

**FORT BEND COUNTY**  
**COMMISSIONERS COURT AGENDA REQUEST FORM**  
RETURN TO: AGENDA COORDINATOR - COUNTY JUDGE'S OFFICE

DATE SUBMITTED: April 22, 2010

SUBMITTED BY: Debra Davis

AGENDA

COURT AGENDA DATE: ~~April 27, 2010~~ May 4, 2010

DEPARTMENT: 5502 Constable, Pct. 2

PHONE NO.: 281-403-8010

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SUMMARY OF ITEM: FY 2011 Tobacco Compliance Grant Application for Local Law Enforcement Agencies

RENEWAL AGREEMENT/APPOINTMENT:

Yes ☒

No ☐

REVIEWED BY COUNTY ATTORNEY'S OFFICE:

Yes ☐

No ☐

LIST SUPPORTING DOCUMENTS ATTACHED: Purpose of Grant, Obligations for Grants Awarded and Award and Grant acceptance conditions.

**FINANCIAL SUMMARY:**

BUDGETED ITEM:

Yes ☐

No ☒

FUNDING SOURCE: Fund G550-10 STEPCON2 Agency: 100550200 Organization: \_\_\_\_\_ Object: 63600  
(Accounting Unit 100550999)

REQUIRES AUDITOR TO CERTIFY FUNDS:

Yes ☐

No ☐

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

If by E-Mail to [ospindon@co.fort-bend.tx.us](mailto:ospindon@co.fort-bend.tx.us)

If by Fax to (281) 341-8609 ✓

Distribute copies with back-up to all listed below. If by fax, send to the numbers below:

☒ Auditor (281-341-3774) ✓

☒ Comm. Pct. 1 (281-342-0587) ✓

☒ Budget Officer (281-344-3954) ✓

☒ Comm. Pct. 2 (281-403-8009) ✓

☐ Facilities/Planning (281-633-7022)

☒ Comm. Pct. 3 (281-242-9060) ✓

☒ Purchasing Agent (281-341-8642) ✓

☒ Comm. Pct. 4 (281-980-9077) ✓

☐ Information Technology (281-980-9077)

☒ County Clerk (281-341-8697) ✓

☐ Other: \_\_\_\_\_

☒ County Atty. (281-341-4557) ✓

**Instructions for submitting an Agenda Request:**

1. Completely fill out agenda form, incomplete forms will not be processed.
2. Agenda Request Forms may be submitted by e-mail, fax, or inter-office mail, and all information must be provided by Wednesday at 2:00 p.m. to the departments listed above.
3. All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

**RECOMMENDATION / ACTION REQUESTED:**

**Special Handling:** Take all appropriate actions to approve request to apply for Statewide Tobacco Education Program (STEP) Grant through the Texas Comptroller of Public Accounts for FY 2011 (September 1, 2010 – August 31, 2011), with no matching funds required by Fort Bend County.

5-5-10 copy received

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S U S A N  
C O M B S

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS  
WWW.WINDOW.STATE.TX.US



April 7, 2010

Constable, Precinct 2  
Fort Bend County  
301 Jackson St.  
Richmond, Texas 77469-3108

Dear Constable:

Since the enactment of Senate Bill 55 (75th Legislative Session), our agency has partnered with local law enforcement agencies to encourage compliance with and enforcement of the regulations governing the sale, distribution and use of cigarettes and tobacco products in Texas. To help ensure compliance with these regulations, the Comptroller's office awards block grants to counties and municipalities to help defray some of the costs associated with compliance education and tobacco enforcement.

**We are currently accepting applications for grant awards for fiscal 2011 (Sept. 1, 2010 through Aug. 31, 2011).** The grant application form provides detailed information about grant qualifications and funding criteria. This form is available online at [www.window.state.tx.us/lga/tcg/leo/](http://www.window.state.tx.us/lga/tcg/leo/).

Available grants range from \$1,000 to \$150,000, depending on the number of tobacco retailers within your jurisdiction. These funds must be used for compliance-related activities such as "sting" operations; random, unannounced inspections; retailer and judicial education; and meeting compliance reporting requirements. Money available for these grants is limited, so apply for your share of the funds as soon as possible.

**The deadline for submitting your grant application is 4 p.m., Friday, May 14, 2010.**

I hope this information is helpful. If you have any questions or need a grant application mailed to you, please call our contractor, Texas STEP at (888) 783-7123.

Sincerely,

  
Susan Combs

# 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: Sept. 1, 2010, through Aug. 31, 2011

Name of organization <b>Fort Bend County Constable Precinct 2</b>		Federal Employer Identification Number (FEIN) <b>[REDACTED]</b>	
Applicant title <b>Assistant Chief</b>	Applicant first name <b>Sharon</b>	Applicant middle initial <b>E.</b>	Applicant last name <b>Arnold</b>
Mailing address <b>303 Texas Parkway, Suite 124</b>		City <b>Missouri City</b>	State <b>Texas</b>
County <b>Fort Bend</b>		ZIP code <b>7 7 4 5 9 -</b>	
Phone (Area code and number) <b>( 2 8 1 ) 4 0 3 - 8 0 1 0</b>		FAX number (Area code and number) <b>( 2 8 1 ) 4 0 3 - 8 0 1 2</b>	
E-mail address <b>sea-2001@att.net</b>		Have you been a previous tobacco compliance grant recipient? (Check one) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

1. Department or Division responsible for managing your tobacco compliance program **Warrant and Civil Departments**

Grant Contact Information (if different from above)

Title		Name	
Address		City	State
Phone		FAX	E-mail

2. What is the approximate number of tobacco products retailers within your jurisdiction? **110**

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.
- 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 Aug. 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, County Judge</b>	
sign here	Date <b>5-4-2010</b>

Fort Bend County Constable, Precinct 2

TOBACCO COMPLIANCE GRANT APPLICATION  
FOR LOCAL LAW ENFORCEMENT AGENCIES

Answers to questions 3 – 5

3. A list of ZIP CODES included in your full jurisdictional boundaries...  
77459, 77489, 77053, 77477, and 77545
4. A list of agencies with whom your agency has an existing Interagency Agreement of Memorandum of Understanding/Agreement....  
None.
5. 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.  
Education and enforcement.

S U S A N

C O M B S

# Tobacco Compliance Grant Application for Local Law Enforcement Agencies

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS



***Fiscal Year 2011 Application Filing Deadline is 4 p.m., Friday, May 14, 2010***

## **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 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 Aug. 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:**

- compliance education of tobacco retailers, as well as judicial and court personnel involved in adjudicating tobacco violations;
- 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);
- 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;
- 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:  
Comptroller of Public Accounts  
c/o Texas STEP  
P. O. Box 1328  
San Marcos, TX 78667-1328

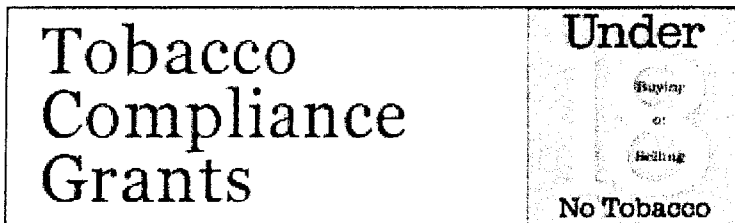
The hand-delivery address is:  
Comptroller of Public Accounts  
c/o Texas STEP  
626 Moore St.  
The Strahan House  
Texas State University  
San Marcos, TX 78666-4610

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.

## Local Government



### For School Districts with On-Campus Police Programs:

The Comptroller offers block grants to school districts with school-based police programs to enforce Subchapter N, Chapter 161, Texas Health and Safety Code, concerning the sale and distribution of tobacco products to persons younger than 18 years of age.

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

- prohibiting anyone under 18 years of age from possessing, smoking or using tobacco products on school property or at school-sanctioned events;
- providing compliance education programs on the tobacco laws to school-aged children; and
- preparing monthly/quarterly activity reports for the Comptroller's office.

**To apply for a grant, submit the application form to this office by May 7, 2010.**

The application form includes instructions for completing and submitting the form.

Application Form AP-196 Tobacco Compliance Grant Application For School-Based Police (PDF, 159KB)

### For Local Law Enforcement Agencies:

The Comptroller offers block grants to local law enforcement agencies to enforce Subchapters H and N, Chapter 161, Texas Health and Safety Code, concerning the sale and distribution of tobacco products to persons younger than 18 years of age.

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

- on-site compliance inspections of tobacco-permitted retail outlets (e.g., grocery stores, convenience stores, gas stations and mass merchandisers) that may result in citations for violations such as required signs not posted, lack of proper certification, direct access by minors to tobacco and use or possession by a minor of tobacco products;
- on-site compliance inspections involving the use of minors as decoys (i.e., "stings");
- compliance education of retailers, judicial and court personnel; and
- monthly/quarterly activity reports for the Comptroller's office.

**To apply for a grant, submit the application form to this office by May 14, 2010.**

The application form includes instructions for completing and submitting the form.

Application Form AP-190 Tobacco Compliance Grant Application For Local Law Enforcement Agencies (PDF, 95KB)

If you have Acrobat Reader 3.0 or later, you can **fill in** the blanks on the form, **print** it, and **mail** it in.

To view and print the forms, download the latest version of Adobe Acrobat Reader.

If you have questions about the grants or about the application, or if you would like a printed copy of the form sent to you, call toll-free **1-888-STEP-123**.

**Required Plug-ins**

[ Adobe Reader; ]