

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$941.00 from the fund balance of the 2012 Anti-Drug Sales Tax Fund in interest earned from the 2008 Byrne Justice Assistance Grant to provide funding for salaries of employees of the Jackson County Drug Court.

ORDINANCE NO. 4461, October 8, 2012

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, by Ordinance 4064, dated November 24, 2008, the Legislature did authorize the acceptance of the 2008 Byrne Justice Assistance Grant (JAG) from the U. S. Department of Justice; and,

WHEREAS, the conditions of the grant required that the grant funds be placed in a trust fund account that may bear interest and that the interest earned be used within the scope of the grant; and,

WHEREAS, an appropriation is necessary to place the interest earned in the proper spending account; now therefore,

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

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Anti-Drug Sales Tax Fund 2008 JAG			
008-2810	Undesignated Fund Balance	\$941	
008-4205	55010 - Regular Salary		\$941

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

APPROVED AS TO FORM:

Jay D. Hader
Chief Deputy County Counselor

W. Stephen Nelson
County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4461 introduced on October 8, 2012, was duly passed on October 8, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

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

10-8-12
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4461.

10-9-2012
Date

Michael D. Sanders
Michael D. Sanders, County Executive

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

ACCOUNT NUMBER: 008 2810
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Undesignated Fund Balance
NOT TO EXCEED: \$941.00

October 3, 2012
Date

D. Ross Thomas
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4461

Sponsor(s): James D. Tindall

Date: Oct. 8, 2012

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Ordinance appropriating interest earned on the 2008 JAG Grant.</u></p>												
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" style="width: 100%;"> <tr> <td style="width: 80%;">Amount authorized by this legislation this fiscal year:</td> <td style="width: 20%; text-align: right;">\$941.19</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$941.19</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> </table> <p>Source of funding (name of fund) and account code number;</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">FROM 008 – Grant Fund; 2810 – Undesignated Fund Balance</td> <td style="width: 50%;">FROM ACCT 008-2810 \$941.19</td> </tr> <tr> <td>TO 008 – Anti Drug Sales Tax Fund; 4205 – 2008 JAG Grant; 55010 - Salary</td> <td>TO ACCT 008-4205-55010 \$941.19</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION: <input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____</p> <p>Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____</p>	Amount authorized by this legislation this fiscal year:	\$941.19	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$941.19	Amount budgeted for this item * (including transfers):	\$	FROM 008 – Grant Fund; 2810 – Undesignated Fund Balance	FROM ACCT 008-2810 \$941.19	TO 008 – Anti Drug Sales Tax Fund; 4205 – 2008 JAG Grant; 55010 - Salary	TO ACCT 008-4205-55010 \$941.19
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): <u>4064 12/08</u></p> <p>Prior resolutions and (date): <u>17556, 3/11</u></p>												
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Jean Peters Baker, 9/20/12</p>												
<p>REQUEST SUMMARY</p>	<p>Requesting the appropriation and transfer of \$941.19 from the Grant Fund - Undesignated Fund Balance to the 2008 JAG Grant.</p> <p>County Ordinance 4064 accepted the 2008 JAG Grant awarded to Jackson County by the US Department of Justice. Per the special conditions of the Award Sheet (Section 8), Jackson County is required to establish a trust fund account. The interest earned on the original award amount of \$291,576 is \$941.19. Jackson County will use the interest to provide funding for salaries for the employees of the Jackson County Drug Court. Attached is the Grant Adjustment Notice from the Department of Justice extending this grant to September 30, 2012.</p> <p>Please appropriate \$941.19 into 008-4205-55010 (salary).</p>												

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director: <i>Jean Peters Baker</i>	Date: <i>9-26-12</i>
	Finance (Budget Approval): <i>If applicable</i> <i>Spual M...</i>	Date: <i>10/2/12</i>
	Division Manager:	Date: <i>10/2/12</i>
	County Counselor's Office:	Date:

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

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

Account Number:	Account Title:	Amount Not to Exceed:
008-2810	Grant Fund – Undesignated Fund Balance	\$941.19
008-4205-55010	Anti Drug Sales Tax Fund; 4205 – 2008 JAG Grant; Salary	\$941.19

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



US DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

GRANT ADJUSTMENT NOTICE

Grantee Information			
Grantee Name:	Jackson County	Project Period:	10/01/2007 - 09/30/2012
Grantee Address:	415 EAST 12TH Street KANSAS CITY, 64106	Program Office:	BJA
Grantee DUNS Number:	07-313-4868	Grant Manager:	Veronica Munson
Grantee EIN:	44-6000524	Application Number(s):	2008-F6210-MO-DJ
Vendor #:	446000526	Award Number:	2008-DJ-BX-0234
Project Title:	Greater Kansas City Metropolitan Crime Prevention Initiatives	Award Amount:	\$291,576.00

Change Project Period			
Current Grant Period:	Month: 47 Day: 29	New Grant Period:	Month: 59 Day: 29
Project Start Date:	10/01/2007	*New Project Start Date:	10/01/2007
Project End Date:	09/30/2011	*New Project End Date:	09/30/2012

***Required Justification for Change Project Period:**

Jackson County is requesting a 1 year no cost extension. This extension will allow the prosecutor's office to expend funds allocated for salaries and benefits for drug court employees. Jackson County will begin using 2008

Attachments:
None

Audit Trail:

Description:	Role:	User:	Timestamp:
Approved-Final	OCFMD - Financial Analyst	SYSTEM_USER	03/19/2011 12:00 PM
Submitted	PO - Grant Manager	cipolla	03/14/2011 2:19 PM
Draft	EXTERNAL - External User	cipolla	03/14/2011 12:29 PM
Change Requested	PO - Grant Manager	munsonv	03/11/2011 2:00 PM

Please revise the new project date. the new date is the same as the end date 9/30/2011. If your intent is to request a 1 year extension, the date new date would be 9/30/2012.

Change Requested	EXTERNAL - External User	munsonv	03/11/2011 2:00 PM
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Please revise the new project date. the new date is the same as the end date 9/30/2011. If your intent is to request a 1 year extension, the date new date would be 9/30/2012.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

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PROJECT NUMBER 2008-DJ-BX-0234

AWARD DATE 08/19/2008

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

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PROJECT NUMBER 2008-DJ-BX-0234

AWARD DATE 08/19/2008

SPECIAL CONDITIONS

6. This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories [hereinafter, "meth lab operations"]. No monies from this award may be obligated to support meth lab operations unless the grantee implements this special condition.

The Office of Justice Programs (OJP), in consultation with the Bureau of Justice Assistance, the Drug Enforcement Administration, and the Office for Community Oriented Policing Services, prepared a Program-level Environmental Assessment (Assessment) governing meth lab operations. The Assessment describes the adverse environmental, health, and safety impacts likely to be encountered by law enforcement agencies as they implement specific actions under their methamphetamine laboratory operations. Consistent with the Assessment, the following terms and conditions shall apply to the grantee for any OJP funded methlab operations:

- A. The grantee shall ensure compliance by OJP funded sub-grantees with federal, state, and local environmental, health, and safety laws and regulations applicable to meth lab operations, to include the disposal of the chemicals, equipment, and wastes resulting from those operations.
- B. The grantee shall have a Mitigation Plan in place that identifies and documents the processes and points of accountability within its state. This plan will be used to ensure that the adverse environmental, health, and safety impacts delineated in the Assessment are mitigated in a manner consistent with the requirements of this condition.
- C. The grantee shall monitor OJP funded meth lab operations to ensure that they comply with the following nine mitigation measures identified in the Assessment and whose implementation is addressed in the grantee's Mitigation Plan. These mitigation measures must be included as special conditions in all subgrants: (See Part II of this special condition)
7. 1. Provide medical screening of personnel assigned or to be assigned by the grantee to the seizure or closure of clandestine methamphetamine laboratories;
2. Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to either the seizure or closure of clandestine methamphetamine laboratories;
3. As determined by their specified duties, equip the personnel with OSHA required protective wear and other required safety equipment;
4. Assign properly trained personnel to prepare a comprehensive contamination report on each seized/closed laboratory;
5. Utilize qualified disposal personnel to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized laboratory;
6. Dispose of the chemicals, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licensed recycling facilities;
7. Monitor the transport, disposal, and recycling components of subparagraphs numbered 5. and 6. immediately above in order to ensure proper compliance;
8. Have in place and implement a written agreement with the responsible state environmental agency. This agreement must provide that the responsible state environmental agency agrees to (i) timely evaluate the environmental condition at and around the site of a closed clandestine laboratory and (ii) coordinate with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if determined necessary by the state environmental agency and in accordance with existing state and federal requirements; and
9. Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

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PROJECT NUMBER 2008-DJ-BX-0234

AWARD DATE 08/19/2008

SPECIAL CONDITIONS

8. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund may not be used to pay debts incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Financial Status Report (SF-269).
9. The grantee agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by the BJA in the program guidance for the Justice Assistance Grant (JAG). Compliance with these requirements will be monitored by BJA.
10. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per 28 C.F.R. 23.20(g). Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
11. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.ojp.usdoj.gov/ec/states.htm>.
12. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
13. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.
14. Recipient may not obligate, expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received documentation demonstrating that the state or local governing body review and/or community notification requirements have been met and has issued a Grant Adjustment Notice (GAN) releasing this special condition.

GMS APPLICATION NUMBER: 2008-F6210-MO-DJ

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF KANSAS CITY, MISSOURI AND
THE CITY OF INDEPENDENCE, MISSOURI
THE COUNTY OF JACKSON, MISSOURI**

2008 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this ____ day of July, 2008, by and between The CITY of Kansas City, Missouri (CITY1) the CITY of Independence (CITY2), and the COUNTY of Jackson (COUNTY).

WHEREAS, the U.S. Department of Justice, Office of Justice Programs has collectively allotted \$291,576.00 to the above-named units of government for state and local law enforcement-related initiatives, and

WHEREAS, each governing body agrees that the COUNTY shall serve as the fiscal agent for the funds, and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services of functions under this agreement; and

WHEREAS, the COUNTY agrees to provide the CITY1 \$129,731.50 from the JAG award for the Neighborhood Improvement Plan, and for Law Enforcement Equipment, and

WHEREAS, the COUNTY agrees to provide the CITY2 \$32,113.00 from the JAG award to Purchase Law Enforcement Equipment, and

WHEREAS, the COUNTY agrees to receive \$129,731.50 from the JAG award for Drug Court salaries & benefits, and

WHEREAS, CITY1, CITY2, and COUNTY believe it to be in their best interests to reallocate the JAG funds.

GMS APPLICATION NUMBER: 2008-F6210-MO-DJ

NOW THEREFORE, the CITY1, CITY2, and COUNTY agree as follows:

Section 1.

COUNTY agrees to pay CITY1 a total of \$129,731.50 of JAG funds.

CITY1 agrees to use \$99,731.50 for the Neighborhood Improvement Program to provide further prevention and education program efforts thru their CAN center and to fund salary and benefits for the coordinator of this effort. The remaining \$30,000 will be paid to the Board of Police Commissioners, Kansas City, Missouri, for Law Enforcement Equipment.

Section 2.

COUNTY agrees to pay CITY2 a total of \$32,113.00 of JAG funds.

CITY2 agrees to use \$32,113.00 to Purchase a Logging Recorder System.

Section 3.

COUNTY agrees to receive a total of \$129,731.50 of JAG funds.

COUNTY agrees to use \$129,731.50 to pay Jackson County Drug Court Program salaries and benefits.

Section 4.

In accordance with the JAG legislation, COUNTY will establish a trust fund for the JAG funds. Interest accrued from the trust fund will be given solely to the COUNTY at the end of each calendar year of the grant period and/or at the close of the grant period.

Section 5.

Nothing in the performance of this Agreement shall impose any liability for claims against all participating CITIES under this Memorandum of Understanding.

Section 6.

Nothing in the performance of this Agreement shall impose any liability for claims against any COUNTY.

GMS APPLICATION NUMBER: 2008-F6210-MO-DJ

Section 7.

Each party to this agreement shall be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by one or more of the other parties.

Section 8.


The parties to this Agreement do not intend for any third party to obtain a right by virtue of this agreement.

Section 9.

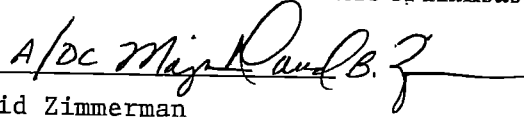
By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

GMS APPLICATION NUMBER: 2008-F6210-MO-DJ

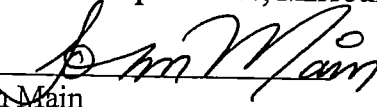
CITY OF KANSAS CITY, MISSOURI

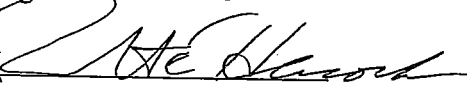
By 
Wayne Cauthen
City Manager

Board of Police Commissioners of Kansas City

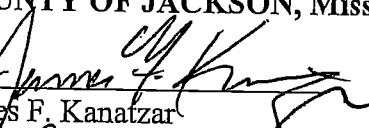
By 
David Zimmerman
Acting Deputy Chief

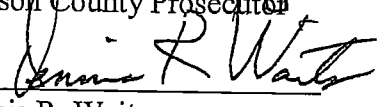
CITY of Independence, Missouri


By 
John Main
Acting Chief of Police

By 
Robert Heacock
City Manager

COUNTY OF JACKSON, Missouri

By 
James F. Kanatzar
Jackson County Prosecutor

By 
Dennis R. Waits
Chair, Jackson County Legislature

By 
Michael Sanders
County Executive