

**FORT BEND COUNTY  
COMMISSIONERS COURT AGENDA REQUEST FORM**

RETURN TO: AGENDA COORDINATOR - COUNTY JUDGE'S OFFICE

DATE SUBMITTED: 04/13/2009	SUBMITTED BY: Robert Bevel	AGENDA # 34
COURT AGENDA DATE: 04/28/2009	DEPARTMENT: Sheriff	
	PHONE NO.: 281-238-1521	

SUMMARY OF ITEM: *Permission to Apply for Tobacco Compliance Grant - Comptroller's Office*

RENEWAL CONTRACT/AGREEMENT: Yes ( ) No ( )

LIST SUPPORTING DOCUMENTS ATTACHED: *GRANT APPLICATION*

**FINANCIAL SUMMARY:**

BUDGETED ITEM:			ANNUALIZED DOLLARS:		COMMENTS:
Yes ( )	No ( )	N/A ( )	One Time	( )	
Funding Source:			Recurring	( )	
Fund	Agency	Object	N/A	( )	

**Original Form Submitted with back up to County Judge's Office:** ( ) (  when completed)

**CC with back up:**

( ) Auditor	(281-341-3774)	( ) Comm. Pct. 1	(281-342-0587)
( ) Budget Officer	(281-344-3954)	( ) Comm. Pct. 2	(281-403-8009)
( ) County Attorney	(281-341-4557)	( ) Comm. Pct. 3	(281-242-9060)
( ) Purchasing Agent	(281-341-8642)	( ) Comm. Pct. 4	(281-980-9077)
( ) County Clerk	(281-341-8697)		

- Instructions for submitting an Agenda Request:**
1. Completely fill out agenda form, incomplete forms will not be processed.
  2. Fax or inter-office copies of agenda form with all back up information by Wednesday at 2:00 p.m. to the departments listed above.
  3. All original back-up must be received in the County Judges Office by 2:00 p.m. on Wednesday.

**RECOMMENDATION / ACTION REQUESTED:**

*4-30-09 copy received*

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**TOBACCO COMPLIANCE GRANT APPLICATION  
FOR LOCAL LAW ENFORCEMENT AGENCIES**



**TEXAS COMPTROLLER OF PUBLIC ACCOUNTS**

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***FY 2010 Application Filing Deadline is 4 p.m., Monday, May 11, 2009***

**PURPOSE OF GRANT AWARDS**

The Comptroller will make block grants to counties and municipalities to be used by local law enforcement agencies to enforce Subchapters H, K and N, Chapter 161, Texas Health and Safety Code in a manner that can reasonably be expected to reduce the extent to which cigarettes and tobacco products are illegally sold or distributed to persons who are younger than 18 years of age. The Comptroller shall rely, to the fullest extent possible, on sheriffs, constables, or chiefs of police or their employees to enforce this subchapter.

**OBLIGATIONS FOR GRANTS AWARDED**

The Comptroller's office shall enforce provisions of Health and Safety Code Ch. 161, in partnership with local law enforcement agencies. This shall also ensure the state's compliance with Section 1926 of the federal Public Health Service Act (42 U.S.C. Section 300x-26) and implementation of any regulations adopted by the United States Department of Health and Human Services.

**AWARD AND GRANT ACCEPTANCE CONDITIONS**

The Comptroller's office will notify applicants of final action on grant applications. Successful applicants under this program must comply with the Uniform Grant Management Standards as promulgated by the Governor's office under Chapter 783, Government Code.

Each grantee must begin implementation of grant provisions no later than 30 days after completion of the grant training. Failure to do so will be construed by the Comptroller as the grantee's relinquishment of the grant award. Any exception to this rule will require review and written approval by the Comptroller or Comptroller's designee.

Grantees are responsible for ensuring that they have obtained the appropriate approvals from their governing body (city council or county commissioners' court) to accept the grant funds, if awarded. Approvals should be obtained by August 10 to allow time to return the contract by the deadline.

Inspection reports are due on the 10th day of the month following each month in which compliance activities were performed.

**Grant funds must be used exclusively for the following compliance activities:**

- on-site controlled buys, or "stings," of tobacco permitted retail outlets (e.g., grocery stores, convenience stores, gas stations, mass merchandisers) that may result in the issuance of citations using minors as decoys;
- on-site compliance inspections that may result in the issuance of citations not using minors as decoys (i.e., violations for signs not posted, lack of proper employee notification forms, direct access by minors to tobacco, and other retailer violations of tobacco laws);
- compliance education of tobacco retailers, as well as judicial and court personnel involved in adjudicating tobacco violations;
- monthly/quarterly activity reports to Comptroller or Comptroller's designee.

The Comptroller reserves the right to revoke a grant award if the recipient is not in compliance with these requirements.

The following are the grant award allocations: 60 percent controlled buys, 20 percent compliance inspection, 15 percent retailer and judicial education, and 5 percent required reporting. If your use of grant funds needs to be different than the suggested allocation, please request allocation changes, including an explanation in writing to the Comptroller's office for approval.

Award amounts are determined by the number of tobacco retailers within the grantee's jurisdiction, completeness of application and past performance if your department had a tobacco compliance grant in the past.

Applications may be mailed, hand delivered or faxed.

The mailing address is:  
Texas STEP  
P. O. Box 1328  
San Marcos, TX 78667-1328

The hand-delivery address is:  
Texas STEP  
626 Moore St.  
The Strahan House  
Texas State University  
San Marcos, TX 78666-4610

The FAX number is:  
(512) 245-8066

**RECONSIDERATION OF DENIAL OF GRANT AWARDS**

If the Comptroller rejects an application, the applicant will receive a letter explaining reasons for the rejection. An applicant may request reconsideration in writing within 10 days of the notification of the rejection. After reconsideration, the Comptroller's decision regarding grant applications is final.

**TOBACCO COMPLIANCE GRANT APPLICATION FOR LOCAL LAW ENFORCEMENT AGENCIES**



Please indicate if you are:  County Sheriff  District Attorney  
 Municipal Chief of Police  Constable

Annual Grant Period: September 1 through August 31.

Name of organization <b>Fort Bend County Sheriff's Office</b>		Federal Employer Identification Number (FEIN) <b>[REDACTED]</b>	
Applicant title <b>Sheriff</b>	Applicant first name <b>Milton</b>	Applicant middle initial <b>T</b>	Applicant last name <b>Wright</b>
Mailing address <b>1410 Ransom Road</b>		City <b>Richmond</b>	State <b>Texas</b>
County <b>Fort Bend</b>		ZIP Code <b>7 7 4 6 9 - 3 6 6 9</b>	
Phone (Area code and number) <b>( 2 8 1 ) 3 4 1 - 4 7 0 0</b>		FAX number (Area code and number) <b>( 2 8 1 ) 3 4 1 - 4 7 0 1</b>	
E-mail address <b>wrighmil@co.fort-bend.tx.us</b>		Have you been a previous grant recipient? (Check one) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

1. Department or Division responsible for managing your tobacco compliance program Community Services Division

Grant Contact Information (if different from above) Lieutenant Robert L Becker Jr

**1410 Ransom Road** **Richmond** **Texas** **77469**

*Address City State ZIP Code*

**281-238-1521** **281-341-4789** **beckerob@co.fort-bend.tx.us**

*Phone FAX E-mail*

2. What is the approximate number of tobacco products retailers within your jurisdiction?..... 380

Please answer questions 3 - 5 on separate sheets of paper.

- A list of ZIP Codes included in your full jurisdictional boundaries - (Note: If a ZIP Code is not wholly included within that boundary, please estimate the percentage that is in your jurisdiction.)
  - A list of agencies with whom your agency has an existing Interagency Agreement or Memorandum of Understanding/Agreement (formal or informal) that may restrict your agency's ability to provide full enforcement capabilities within jurisdictional boundaries - (Example: A Sheriff's Office or Constable's Office that does not enforce laws within the corporate city limits of a town or municipality in their county or precinct)
  - Explain your agency's plan to implement this grant and how it will support and enforce Health and Safety Code, Chapter 161, as it relates to educating local retailers and court personnel and reducing illegal tobacco sales to minors.
6. Have you obtained the appropriate approval from your governing body (city council or county commissioners' court) to accept this grant if awarded?.....  YES  NO  
 (If "NO," we encourage you to seek approval prior to August 10, in the event your agency is awarded a grant.)

Certification Section: To the best of my knowledge and belief, information in this application and any attachments is true and correct. The document has been duly authorized by the applicant.	
Typed name and title <b>Robert Hebert, Fort Bend County Judge</b>	
sign here	Date <b>4-28-09</b>

ZIP CODES WITHIN OUR JURISDICTION:

77064- 10%  
77082- 100%  
77083- 20%  
77095- 5%  
77417- 100%  
77435- 10%  
77441- 100%  
77444- 100%  
77449- 10%  
77450- 30%  
77459- 100%  
77461- 100%  
77469- 100%  
77471- 100%  
77477- 100%  
77478- 100%  
77479- 100%  
77489- 100%  
77494- 70%

4. We have the ability to provide full enforcement within Fort Bend County.
  
5. The Fort Bend County Sheriff's Office has been a recipient of the Comptroller's Tobacco Compliance Grant for several years. We have the focus and determination to continue a model enforcement program in achieving the ultimate goal...limiting minor's access to tobacco. Frequent visits with retailers conducting education and compliance inspections will continue, along with controlled buys. Our court personnel, with whom we have a wonderful working relationship, will be kept "in the loop" regarding any significant changes in tobacco law or our enforcement efforts. At the beginning of each grant year, the goal of the Fort Bend County Sheriff's Office is to perform better than the previous year. Two-thousand and ten will be no different.