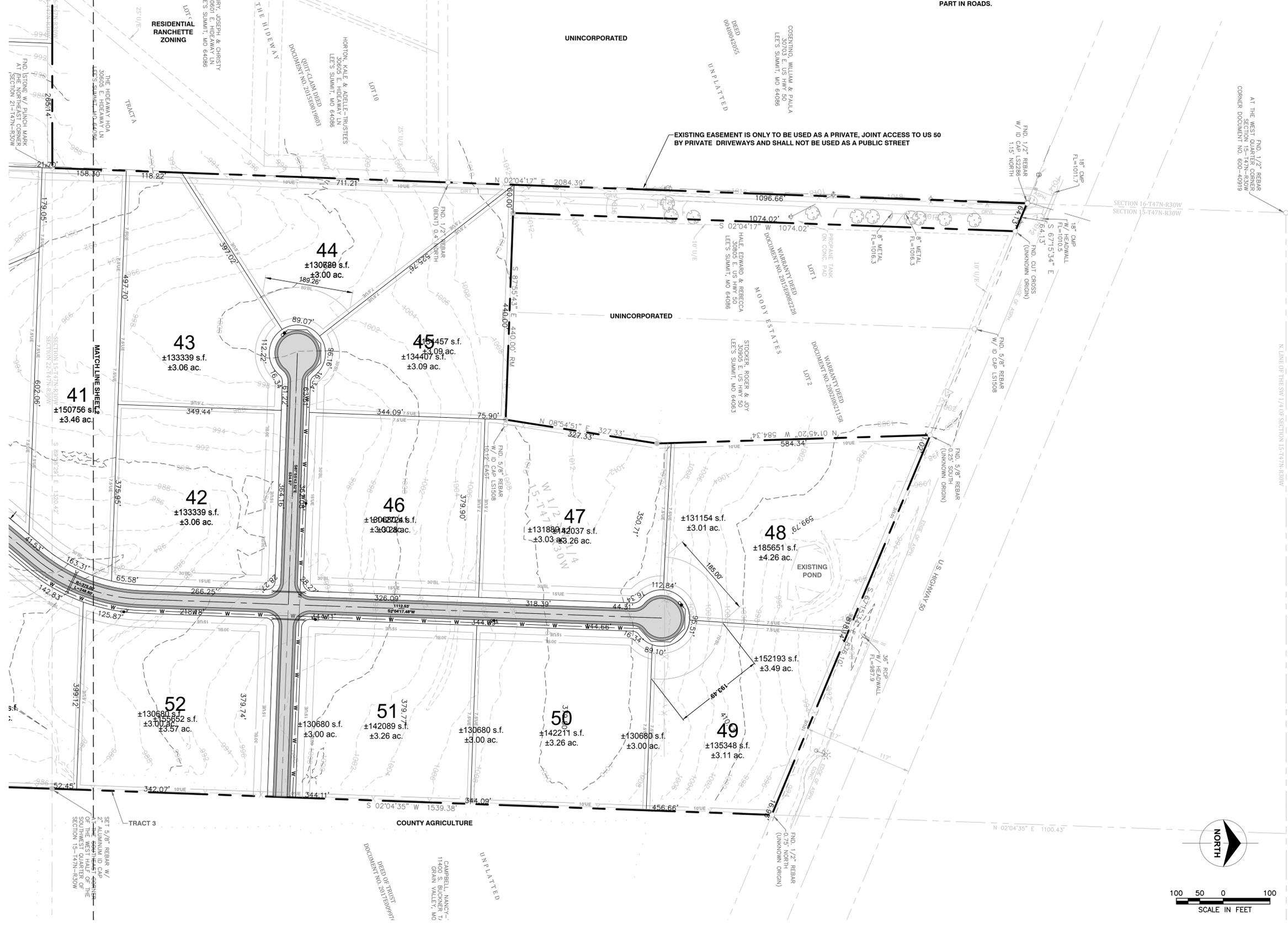
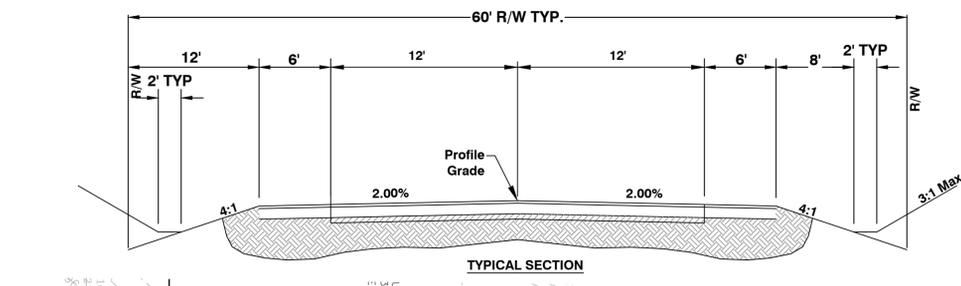
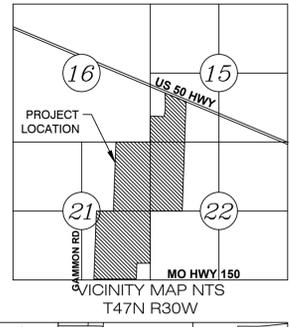
A SUBDIVISION LOCATED IN
JACKSON COUNTY, MISSOURI
SECTION 15, 21 & 22, TOWNSHIP 47 NORTH, RANGE 30 WEST

LEGAL DESCRIPTION:

TRACT I:
ALL OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, AND ALL OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 22, IN TOWNSHIP 47, RANGE 30, IN JACKSON COUNTY, MISSOURI, EXCEPT THAT PART IN ROADS.

TRACT II:
ALL OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 47, RANGE 30, IN JACKSON COUNTY, MISSOURI, EXCEPT THAT PART PLATTED AS LE COTEAU, A SUBDIVISION IN JACKSON COUNTY, MISSOURI AND FURTHER EXCEPT THAT PART AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER WITH THE CENTER LINE OF THE CONCRETE SLAB OF U.S. HIGHWAY 160 (OUTERBELT ROAD); THENCE NORTH ALONG THE EAST LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF 640.6 FEET; THENCE WEST AND PARALLEL TO THE CONCRETE SLAB OF U.S. HIGHWAY 160 (OUTERBELT ROAD) 340.0 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER 640.6 FEET; THENCE EAST ALONG THE CENTER LINE OF SAID U.S. HIGHWAY 160 (OUTERBELT RD) 340.0 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART IN ROADS.

TRACT III:
ALL THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 47, RANGE 30, JACKSON COUNTY, MISSOURI, LYING SOUTH OF THE UNITED STATES HIGHWAY NO. 50, AS SAID HIGHWAY IS NOW LOCATED, EXCEPT THAT PART PLATTED AS LOTS 1 AND 2, MOODY ESTATES, A SUBDIVISION IN JACKSON COUNTY, MISSOURI, EXCEPT THAT PART IN ROADS.



LAND USE TABLE

ZONING:
PROPOSED: RESIDENTIAL ESTATES (RE)
EXISTING: AGRICULTURAL (AG)

TOTAL PROPERTY AREA: ±319.28 ac
PUBLIC RIGHT-OF-WAY: 22.88 ac
SINGLE FAMILY RESIDENTIAL: 81 lots
TOTAL LOT AREA: 296.40 ac
MINIMUM LOT SIZE: 3.00 ac
GROSS LOT DENSITY: 0.27 lots/ac
AVERAGE LOT AREA: 3.58 ac
COMMENCEMENT DATE: TBD
COMPLETION DATE: TBD

ZONING REQUIREMENTS

MINIMUM LOT SIZE	3 ac
MAXIMUM BUILDING HEIGHT	35 ft
SETBACKS	
FRONT - 30 ft MINIMUM	
SIDE - 15 ft (STREET SIDE - 30 ft)	
REAR - 30 ft	
MINIMUM LOT WIDTH	180 ft @ BL
MAXIMUM IMPERVIOUS COVER	25%

FLOOD INFORMATION:

THIS SITE IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (ZONE X, A, AE) AS SHOWN ON FIRM, FLOOD INSURANCE MAP, FEMA, COUNTY OF JACKSON, MISSOURI (UNINCORPORATED) COMMUNITY PANEL NUMBERS 29095C0463G AND 29095C0576G, MAP EFFECTIVE DATE 1/20/2017.

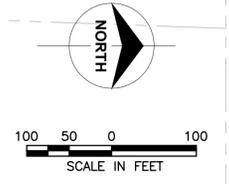
REFERENCE BEARING:

BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE AND TIED TO CONTROL MONUMENT "JA-144", 2003 ADJUSTMENT (N: 299383.592 METERS, E: 871716.556 METERS) OF THE MISSOURI GEOGRAPHIC REFERENCE SYSTEM, AS DEVELOPED FROM GPS OBSERVATIONS, A GRID FACTOR OF 0.9999036 WAS USED.

WASTEWATER NOTE

APPROPRIATE ON-SITE WASTEWATER SYSTEMS ARE TO BE USED PER SOIL MORPHOLOGY REPORT.

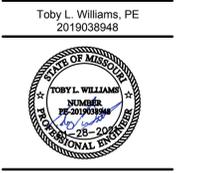
DEVELOPER/OWNER
BLUE SPRINGS SAFETY STORAGE SOUTH LLC
 1120 EAGLE RIDGE BLVD.
 GRAIN VALLEY, MO. 64029
 816-229-5012
 CONTACT: TONY WARD



Certificate of Authority
 Architecture: MO 110 / E 13
 Engineering: MO 4 / E 241
 Land Surveying: MO 123 / E 34

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Toby L. Williams, PE
 2019038948



PREPARED FOR:
 BLUE SPRINGS SAFETY STORAGE SOUTH LLC
 1120 EAGLE RIDGE BLVD.
 GRAIN VALLEY, MO 64029
 816.229.5012

HERITAGE FARMS PRELIMINARY PLAT
 JACKSON COUNTY, MISSOURI, 64086

REVISIONS NO.	DATE / DESCRIPTION
1	
2	
3	
4	
5	
6	

PROJECT #: 20-1801
 ISSUE DATE: 01-28-2021

NOT FOR CONSTRUCTION
 PRELIMINARY PLAT
 1 OF 4



POWELL **CWM**
ARCHITECTURE/ENGINEERING/SURVEYING
3200 S. State Route 91, Bldg. 1, Independence, MO 64057
816.373.4800 | powellcwm.com

Certificates of Authority
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Engineering: MO 4 / KS 241
Land Surveying: MO 123 / KS 34

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Toby L. Williams, PE
2019038948

STATE OF MISSOURI
TOLBY L. WILLIAMS
LICENSED PROFESSIONAL ENGINEER
NO. 2019038948
EXPIRES 12-31-2024

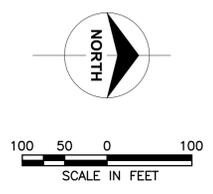
PREPARED FOR:
BLUE SPRINGS SAFETY
STORAGE SOUTH LLC
1120 EAGLE RIDGE BLVD.
GRAIN VALLEY, MO 64029
816.229.5012

HERITAGE FARMS PRELIMINARY PLAT
JACKSON COUNTY, MISSOURI, 64086

REVISIONS	NO.	DATE	DESCRIPTION
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	3		
	4		
	5		
	6		

PROJECT #: 20-1801
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NOT FOR CONSTRUCTION
PRELIMINARY PLAT
2 OF 4



FIND 3/8" REBAR ACCEPTED AS THE SQUARE OF THE NORTHWEST QUARTER OF SECTION 22-14N-33W (11' WEST OF STONE)

CAMERON VAN 11400 GRAIN VALLEY UN PLAT E

SET 5/8" REBAR W/ 2" ALUMINUM ID CAP AT THE WEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13-14N-33W

Certificate of Authority
 Architecture: MO 118 / KS 13
 Engineering: MO 4 / KS 241
 Land Surveying: MO 123 / KS 34

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 2019038948



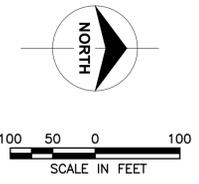
PREPARED FOR:
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 STORAGE SOUTH LLC
 1120 EAGLE RIDGE BLVD.
 GRAIN VALLEY, MO 64029
 816.229.5012

HERITAGE FARMS PRELIMINARY PLAT
 JACKSON COUNTY, MISSOURI, 64086

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PROJECT #: 20-1801
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NOT FOR
 CONSTRUCTION
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 3 OF 4



Certificate of Authority
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 20190338948



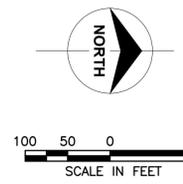
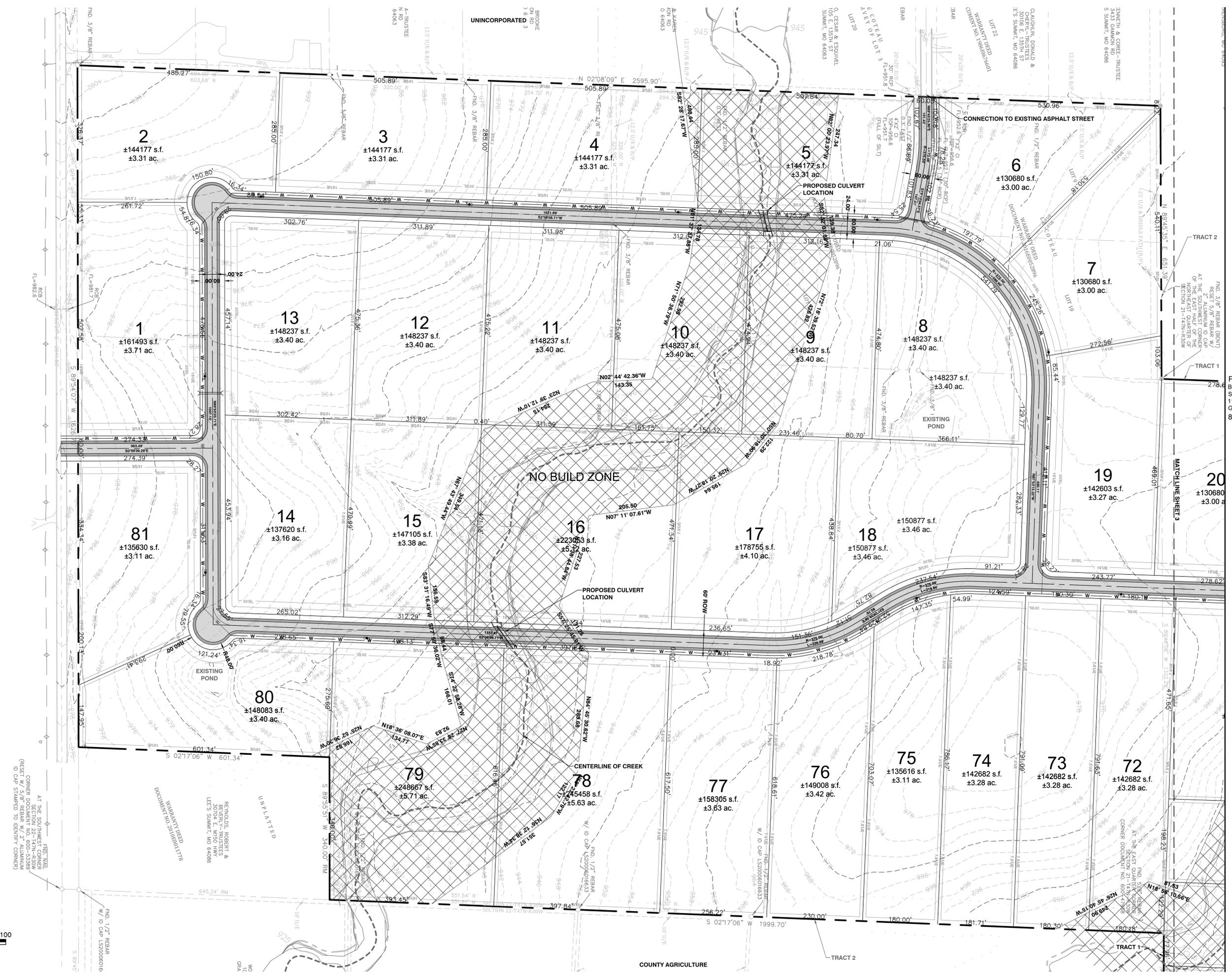
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NOT FOR CONSTRUCTION
PRELIMINARY PLAT
4 OF 4



AT THE CORNER POINT
 SECTION 22-17N-45W
 (RESET W/ 5/8" REBAR W/ 2" ALUMINUM
 ID CAP STAMPED TO IDENTIFY CORNER)

REINHOLDS ROBERT &
 SONNETE MISO HHS
 LEE'S SUMMIT, MO 64086

UNPLATTED
 DOCUMENT NO. 201903011718

WARRANTY DEED
 DOCUMENT NO. 201903011718

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IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE transferring \$210,064.00 within the 2021 General Fund and appropriating \$266,065.00 from the undesignated fund balance of the 2021 Grant Fund, in acceptance of the 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 acceptance and expenditure of grant funds.

ORDINANCE NO. 5565, November 12, 2021

INTRODUCED BY Charlie Franklin, County Legislator

WHEREAS, the Sheriff's Office has been awarded a grant in the amount of \$266,065.00 by the Missouri Department of Transportation, Traffic and Highway Safety Division, for the purpose of funding a five-person DWI/Traffic Safety Unit and the cost of a new vehicle with equipment for use by the DWI Traffic Unit, for the period of October 1, 2021, to September 30, 2022; and,

WHEREAS, the grant is subject to a local match in the amount of \$210,064.00; 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	56798- Grant Match	\$210,064	
Operating Transfers			
001-9100	56105- Operating Transfers Out		\$210,064
Grant Fund			
Traffic Unit			
010-4224	47070- Operating Transfers In	\$210,064	
010-4224	45609- Increase Revenue	\$266,065	
Non Specific Department			
010-9999	32810- Undesignated Fund Balance		\$476,129
010-9999	32810- Undesignated Fund Balance	\$476,129	
Traffic Unit			
010-4224	55010- Regular Salaries		\$285,418
010-4224	55030- Overtime Salaries		\$25,600
010-4224	55040- FICA Taxes		\$21,835
010-4224	55050- Pension Contributions		\$44,325
010-4224	55060- Insurance Benefits		\$35,751
010-4224	57190- Wearing Apparel		\$7,200
010-4224	58115- Sheriff Vehicle Equipment		\$16,000
010-4224	58120- Automobiles		\$36,000
010-4224	58171- Personal Computer/Access		\$4,000

and,

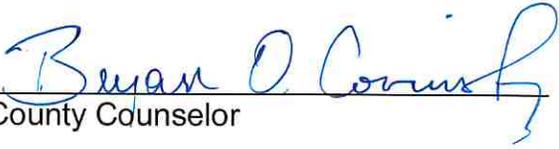
BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached grant contract with the Missouri Department of Transportation, Traffic and Highway Safety Division.

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. 5565 introduced on November 12, 2021, was duly passed on _____, 2021 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. 5565.

Date

Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 001 4201 56798
ACCOUNT TITLE: General Fund
Sheriff
Grant Match
NOT TO EXCEED: \$210,064.00

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

ACCOUNT NUMBER: 010 9999 32810
ACCOUNT TITLE: Grant Fund
Non Specific Department
Undesignated Fund Balance
NOT TO EXCEED: \$476,129.00

11/9/2021
Date


Chief Administrative Officer

CONTRACT

Form HS-1

Version: 1

06/08/2021

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: Dedicated Impaired Driving Enforcement
Project Number: 22-154-AL-088
Project Category: Transfer
Program Area: 154/164 Alcohol

Funding Source: 154 AL / 20.607

Type of Project: Initial

Started: 10/01/2021

Name of Grantee
Jackson County Sheriff's Office

Grantee County
Jackson

Grantee Address
4001 NE Lakewood Court

Lee's Summit, MO 64064-1703

Telephone
816-524-4302

Fax
816-795-1969

Contract Period
Effective: 10/01/2021
Through: 09/30/2022

Federal Funds Benefiting

State:	
Local:	\$266,064.41
Total:	\$266,064.41

Source of Funds

Federal:	\$266,064.41
State:	
Local:	\$210,064.40
Total:	\$476,128.81

Prepared By
Wilson, Scott

Subrecipient Authorizing Official

Date

Subrecipient Project Director

Date

MHTC Authorizing Official

Date

It is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the **total obligated amount of \$266,064.41**; 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 and each subrecipient 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 AND SOFTWARE

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 and software 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.
7. Subrecipients will make every effort to purchase equipment as early in the fiscal year as possible . There may be no reimbursement for equipment purchased at the end of the fiscal year.
8. That all necessary affirmative steps are taken to assure that minority businesses , women's business enterprises, and labor surplus area firms are used when possible (2 CFR PART 200.322).

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. Subrecipient should report monthly, or at least quarterly, to MHTC using the online Grant Management System. For projects where salaried positions are awarded, claim voucher and activity reports must be submitted *monthly*. Subrecipient must ensure complete, accurate and final voucher and supporting documentation is received by the MHTC no later than November 15, which is after the end of the Federal fiscal year for which the final voucher pertains. Final payment is contingent upon receipt of the complete, accurate and final voucher.

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.fsrs.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, if an award no longer effectuates the program goals or MHTC priorities. 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, and in the case of partial termination the portion of the award to be terminated.

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 and/or the intended scope of the project does not change. Prior to any revision being made to the Budget Proposal, Subrecipient shall submit a written or email 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. All final modification requests must be submitted no later than September 30 of the project fiscal year.

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>Assistance Listing #</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
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

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).

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- 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;

CONTRACT CONDITIONS - PAGE 9

- 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

Furthermore, the State and each subrecipient will follow the guidelines of 2 C.F.R. § 200.322, Domestic Preferences for Procurements. As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

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. 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.

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.

XXIX. PARTICIPATION IN HIGHWAY SAFETY PARTNERSHIPS

All subrecipients are strongly encouraged to participate in Highway Safety sponsored functions including, but not limited to, Missouri Coalition for Roadway Safety regional meetings, applicable subcommittees and conferences; working groups; dedicated enforcement workshops; and grant application and contract award workshops. Subrecipient agencies with positions that are funded via Highway Safety grants are expected to participate (or send a representative) in the above functions as much as possible.

XXX. PROHIBITION ON TELECOMMUNICATIONS AND VIDEO SURVEILLANCE (2CFR PART 200.322)

The National Defense Authorization Act of Fiscal Year 2019 (Pub. L. 115-232) prohibits Federal grant funds from being obligated or expended to procure or obtain (or to enter into, extend, or renew a contract to procure or obtain) certain covered telecommunications equipment, services, or systems. States and subrecipients should refer to the Super Circular for more information on what equipment and companies this prohibition covers.

Equipment regularly purchased under NHTSA grants that may be subject to this provision could include : mobile phones, landlines, and the internet. Note that this provision prohibits purchasing these (and other) items produced by certain companies; items produced by non-prohibited companies are still potentially allowable.

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 is expected to participate in associated 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, Holiday Impaired Driving campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejis.org/>.
5. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training certified law enforcement officer will be reimbursed.
6. 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 crackdowns 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

Substance-impaired drivers contributed to 22.9 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 80.4 percent of substance-impaired driving fatalities. Fourteen 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 who often was an underage-impaired driver.

Jackson County impaired driving crashes (as reported by MSHP Crash Data):

2014 - 777
2015 - 741
2016 - 816
2017 - 859
2018 - 814
2019 - 894
2020 - 986

Jackson County impaired driving fatal crashes (as reported by MSHP Crash Data):

2014 - 21
2015 - 14
2016 - 16
2017 - 16
2018 - 8
2019 - 8
2020 - 20

Viewing the average number of impaired driving related fatalities during the first three years of 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 significantly reduced since 2014, with a slight increase in 2016 and 2017. When comparing the first years of the Jackson County TSU the number of fatality crashes have been cut in half, barring the results from 2020 and the COVID-19 pandemic restrictions. This rapid reduction began when funds were first granted by HSD for the formation of the Traffic Safety Unit. It's also obvious that in three of the last five years, the number of impaired driving traffic crashes appeared to have "flat lined," but show a significant increase in 2017. If history serves as a guidance, the redeployment of the TSU, and the return of focused enforcement after the lifting of the pandemic related enforcement restrictions, we should see an approximate 10-12% decrease in alcohol related traffic crashes in the selected enforcement areas. The sharp increase seen in 2020 may lead to a flawed assessment that focused DWI enforcement has failed, however if not for the pandemic related restrictions placed upon law enforcement, it is our opinion that this increase, if any would have been negligible.

The TSU refuses to accept that "there just aren't that many impaired driver's 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.

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.

Full-Time DWI enforcement deputy:

- Receives regular continuing education in DWI enforcement, legal updates, ARIDE, DRE.
- 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.
- Specialized training such as ARIDE and DRE lead to greater recognition of impaired driving caused by substances other than alcohol.

The Highway Safety Division, in the Problem Identification section of all DWI enforcement grant applications for fiscal year 2022, identified the problem of drugged drivers accounting for a significantly higher amount of impaired driving traffic crashes. Lack of training, know how, or desire of a large amount of the law enforcement community has led to drugged drivers not being properly identified when contacted and removed from the roadways. Failure to recognize this impairment, or discretionary decisions by officers to not investigate the impairment due to the nature of the contact are believed to contribute to the increase in drugged driving crashes. When agencies such as the sheriff's office have full-time DWI enforcement units working, the units frequently respond to calls from patrol regarding drugged drivers, as the average patrol deputy doesn't feel comfortable investigating these situations. In incidences when the TSU was contacted to handle these types of contacts, even by outside agencies, many drugged driving investigations have resulted in arrests that otherwise would not have been made.

During fiscal year 2020, the Sheriff's Traffic Safety Unit arrested 307 subjects for driving while intoxicated. During that same period, deputies assigned to patrol, and other divisions of the sheriff's office arrested 9. Of the 9 DWI arrests made by deputies outside the Traffic Safety Unit over 75% were made by a single deputy. This is a clear indicator of the performance of full-time DWI enforcement deputies compared to deputies working DWI enforcement during regular shift hours, or during overtime enforcement hours.

GOALS/OBJECTIVES

Core Performance Measure Goals

1. Based on an annual average increase of 3.41 percent in alcohol-impaired driving involved fatalities from 2014 to 2018, Missouri is projecting a five-year average of 251.5 alcohol-impaired driving involved fatalities of 251.5 by December 31, 2021.

Illustrated by the data in the Problem Identification section,

Jackson County impaired driving traffic crash fatalities increased from 8 to 20 in the calendar year 2020. This was a failure in the goals set for the TSU, but this failure is mitigated by the change of personnel, and COVID-19 restrictions which were placed upon the agency preventing proactive enforcement during the majority of the year. If the imperial data from calendar year 2020 were discarded, it would show that the focused enforcement by the TSU has brought about significant decreases in previous years. The relationship between the sharp decline and the number of DWI related arrests are intrinsically linked.

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

- 2022 - 12 or fewer impaired driving fatalities
- 2023 - 8 or fewer impaired driving fatalities
- 2024 - 6 or fewer impaired driving fatalities
- 2025 - 5 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," 9th Edition (2017), identified Saturation Patrols as the second 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 among the law enforcement community in the Kansas City metro. The TSU has assisted outside agencies on a regular basis during past fiscal years, 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 driving arrests, by training, and maintaining two members of the TSU as Drug Recognition Experts. 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 training has been made a priority by the Sheriff's Office and will be taught during in service training. This action will substantially increase the number of eyes on the streets working to identify and interdict impaired drivers on Jackson County roadways.
7. Identify, interdict, and apprehend 400, or more, impaired drivers and forward all cases to successful prosecution.

PROJECT DESCRIPTION

The JCSO Traffic Safety Unit functions like an 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, a five percent increase in FY2019, and a twenty percent increase in FY 2019, totaling in a thirty-five percent (35%) overall increase in DWI arrests over that three-year period. The sharp decline in DWI related arrests in FY 2020 can be directly linked to the pandemic restrictions placed upon the agency. The total increase in DWI arrests over the last 4 years was accomplished without the assistance of sobriety check points, but rather targeted enforcement. The TSU saturates areas which historically have the highest percentage of alcohol related traffic crashes which coincide with larger associated entertainment districts .

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 JCSO has often struggled to utilize all funds in area of HMV enforcement, but it has become a primary focus for our agency to address HMV related issues to curb or end speed related crashes.</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.	316
19	Total number of speeding citations written by your agency.	554
20	Total number of HMV citations written by your agency.	1300
21	Total number of child safety/booster seat citations written by your agency.	14
22	Total number of safety belt citations written by your agency.	21
23	Total number of warnings issued.	2058

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.	72825
25	Total number of traffic crashes resulting in a fatality.	276
26	Total number of traffic crashes resulting in a serious injury.	20196
27	Total number of speed-related traffic crashes.	7703
28	Total number of speed-related traffic crashes resulting in a fatality.	97
29	Total number of speed-related traffic crashes resulting in a serious injury.	2762
30	Total number of alcohol-related traffic crashes.	2055
31	Total number of alcohol-related traffic crashes resulting in a fatality.	25
32	Total number of alcohol-related traffic crashes resulting in a serious injury.	848
33	Total number of unbuckled fatalities.	105
34	Total number of unbuckled serious injuries.	302

Enter your agency's information below.

35	Total number of commissioned law enforcement officers.	105
36	Total number of commissioned patrol and traffic officers.	30
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.	12
40	Total number of in-car video cameras.	75

41 Total number of PBTs. 12

42 Total number of Breath Instruments. 7

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, Southwest Blvd., Southwest Traffic way, W. 39th St., Pennsylvania Ave., J.C. Nichols Park way, and Pennway Park way, in the Mid-town Kansas City area.

The DWI/Traffic Unit will conduct enforcement operations throughout the entire Jackson County area , with targeted enforcement at specific locations based on crash data; currently the data suggests primary enforcement locations as follows:

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

Wednesday: 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.

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.

October through September, all months.

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

Tuesday through Friday 6:00 p.m. - 4:00 a.m. is the primary work schedule for the TSU, with Saturday's being reserved for special enforcement/saturation patrols.

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

Primarily the members of the TSU will work 6:00 p.m. - 4:00 a.m., Tuesday through Friday, It must be clarified that from time to time, adjustments to schedules must be made when man power adjustments are necessary and unavoidable. This would include times when a patrol squad has experienced a critical manpower shortage, or special assignments involving traffic control or similar events . When it becomes necessary to make such adjustments, this will account for less than ten percent of the total enforcement time allotted to the unit.

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.

We are requesting HSD fund the purchase of two additional 2021 - 2022 Dodge Durango patrol vehicles, with all associated emergency equipment, and Panasonic Tough Book computers, for the DWI unit's sole usage. The vehicles will be specifically and primarily utilized for DWI enforcement and assigned exclusively to the members of the traffic safety unit. These vehicles will replace the currently utilized 2015 Ford Interceptor (purchased by HSD) and 2015 Dodge Charger (originally purchased by the Jackson County Sheriff's Office) which have reached the end of the serviceable lives.

PROJECT EVALUATION

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 Traffic Safety Unit 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

NONE

BUDGET

Category	Item	Description	Quantity	Cost	Total	Local	Total Requested
Equipment							
	Vehicle	2022 Hemi Dodge Durango Pursuit rated, outfitted with interior light package, radio, computer, all essential equipment for safe operation and DWI Enforcement and solely used by a member of the DWI Enforcement Unit.	1.00	\$52,000.00	\$52,000.00	\$0.00	\$52,000.00
	Computer Hardware	Panasonic Tough Book, CF-33, extreme service lap top computer for use by a member of the TSU, inside TSU vehicles.	1.00	\$4,000.00	\$4,000.00	\$0.00	\$4,000.00
					\$56,000.00	\$0.00	\$56,000.00
Personnel							
	Salary and Fringe	Salary and Fringe for 2 Deputy 1, 2 Deputy 2, 1 Deputy 3, and 1 Sgt. totalling as follows: Salary \$285,417.60; FICA \$21,834.44; Pension (@15.53%) \$44,325.36; Work Comp / Health Insurance (@ 12.526%) \$35,751.41; Uniform Allowance \$7,200.00; Holiday Overtime \$25,600.00; Totalling \$420,128.81	1.00	\$420,128.81	\$420,128.81	\$210,064.40	\$210,064.41
					\$420,128.81	\$210,064.40	\$210,064.41

Total Contract	\$476,128.81	\$210,064.40	\$266,064.41
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ATTACHMENTS

Document Type
WORD

Description
County Authorization Form

Original File Name
County Sign.pdf

Date Added
02/25/2021

Request for Legislative Action

Ord. # 5565
Sponsor: Charlie Franklin
Date: November 12, 2021

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5565
Sponsor(s):	Charlie Franklin	Legislature Meeting Date:	11/12/2021

Introduction
Action Items: ['Authorize', 'Appropriate']
Project/Title:
Appropriating \$266,065 from the undesignated fund balance of the 2021 Grant Fund and transferring \$210,064 from the Sheriff's Office 2021 General Fund Grant Match, in acceptance of the Sheriff's Office DWI/Traffic Safety Unit Salary Grant awarded by the Missouri Department of Transportation, Highway Safety and Traffic Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. Project Number 22-154-AL-088.

Request Summary
<p>The Sheriff's Office has been awarded a grant in the amount of \$266,065 by the Missouri Department of Transportation, Highway Safety and Traffic Division, for the purpose of funding a five-person DWI/Traffic Safety Unit and the cost of a new vehicle with equipment for use the by DWI Traffic Unit, for the period of October 1, 2021, to September 30, 2022. The grant is subject to a local match in the amount of \$210,064. Project Number 22-154-AL-088.</p> <p>The Sheriff recommends the acceptance of this grant and the execution of a grant contract with the Missouri Department of Transportation, Highway Safety and Traffic Division. An appropriation is necessary to place the grant funds in the proper spending accounts.</p> <p>010-4224-55010 Grant Fund – Traffic Unit – Regular Salary \$285,418 010-4224-55030 Grant Fund – Traffic Unit – Overtime Salaries for Holidays \$25,600 010-4224-55040 Grant Fund – Traffic Unit – FICA Taxes \$21,835 010-4224-55050 Grant Fund – Traffic Unit – Pension Contribution \$44,325 010-4224-55060 Grant Fund – Traffic Unit – Insurance Benefits \$35,751 010-4224-57190 Grant Fund – Traffic Unit – Wearing Apparel \$7,200 010-4224-58115 Grant Fund – Traffic Unit – Sheriff Vehicle Equipment \$16,000 010-4224-58120 Grant Fund – Traffic Unit – Automobiles \$36,000 010-4224-58171 Grant Fund – Traffic Unit – Personal Computers \$4,000</p>

Contact Information			
Department:	Sheriff	Submitted Date:	10/27/2021
Name:	Elizabeth A. Money	Email:	EMoney@jacksongov.org
Title:	Office Administrator	Phone:	816-541-8017

Request for Legislative Action

Budget Information			
Amount authorized by this legislation this fiscal year:			\$476,129
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$476,129
Is it transferring fund?			Yes
Transferring Fund From:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$266,065
001 (General Fund)	4201 (Sheriff)	56798 (Grant Match)	\$210,064
Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	4224 (Traffic Unit)	55010 (Regular Salaries)	\$285,418
010 (Grant Fund)	4224 (Traffic Unit)	55030 (Overtime Salaries)	\$25,600
010 (Grant Fund)	4224 (Traffic Unit)	55040 (FICA Taxes)	\$21,835
010 (Grant Fund)	4224 (Traffic Unit)	55050 (Pension Contribution)	\$44,325
010 (Grant Fund)	4224 (Traffic Unit)	55060 (Insurance Benefits)	\$35,751
010 (Grant Fund)	4224 (Traffic Unit)	57190 (Wearing Apparel)	\$7,200
010 (Grant Fund)	4224 (Traffic Unit)	58115 (Sheriff Vehicle Equipment)	\$16,000
010 (Grant Fund)	4224 (Traffic Unit)	58120 (Automobiles)	\$36,000
010 (Grant Fund)	4224 (Traffic Unit)	58171 (Personal Computers/Accessories)	\$4,000

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5436	October 26, 2020
5279	October 21, 2019
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of	No

Request for Legislative Action

supplies, materials, equipment or services?	
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Contract is with another government agency	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
<ul style="list-style-type: none"> Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.

History
<p>Elizabeth A. Money at 10/27/2021 8:30:07 AM - [Submitted]</p> <p>Department Director: Michael L. Montgomery at 10/27/2021 10:06:02 AM - [Approved]</p> <p>Finance (Purchasing): Barbara J. Casamento at 10/27/2021 3:46:52 PM - [Not applicable]</p> <p>Compliance: Katie M. Bartle at 10/28/2021 9:18:14 AM - [Approved eRLA 285]</p> <p>Finance (Budget): Sarah L. Matthes at 10/28/2021 12:47:37 PM - [Approved Fiscal Attached]</p> <p>Executive: Sylvia Stevenson at 10/28/2021 3:59:17 PM - [Approved]</p> <p>Legal: Elizabeth Freeland at 11/9/2021 9:19:43 AM - [Approved]</p>

Supplemental Appropriation Request Jackson County, Missouri

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

Date: October 28, 2021

ORD # 5565
eRLA # 285

Department / Division	Character/Description	From	To
General Fund - 001			
4201 - Sherrif	56798 - Grant Match	210,064	
9100 - Operating Transfers	56105 - Operating Transfers Out		210,064
Grant Fund - 010			
4224 - Traffic Unit	47070 - Operating Transfers In	210,064	
4224 - Traffic Unit	45609 - Increase Revenue	266,065	
9999 - Non Specific Department	32810 - Undesignated Fund Balance		476,129
9999 - Non Specific Department	32810 - Undesignated Fund Balance	476,129	
4224 - Traffic Unit	55010 - Regular Salaries		285,418
4224 - Traffic Unit	55030 - Overtime Salaries		25,600
4224 - Traffic Unit	55040 - FICA Taxes		21,835
4224 - Traffic Unit	55050 - Pension Contributions		44,325
4224 - Traffic Unit	55060 - Insurance Benefits		35,751
4224 - Traffic Unit	57190 - Wearing Apparel		7,200
4224 - Traffic Unit	58115 - Sheriff Vehicle Equipment		16,000
4224 - Traffic Unit	58120 - Automobiles		36,000
4224 - Traffic Unit	58171 - Personal Computer/Access		4,000
		\$ 1,162,322	\$ 1,162,322

APPROVED
By Sarah Matthes at 12:47 pm, Oct 28, 2021

Budgeting

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$19,500.00 from the undesignated fund balance of the 2021 Grant Fund, in acceptance of the Sheriff's Office's Hazardous Moving Violation Enforcement 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 Traffic and Highway Safety Division for the expenditure of grant funds.

ORDINANCE NO. 5566, November 12, 2021

INTRODUCED BY Charlie Franklin, County Legislator

WHEREAS, the Missouri Department of Transportation, Traffic and Highway Safety Division, has awarded the Sheriff's Office a Hazardous Moving Violation Enforcement grant in the amount of \$19,500.00, for the grant period of October 1, 2021, through September 30, 2022; and,

WHEREAS, through this grant funding, the Sheriff's Office is better able to effectively conduct enforcement actions in order to decrease speed, hazardous driving related injuries, and fatality crashes; and,

WHEREAS, the Sheriff recommends the use of the grant funds for reimbursement of overtime used for conducting hazardous moving violations enforcement at various locations throughout the County and for travel and training of traffic unit personnel; and,

WHEREAS, an appropriation is necessary to place the grant 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 2021 Grant Fund be and hereby is made:

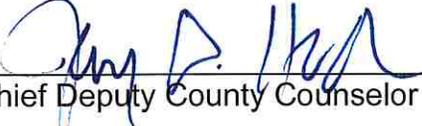
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund			
HMV Enforcement			
010-4222	45601- Increase Revenues	\$19,500	
010-9999	32810- Undesignated Fund Balance		\$19,500
010-9999	32810- Undesignated Fund Balance	\$19,500	
HMV Enforcement			
010-4222	55030- Overtime Salaries		\$13,882
010-4222	55040- FICA Taxes		\$1,118
010-4222	56140- Travel Expense		\$3,330
010-4222	56756- Training Expense		\$1,170

and,

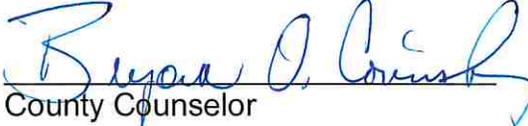
BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached contract with the Missouri Department of Transportation, Traffic and Highway Safety Division.

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. 5566 introduced on November 12, 2021, was duly passed on _____, 2021 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. 5566.

Date

Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 010 9999 32810
ACCOUNT TITLE: Grant Fund
Undesignated Fund Balance
NOT TO EXCEED: \$19,500.00

4/9/2011
Date


Chief Administrative Officer

CONTRACT

Form HS-1

Version: 1

06/08/2021

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: HMV Enforcement
Project Number: 22-PT-02-093
Project Category: Police Traffic Services
Program Area: Police Traffic Services

Funding Source: 402 / 20.600

Type of Project: Initial

Started: 10/01/2021

Name of Grantee

Jackson County Sheriff's Office

Grantee County

Jackson

Grantee Address

4001 NE Lakewood Court

Lee's Summit, MO 64064-1703

Telephone

816-524-4302

Fax

816-795-1969

Contract Period**Effective:** 10/01/2021**Through:** 09/30/2022**Prepared By**

Wilson, Scott

Federal Funds Benefiting**State:****Local:** _____ \$19,500.00**Total:** \$19,500.00**Source of Funds****Federal:** \$19,500.00**State:****Local:** _____ \$0.00**Total:** \$19,500.00

Subrecipient Authorizing Official**Date**

Subrecipient Project Director**Date**

MHTC Authorizing Official**Date**

It is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the **total obligated amount of \$19,500.00**; 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 and each subrecipient 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 AND SOFTWARE

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 and software 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.
7. Subrecipients will make every effort to purchase equipment as early in the fiscal year as possible . There may be no reimbursement for equipment purchased at the end of the fiscal year.
8. That all necessary affirmative steps are taken to assure that minority businesses , women's business enterprises, and labor surplus area firms are used when possible (2 CFR PART 200.322).

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. Subrecipient should report monthly, or at least quarterly, to MHTC using the online Grant Management System. For projects where salaried positions are awarded, claim voucher and activity reports must be submitted *monthly*. Subrecipient must ensure complete, accurate and final voucher and supporting documentation is received by the MHTC no later than November 15, which is after the end of the Federal fiscal year for which the final voucher pertains. Final payment is contingent upon receipt of the complete, accurate and final voucher.

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.fsrs.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, if an award no longer effectuates the program goals or MHTC priorities. 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, and in the case of partial termination the portion of the award to be terminated.

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 and/or the intended scope of the project does not change. Prior to any revision being made to the Budget Proposal , Subrecipient shall submit a written or email 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. All final modification requests must be submitted no later than September 30 of the project fiscal year.

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>Assistance Listing #</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
154	20.607	Alcohol Open Container Requirements
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

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).

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- 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;

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- 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

Furthermore, the State and each subrecipient will follow the guidelines of 2 C.F.R. § 200.322, Domestic Preferences for Procurements. As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

**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. 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.

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.

XXIX. PARTICIPATION IN HIGHWAY SAFETY PARTNERSHIPS

All subrecipients are strongly encouraged to participate in Highway Safety sponsored functions including, but not limited to, Missouri Coalition for Roadway Safety regional meetings, applicable subcommittees and conferences; working groups; dedicated enforcement workshops; and grant application and contract award workshops. Subrecipient agencies with positions that are funded via Highway Safety grants are expected to participate (or send a representative) in the above functions as much as possible.

XXX. PROHIBITION ON TELECOMMUNICATIONS AND VIDEO SURVEILLANCE (2CFR PART 200.322)

The National Defense Authorization Act of Fiscal Year 2019 (Pub. L. 115-232) prohibits Federal grant funds from being obligated or expended to procure or obtain (or to enter into, extend, or renew a contract to procure or obtain) certain covered telecommunications equipment, services, or systems. States and subrecipients should refer to the Super Circular for more information on what equipment and companies this prohibition covers.

Equipment regularly purchased under NHTSA grants that may be subject to this provision could include : mobile phones, landlines, and the internet. Note that this provision prohibits purchasing these (and other) items produced by certain companies; items produced by non-prohibited companies are still potentially allowable.

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 is expected to participate in associated 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, Holiday Impaired Driving campaign, and quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: <https://mobilization.rejis.org/>.
5. Only law enforcement work performed by a duly licensed, Peace Officer Standards and Training certified law enforcement officer will be reimbursed.
6. 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 crackdowns 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

Speed and aggressive driving can be any one of us, when we make the choice to drive over the speed limit; change lanes several times in a short distance and/or follow too closely. Aggressive driving is a costly decision, often made in an instant, but can have lifelong consequences. According to the National Highway Traffic Safety Administration, aggressive driving is when an individual commits a combination of moving traffic offenses so as to endanger other persons or property. During the last five years, the combination of aggressive driving behaviors contributed to 51 percent of fatalities and 45 percent of serious injuries in Missouri. Speed-related conditions, including exceeding the speed limit and too fast for conditions, accounted for the most fatalities of all aggressive driving behaviors. Thirty-six percent of all Missouri fatalities over the last five years were speed related.

Jackson County, Missouri remains atop the list of counties in Missouri with a significant amount of traffic crashes stemming from hazardous moving violations (HMV). Jackson County, Missouri had a total of 72,825 traffic crashes over the past three reporting years. Of these traffic crashes, 7703 were either caused by excessive speed, or this was a probable contributing factor, out of these traffic crashes 2,762 resulted in personal injury, and 97 resulted in fatalities.

GOALS/OBJECTIVES

Core Performance Measure Goals

1. Based on an annual average increase of 7.49 percent in speed/aggressive driving-related fatalities from 2014 to 2018, Missouri is projecting a five-year average of 343.7 speed related fatalities by December 31, 2021.

To reduce HMV-related crashes in high crash locations and corridors by conducting high visibility enforcement.

PROJECT DESCRIPTION

Aggressive traffic enforcement to interdict hazardous moving violators , in high traffic crash areas. These enforcement periods will take place in two, four, or six hour increments and will have a minimum of three contacts per hour. All stops will be documented by use of REJIS mobile ticketing by either a citation, or warning, and backed up by a traffic analysis report for all stops.

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. The JCSO has often struggled to utilize all funds in area of HMV enforcement, but it has become a primary focus for our agency to address HMV related issues to curb or end speed related crashes.	
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.	316
19	Total number of speeding citations written by your agency.	554
20	Total number of HMV citations written by your agency.	1300
21	Total number of child safety/booster seat citations written by your agency.	14
22	Total number of safety belt citations written by your agency.	21
23	Total number of warnings issued.	2058

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.	72825
25	Total number of traffic crashes resulting in a fatality.	276
26	Total number of traffic crashes resulting in a serious injury.	20196
27	Total number of speed-related traffic crashes.	7703
28	Total number of speed-related traffic crashes resulting in a fatality.	97
29	Total number of speed-related traffic crashes resulting in a serious injury.	2762
30	Total number of alcohol-related traffic crashes.	2055
31	Total number of alcohol-related traffic crashes resulting in a fatality.	25
32	Total number of alcohol-related traffic crashes resulting in a serious injury.	848
33	Total number of unbuckled fatalities.	105
34	Total number of unbuckled serious injuries.	302

Enter your agency's information below.

35	Total number of commissioned law enforcement officers.	105
36	Total number of commissioned patrol and traffic officers.	30
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.	12
40	Total number of in-car video cameras.	75

41 Total number of PBTs. 12

42 Total number of Breath Instruments. 7

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.

All incorporated and unincorporated areas of Jackson County, identified by either traffic complaints, or crash mapping data. The enforcement locations will be established by the individual deputy, but the minimum enforcement/contacts per hour will remain at three.

44 Enter the number of enforcement periods your agency will conduct each month. 15

45 Enter the months in which enforcement will be conducted.

October through September

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

Monday through Sunday

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

24 hours, with specific attention paid to high traffic and travel times in the metro.

48 Enter the number of officers assigned during the enforcement period. 2

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

PROJECT EVALUATION

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 Jackson County Sheriff's Office will utilize the MSHP Crash Mapping utility to establish the areas most needing saturation , solidified by traffic crash numbers. The efficiency of the location selection, and overall project parameters, will be evaluated utilizing the same information quarterly.

ADDITIONAL FUNDING SOURCES

NONE

BUDGET

Category	Item	Description	Quantity	Cost	Total	Local	Total Requested
Personnel							
	Overtime and Fringe	Approximately 321 hours of HMV Enforcement OT	1.00	\$15,000.00	\$15,000.00	\$0.00	\$15,000.00
					\$15,000.00	\$0.00	\$15,000.00
Training							
	Professional Development	Attendance for all members of the TSU for the annual LETSAC training conference, including lodging, meals, and registration.	6.00	\$750.00	\$4,500.00	\$0.00	\$4,500.00
					\$4,500.00	\$0.00	\$4,500.00
Total Contract					\$19,500.00	\$0.00	\$19,500.00

ATTACHMENTS

Document Type
WORD

Description
County Authorization Form

Original File Name
County Sign.pdf

Date Added
02/25/2021

Request for Legislative Action

Ord. #5566
Sponsor: Charlie Franklin
Date: November 12, 2021

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5566
Sponsor(s):	Charlie Franklin	Legislature Meeting Date:	11/12/2021

Introduction

Action Items: ['Authorize', 'Appropriate']

Project/Title:

Appropriating \$19,500 from the undesignated fund balance of the 2021 Grant Fund in acceptance of the Sheriff's Office Hazardous Moving Violation Enforcement Grant awarded by the Missouri Department of Transportation, Highway Safety and Traffic Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. Project Number 22-PT-02-093.

Request Summary

The Sheriff's Office has been awarded a Hazardous Moving Violation Enforcement grant in the amount of \$19,500 by the Missouri Department of Transportation, Highway Safety and Traffic Division, for the period of October 1, 2021, to September 30, 2022. The grant does not require any local matching funds. Project Number 22- PT-02-093.

Through this grant funding the Sheriff's Office is better able to effectively conduct enforcement actions in order to decrease speed, hazardous driving related injuries and fatality crashes. The grant funds will be used for reimbursement of overtime incurred while conducting hazardous moving violation enforcement at various locations throughout the County and for training and travel expenses of Traffic Unit personnel.

The Sheriff recommends the acceptance of this grant and the execution of a grant contract with the Missouri Department of Transportation, Highway Safety and Traffic Division. An appropriation is necessary to place the grant funds in the proper spending accounts.

010-4222-55030 Grant Fund – HMV – Overtime \$13,882
010-4222-55040 Grant Fund – HMV – FICA Taxes \$1,118
010-4222-56140 Grant Fund – HMV – Travel Expense \$3,330
010-4222-56756 Grant Fund – HMV – Training Expense \$1,170

Contact Information

Department:	Sheriff	Submitted Date:	10/27/2021
Name:	Elizabeth A. Money	Email:	EMoney@jacksongov.org
Title:	Office Administrator	Phone:	816-541-8017

Request for Legislative Action

Budget Information			
Amount authorized by this legislation this fiscal year:			\$19,500
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$19,500
Is it transferring fund?			Yes
Transferring Fund From:			
Fund:	Department:	Line Item Account:	Amount:
	9999 (*)	32810 (Undesignated Fund Balance)	\$19,500
Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	4222 (HMMV Enforcement)	55030 (Overtime Salaries)	\$13,882
010 (Grant Fund)	4222 (HMMV Enforcement)	55040 (FICA Taxes)	\$1,118
010 (Grant Fund)	4222 (HMMV Enforcement)	56140 (Travel Expense)	\$3,330
010 (Grant Fund)	4222 (HMMV Enforcement)	56756 (Training Expense)	\$1,170

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5505	May 10, 2021
5275	October 7, 2019
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance

Request for Legislative Action

Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
<ul style="list-style-type: none"> Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.

History
<p>Elizabeth A. Money at 10/27/2021 8:49:11 AM - [Submitted]</p> <p>Department Director: Ronald A. Fletcher at 10/27/2021 10:36:22 AM - [Approved Approved.]</p> <p>Finance (Purchasing): Barbara J. Casamento at 10/27/2021 12:04:08 PM - [Not applicable]</p> <p>Compliance: Katie M. Bartle at 10/27/2021 4:33:37 PM - [Approved eRLA 287]</p> <p>Finance (Budget): Sarah L. Matthes at 10/28/2021 12:32:38 PM - [Approved Fiscal Attached]</p> <p>Executive: Sylvya Stevenson at 10/28/2021 3:58:26 PM - [Approved]</p> <p>Legal: Elizabeth Freeland at 11/9/2021 9:26:43 AM - [Approved]</p>

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION ending the County's current mask mandate order effective upon adoption of this Resolution.

RESOLUTION NO. 20814, November 12, 2021

INTRODUCED BY Dan Tarwater III Theresa Cass Galvin, and Jeanie Lauer, County Legislators

WHEREAS, Resolution No. 20806, dated November 1, 2021, extended the County's mask mandate order (the "Renewed Public Health Order") until November 22, 2021; and,

WHEREAS, the County's COVID-19 cases are declining in eastern Jackson County, Missouri, with an 8% positivity rate which is below the 10% threshold, as reported by the Jackson County Health Department; and,

WHEREAS, according to the COVID dashboard produced by the Mid-America Regional Council, daily average new cases of COVID-19 in eastern Jackson County are well below peak levels reported in August 2021; and,

WHEREAS, it is strongly encouraged that those who are not eligible to be vaccinated, including children and people who are immunocompromised, continue to wear a mask in public; now therefore,

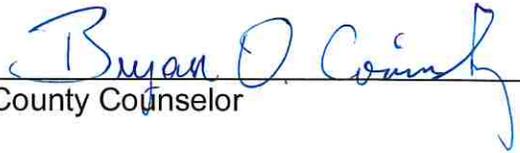
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, as authorized by section 67.265.2, RSMo, that the Renewed Public Health Order be and hereby is terminated upon the adoption of this Resolution.

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. 20814 of November 12, 2021, was duly passed on _____, 2021 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

Request for Legislative Action

Res. No.: 20814
Sponsors: Daniel Tarwater III;
Theresa Cass Galvin; Jeanie Lauer
Date: November 12, 2021

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	20814
Sponsor(s):	Daniel T. Tarwater III;Theresa Galvin;Jeanie Lauer	Legislature Meeting Date:	11/12/2021

Introduction
Action Items: ['Authorize']
Project/Title:
A RESOLUTION ending the County's current mask mandate order effective upon adoption of this Resolution.

Request Summary
<p>WHEREAS, Resolution No. 20806, dated November 1, 2021, extended the County's mask mandate order (the "Renewed Public Health Order") until November 22, 2021; and,</p> <p>WHEREAS, the County's COVID-19 cases are declining in eastern Jackson County, Missouri, with an 8% positivity rate which is below the 10% threshold, as reported by the Jackson County Health Department; and,</p> <p>WHEREAS, according to the COVID dashboard produced by the Mid-America Regional Council, daily average new cases of COVID-19 in eastern Jackson County are well below peak levels reported in August 2021; and,</p> <p>WHEREAS, it is strongly encouraged that those who are not eligible to be vaccinated, including children and people who are immunocompromised, continue to wear a mask in public; now therefore,</p> <p>BE IT RESOLVED by the County Legislature of Jackson County, Missouri, as authorized by section 67.265.2, RSMo, that the Renewed Public Health Order be and hereby is terminated upon the adoption of this Resolution.</p>

Contact Information			
Department:	Clerk of Legislature	Submitted Date:	11/8/2021
Name:	Tedi H. Rowland	Email:	TRowland@jacksongov.org
Title:	Deputy County Clerk	Phone:	816-881-3246

Budget Information	
Amount authorized by this legislation this fiscal year:	\$ 0
Amount previously authorized this fiscal year:	\$ 0

Request for Legislative Action

Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
20806	November 1, 2021

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> This legislative action does not impact the County financially and does not require Finance/Budget approval. 	

Request for Legislative Action

History

Tedi H. Rowland at 11/8/2021 12:50:43 PM - [Submitted |]
Department Director: Mary Jo Spino at 11/8/2021 1:00:25 PM - [Approved | The sponsor is Dan Tarwater III and he has requested it be included on the November 12, 2021 legislative agenda.]
Finance (Purchasing): Barbara J. Casamento at 11/8/2021 3:18:58 PM - [Not applicable |]
Compliance: Katie M. Bartle at 11/9/2021 8:41:04 AM - [Approved | eRLA 304]
Finance (Budget): Mark Lang at 11/9/2021 8:48:40 AM - [Not applicable |]
Executive: Troy Schulte at 11/9/2021 9:00:59 AM - [Approved |]
Legal: Elizabeth Freeland at 11/9/2021 9:18:53 AM - [Approved |]



FRANK WHITE, JR.
Jackson County Executive

EXECUTIVE ORDER NO. 21-28

**TO: MEMBERS OF THE LEGISLATURE
CLERK OF THE LEGISLATURE**

**FROM: FRANK WHITE, JR.
JACKSON COUNTY EXECUTIVE**

DATE: November 9, 2021

**RE: REAPPOINTMENT TO THE HOUSING RESOURCES
COMMISSION**

RECEIVED

NOV 09 2021

MARY JO SPINO
COUNTY CLERK

*JWK
10am*

Pursuant to section 9057, Jackson County Code I hereby make the following reappointment to the Housing Resources Commission:

Rhonda Holman is reappointed for a new term to expire October 31, 2024.

Frank White, Jr., County Executive

Date: 11/9/21