

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$42,000.00 from the fund balance of the 2011 Grant Fund in acceptance of the Sheriff's Office "Sobriety Checkpoint/DWI Enforcement" grant awarded by the Missouri Department of Transportation, Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of the grant funds.

ORDINANCE #4349, September 19, 2011

INTRODUCED BY James D. Tindall, County Legislators

WHEREAS, the Missouri Department of Transportation, Highway Safety Division, has awarded the Sheriff's Office a "Sobriety Checkpoint/DWI Enforcement" grant in the amount of \$42,000.00 for the period October 1, 2011, through September 30, 2012; and,

WHEREAS, Jackson County has reduced traffic fatalities with intensive enforcement through DWI and Youth Alcohol Enforcement, sobriety checkpoints, and driver education; and,

WHEREAS, the Sheriff's Office is targeting impaired drivers with these campaigns, but the high visibility enforcement also educates the general public, making County roads safer for families; and,

WHEREAS, the Sheriff recommends the use of the grant funds for reimbursement of overtime used for establishing sobriety checkpoints and other alcohol-enforcement

activities; 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 fund balance of the 2011 Grant Fund be and hereby is made:

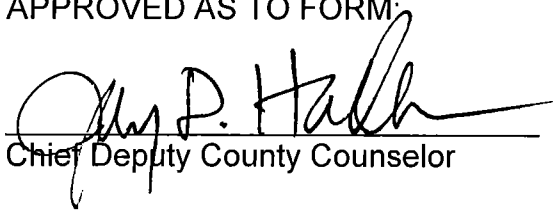
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund Sobriety Checkpoint/DWI Enforcement 010-4248	45811 - Increase Revenues	\$42,000	
010-2810	Undesignated Fund Balance		\$42,000
010-2810	Undesignated Fund Balance	\$42,000	
Grant Fund DWI Overtime Enforcement 010-4248	55030 - Overtime		\$33,442
010-4248	55040 - FICA		\$ 2,558
010-4248	56140 - Travel		\$ 4,750
010-4248	56750 - Education		\$ 1,250

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, 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 #4349, introduced on September 19, 2011, was duly passed on September 19, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

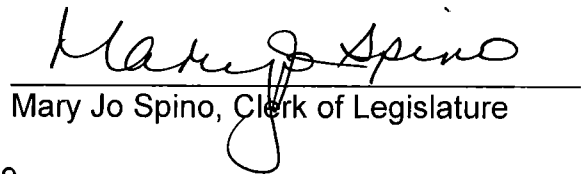
Nays 0

Abstaining 0

Absent 1

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

9-19-11
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4349.

9/20/2011
Date


Michael D. Sanders, County Executive

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

ACCOUNT NUMBER: 010 2810
ACCOUNT TITLE: Grant Fund
Undesignated Fund Balance
NOT TO EXCEED: \$42,000.00

September 14, 2011
Date


Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4349

Sponsor(s): James Tindall

Date: Sept. 19, 2011

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: Jackson County Sheriff's Office – Sobriety Checkpoint/DWI Enforcement Project Grant. An Ordinance to appropriate \$42,000.00 from the Undesignated Fund Balance and to authorize the County Executive to execute an agreement with the Missouri Traffic and Highway Safety Division, in acceptance of a grant awarded by the Missouri Department of Transportation, to the Sheriff's Office</p>																				
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$42,000.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$42,000.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM Grant Fund – 010: Undesignated Fund Balance – 2810</td> <td>FROM ACCT \$42,000.00</td> </tr> <tr> <td>TO Grant Fund – 010 DWI Fund – 4248</td> <td></td> </tr> <tr> <td>Overtime – 55030</td> <td>TO ACCT \$33,441.71</td> </tr> <tr> <td>FICA – 55040</td> <td>2,558.29</td> </tr> <tr> <td>Education – 56750</td> <td>1,250.00</td> </tr> <tr> <td>Travel - 56140</td> <td>4,750.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): \$43,00.00 Prior Year Actual Amount Spent (if applicable): \$11,118.95 -still currently being worked/used.</p>	Amount authorized by this legislation this fiscal year:	\$42,000.00	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$42,000.00	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM Grant Fund – 010: Undesignated Fund Balance – 2810	FROM ACCT \$42,000.00	TO Grant Fund – 010 DWI Fund – 4248		Overtime – 55030	TO ACCT \$33,441.71	FICA – 55040	2,558.29	Education – 56750	1,250.00	Travel - 56140	4,750.00
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Ordinance #4240 September 13, 2010 #4238 September 13, 2010</p> <p>Prior resolutions and (date):</p>																				
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Beverly Smith, Traffic Analyst 524-4302</p>																				
<p>REQUEST SUMMARY</p>	<p>Accept and appropriate \$42,000.00 from the Undesignated Fund Balance for the Jackson County Sheriff's Office – Sobriety Checkpoint/DWI Overtime Enforcement Grant # 12-PT-03-015 and to authorize the County Executive to execute an agreement with the Traffic and Highway Safety Division of the Missouri Department of Transportation.</p> <p>The grant is awarded in the amount of \$42,000.00 and requires no local matching funds. The term of the grant is October 1, 2011 to September 30, 2012.</p> <p>The Sheriff's Office requested these funds intended for the reimbursement of overtime to effectively setup and operate Sobriety Checkpoints, Wolf Packs, Saturation Patrols as well as other alcohol enforcement including but</p>																				

Supplemental Appropriation Request Jackson County, Missouri

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

Date: September 8, 2011

~~Res~~ Ord No. 4349

Department / Division	Character/Description	From	To
Grant Fund - 010			
4248 - Sobriety Checkpoint/DWI Enforce	45811 - Increase Revenues	42,000	
2810	Undesignated Fund Balance		42,000
2810	Undesignated Fund Balance	42,000	
4248 - Sobriety Checkpoint/DWI Enforce	55030 - Overtime		33,442
4248 - Sobriety Checkpoint/DWI Enforce	55040 - FICA		2,558
4248 - Sobriety Checkpoint/DWI Enforce	56750 - Education Benefits		1,250
4248 - Sobriety Checkpoint/DWI Enforce	56140 - Travel		4,750
	Total	42,000	42,000

Paul Mas 9/8/11
Budgeting

Missouri Department of Transportation

1320 Creek Trail Drive
P.O. Box 270
Jefferson City, MO 65102
573-751-4161
1-800-800-2358
Fax: 573-634-5977

August 17, 2011

Sheriff Mike Sharp
Jackson County Sheriff's Dept.
3310 N.E. Rennau Rd.
Lee's Summit, MO 64064

Dear Sheriff Sharp:

Enclosed is a contract between the Traffic and Highway Safety Division and the Jackson County Sheriff's Dept. for a Sobriety Checkpoint / DWI Enforcement project.

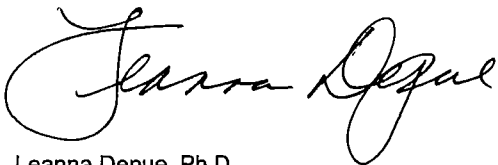
The project obligates \$42,000.00 in federal funds for the period October 01, 2011 through September 30, 2012. All expenditures should be claimed against project #12-K8-03-015.

Please review this contract carefully for any discrepancies or questions. If acceptable, have the appropriate individuals sign the Contract Cover Page and have the Project Director **initial at the bottom of each page** to indicate that he/she has reviewed the contract. The Authorizing Official and Project Director signatures on the contract must be signed by two separate individuals. After signing, please return all pages of the contract to the Traffic and Highway Safety Division.

This contract does not become effective until the Highway Safety Director has approved and signed it. No costs can be incurred by your agency prior to the Director's approval. Once the Director approves the contract, a fully executed copy will be returned to your agency.

If you have any questions concerning the project activity or reimbursement procedures, please contact Randy Silvey, Intermediate System Management Specialist at 573-751-5408. We look forward to working with you and your staff.

Sincerely,



Leanna Depue, Ph.D.
Highway Safety Director

Enclosure



CONTRACT

Form HS-1

Revision Reason: Other

Version: 3

08/03/2011

**Missouri Department of Transportation
Traffic and Highway Safety Division**
P.O. Box 270
1320 Creek Trail Drive
Jefferson City, MO 65102
Phone: 573-751-4161
Fax: 573-634-5977

Project Title: Sobriety Checkpoint / DWI Enforcement
Project Number: 12-K8-03-015
Program Area: Alcohol
Funding Source: 410 / 20.601

Name of Grantee
Jackson County Sheriff's Dept.

Type of Project: Initial
Started: 10/01/2011

Grantee County
Jackson

Federal Funds Benefiting

State:	
Local:	\$42,000.00
Total:	\$42,000.00

Grantee Address
3310 N.E. Rennau Rd.

Lee's Summit, MO 64064

Source of Funds

Federal:	\$42,000.00
State:	
Local:	\$0.00
Total:	\$42,000.00

Telephone
816-524-4302

Fax
816-524-4340

Contract Period

Effective: 10/01/2011
Through: 09/30/2012

Prepared By
Silvey, Randy

Authorizing Official

Date

Project Director

Date

Highway Safety Director

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 \$42,000.00** ; 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.

CONTRACT CONDITIONS - PAGE 4

DISADVANTAGED BUSINESS ENTERPRISE (DBE) REQUIREMENTS

All recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of Department of Transportation assisted contracts. If, as a condition of assistance, the MHTC has submitted and the Department has approved a minority business enterprise affirmative action program, which the MHTC agrees to carry out, this program is incorporated into this financial assistance agreement by reference. This program shall be treated as a legal obligation and failure to carry out its terms shall be treated as a violation of this financial assistance agreement. Upon notification to the recipient of its failure to carry out the approved program, the Department shall impose such sanctions as noted in 49 CFR Part 26, Subpart E, which sanctions may include termination of the agreement or other measures that may affect the ability of the recipient to obtain future Department of Transportation financial assistance.

NONSEGREGATED FACILITIES

(Applicable to contracts over \$10,000) All grantees/contractors and their subcontractors, suppliers and vendors, should meet Federal requirements regarding nonsegregated facilities.

TRAINING CONTRACTS

Agencies offering the MHTC-funded courses are to adhere to the following standard elements required for training contracts.

- 1) A **course schedule** must be presented to the MHTC program coordinator at **least 30 days prior** to the proposed training. The scheduled should include: Title of Course; Date(s); Time; Exact Location; and Agenda or Syllabus. Any **changes** to the course schedule **must have prior approval** from the MHTC.
- 2) Evaluation will be a 2-step process to include:
 - 1) **Student Evaluation** of the training
 - a. 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.
 - b. The evaluation form must be developed by the grantee and approved by the MHTC prior to use.
 - 2) **Instructor evaluation** of the students' comprehension and understanding of the material presented.
- 3) The grantee must provide a **sign-up sheet** for every class-a **typed list** of everyone who registered is **not acceptable**. The sign-up sheet must capture the following information:
 - Title of the Class
 - Date(s) and Location of Class
 - Name of Attendees
 - Business address, telephone number and/or email address of each attendee
- 4) Every effort should be made to enroll a minimum of fifteen (15) students per class.
- 5) Copies of the Student Evaluations, Instructor Evaluations, Number of Students Enrolled/Number of Students Attending, and Participant Sign-up Sheets must be submitted to MHTC not later than 30 days after the training has been conducted.

FOLLOWING CONDITIONS APPLY TO LAW ENFORCEMENT AGENCIES ONLY:

PROBLEM IDENTIFICATION

Agency must develop a selected traffic enforcement plan by evaluating crash data. This will be done on a quarterly, monthly or weekly basis to determine the top ten (10) high traffic crash locations, to include: day of week, time of day, and causation factors. Using this plan, agency will conduct enforcement targeting offenders committing hazardous moving violations to include DWI checkpoint enforcement (emphasis will also be placed on occupant restraint enforcement).

PROJECT ACTIVITIES

- Enforcement activities by the agency must remain at the current level. Enforcement efforts provided by this contract must be in addition to current enforcement activities.
- Officers will be permitted and encouraged to issue multiple citations and/or written warnings to drivers who have committed several violations.

- 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** contacts per hour when conducting an enforcement project.
- Agency will report monthly to MHTC using the *Grant Enforcement Activities Monthly Report Form*.
- Agency is strongly encouraged to participate in all national or state mobilization efforts in conjunction with, or at the direction of, the Traffic and Highway Safety Division. These mobilizations include, but are not limited to: Click It or Ticket Campaign, Impaired Driving Crackdown, Youth Seat Belt Enforcement Campaign, quarterly enforcement efforts. Mobilization reporting efforts shall be completed using the online mobilization reporting form located at: www.modot.mo.gov/safety.

PARTNERSHIPS

Agency is 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 must participate in Operation Impact.**

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. Overtime reimbursement rates:

- Patrol-to be calculated at 1.5 times the officer's actual rate of pay;
- Supervisors-to be calculated at 1.5 times the actual rate of pay not to exceed 1.5 times the rate of the highest-level sergeant or lieutenant (equivalent supervisor)
- Officers working more than 8 hours of overtime in one day require approval from MHTC.

Agencies funded may also utilize funds for any corridor enforcement project, Operation Impact, work zone enforcement, Click It or Ticket Campaign, Impaired Driving Crackdown, or any other national or state mobilization efforts in conjunction with or at the direction of the Traffic and Highway Safety Division. Exceptions may be made with prior written permission of the MHTC.

DRUNK DRIVING ENFORCEMENT PROJECTS

All DWI cases must be filed in state court if a municipality has a non-attorney judge. Any offender arrested with a prior alcohol-related conviction must also be filed in state court for enhancement purposes. All officers working alcohol enforcement details **funded by this grant program** must have 24 hours of SFST training.

SOBRIETY CHECKPOINTS

The MHTC will fund enforcement agencies, on an overtime basis, to conduct MHTC sobriety checkpoints in accordance with standards developed for this purpose. Funding eligibility and conditions are herein set forth along with allowable costs for reimbursement. Enforcement efforts must be coupled with appropriate public information efforts to increase the perceived risk of arrest to enhance the actual risk of arrest.

- 1) Enforcement time at a minimum will be at least one night per month with a minimum of five checkpoints per contract period. Sobriety checkpoints should be operated within the hours of 10:00 p.m. to 3:00 a.m.; however, hours may be flexible upon request of agency and approval by MHTC project coordinator.
- 2) Advise the MHTC project coordinator, in advance, of enforcement date changes made to the original proposal.
- 3) If not already provided, roadways selected for sobriety checkpoints must be submitted to MHTC. Actual enforcement locations will be left to the discretion of local authorities based upon their judgment.
- 4) Activity Reports and Supervisory Logs must be submitted with reimbursement vouchers. Failure to comply may result in nonpayment for the enforcement period.
- 5) Enforcement activity should be on a Friday or Saturday night or holidays. Other nights may be approved in advance by the MHTC project coordinator based upon special events or activities, or as stated in goals and objectives of this contract.
- 6) Publicity surrounding a checkpoint provides the greatest deterrent. A news release the week prior to the event and a follow-up the week after is required. A spokesperson should be designated to explain procedures to media or others attending the checkpoint.

CONTRACT CONDITIONS - PAGE 5

- .7) If the agency has an in-car video camera, it should be used at all sobriety checkpoints to videotape the sobriety checkpoint setup, its operation, and all subjects given the field sobriety tests. Tapes and/or electronic recordings shall be used as evidence in court proceedings.

FUNDING ORIGATION AND AUDIT INFORMATION

The National Highway Traffic Safety Administration (NHTSA) funds the following program areas:

<u>Section</u>	<u>CFDA#</u>	<u>Program Title</u>
402	20.600	State and Community Highway Safety Programs
410	20.601	Alcohol-Impaired Driving Prevention Programs
154	20.607	Alcohol Open Container Requirements
408	20.610	State Traffic Safety Information System Improvement Grant
1906	20.611	Grant Program to Prohibit Racial Profiling
2010	20.612	Motorcyclist Safety Grant
2011	20.613	Child Safety and Child Booster Seats Incentive Grant

GOALS/OBJECTIVES

Goal:

To decrease fatalities involving drivers with .08 BAC or greater by 2 percent annually to:

- 298 by 2010
- 292 by 2011
- 286 by 2012
- 280 by 2013

Objectives:

1. Participate in the National Impaired Driving Crackdown campaign
2. Participate in the quarterly impaired driving enforcement campaigns
3. Develop and implement a high visibility DWI enforcement plan involving saturation patrols and/or sobriety checkpoints

SUPPLEMENTAL INFORMATION

Question

Answer

You must answer the following questions

- | | |
|---|-----|
| 1 Does your agency have an internal safety belt policy for all personnel? | Yes |
| 2 Does your agency report racial profiling data annually? | Yes |
| 3 Does your agency report to STARS? | Yes |
| 4 Does your agency report UCR information annually? | Yes |
| 5 Please explain any NO answer(s) to questions 1-4: | |

Please use the most current 12-months of data available for answering questions 6-10

- | | |
|---|------|
| 6 Total number of DWI violations written. | 341 |
| 7 Total number of speeding violations written. | 4051 |
| 8 Total number of HMV violations written. | 1878 |
| 9 Total number of child safety/booster seat violations written. | 72 |
| 10 Total number of safety belt violations written. | 387 |

Use the most current three years crash data for questions 11-19

- | | |
|---|--------|
| 11 Total number of traffic crashes. | 65,554 |
| 12 Total number of traffic crashes resulting in a fatality. | 217 |
| 13 Total number of traffic crashes resulting in an injury. | 1,547 |
| 14 Total number of speed-related traffic crashes. | 10,757 |
| 15 Total number of speed-related traffic crashes resulting in a fatality. | 111 |
| 16 Total number of speed-related traffic crashes resulting in an injury. | 398 |
| 17 Total number of alcohol-related traffic crashes. | 2,594 |
| 18 Total number of alcohol-related traffic crashes resulting in a fatality. | 57 |
| 19 Total number of alcohol-related traffic crashes resulting in an injury. | 200 |

Enter your agency's information below

- | | |
|---|-----|
| 20 Total number of commissioned law enforcement officers. | 126 |
|---|-----|

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, incentive items or education materials produced or purchased)
 - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Traffic and Highway Safety 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.

\$4,000.00

5/1-15/2011

Aggressive Driving Fall 2010

\$3,165.00

10/18-31/2010

Missouri Safety Center

DWI Holiday Enforcement

\$500.00

3/16-20/2011

ATTACHMENTS

<u>Document Type</u>	<u>Description</u>	<u>Original File Name</u>	<u>Date Added</u>
WORD	County Authorization Form	County Auth for 2012 gra	04/26/2011