

FORT BEND COUNTY FY 2010

COMMISSIONERS COURT AGENDA REQUEST FORM

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: 7/21/10

Submitted By: LT. LESTER PHIPPS

Court Agenda Date: 7/28/10

Department: Sheriff's Office

Phone Number: 832-473-2691

SUMMARY OF ITEM: STATEWIDE TOBACCO ENFORCEMENT
PROGRAM AWARD — ACCEPTANCE AGREEMENT

RENEWAL AGREEMENT/APPOINTMENT YES NO

REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES NO

List Supporting Documents Attached: GRANT AWARD LETTER
GRANTEE REQUIREMENTS
ACCEPTANCE AGREEMENT

DESCRIPTION OF LAWSON ACCOUNT:

FINANCIAL SUMMARY:

BUDGETED ITEM: YES

NO

COUNTY JUDGE
RECEIVED

JUL 21 2010

FUNDNG SOURCE: Accounting Unit: Account Number:

Activity (If Applicable):

Instructions to submit Agenda Request Form:

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

DISTRIBUTION:

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

If by E-Mail to 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 numbers below:

X ✓ Auditor (281-341-3774)	X ✓ Comm. Pct. 1 (281-342-0587)
X ✓ Budget Officer (281-344-3954)	X ✓ Comm. Pct. 2 (281-403-8009)
X ✓ Facilities/Planning (281-633-7022)	X ✓ Comm. Pct. 3 (281-242-9060)
X ✓ Purchasing Agent (281-341-8642)	X ✓ Comm. Pct. 4 (281-980-9077)
X ✓ Information Technology (281-341-4526)	X ✓ County Clerk (281-341-8697)
<input type="checkbox"/> Other:	X ✓ County Atty (281-341-4557)

RECOMMENDATION / ACTION REQUESTED:

Special Handling Requested (specify):

7-28-10 copy received

S U S A N

C O M B S

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

WWW.WINDOW.STATE.TX.US



July 12, 2010

Sergeant Kathy Radar
Fort Bend County Sheriff's Office
1410 Williams Way Blvd.
Richmond, Texas 77469-3669

Dear Sergeant Radar:

Congratulations! Your department has been awarded a Tobacco Compliance grant in the amount of \$14,000 under the provisions of the Texas Health and Safety Code Ann. Sec. 161.088(b) for fiscal 2011, beginning Sept. 1, 2010.

Enclosed you will find the "Grant Acceptance Agreement and Compliance Standards" form along with the Scope of Work. Please review these documents thoroughly. To accept your grant award, please have an authorized official of your law enforcement agency sign and return the Acceptance Agreement. **Your grant funds will be mailed upon receipt of the agreement.** If you choose *not* to accept this grant, please write "declined" on the agreement. Please mail the agreement to the following address by Aug. 11, 2010, and keep a copy for your files:

Texas Comptroller of Public Accounts
Attention: Carol Lauder
P.O. Box 13528
Austin, Texas 78711-3528

Each grantee must begin implementation of the grant provisions, as outlined in the Acceptance Agreement and the Scope of Work, within 30 days of attending a technical assistance workshop. Attendance at a grant workshop is mandatory. Any exception to these requirements will require review and written approval by the Comptroller or the Comptroller's designee.

The technical assistance workshops will be presented by the Comptroller's office and Texas Statewide Tobacco Education and Prevention (Texas STEP) program. The workshop encompasses tobacco enforcement and compliance education requirements. It will also cover activity and financial reporting, expenditure requirements and the latest information concerning the issue of tobacco and minors in Texas. Expenses related to attending this workshop are covered by this grant using the "Education" budget category. Texas STEP will mail the workshop information to grantees so you can make the appropriate arrangements to attend.

If you have any questions regarding this letter, please contact Texas STEP at (888) 783-7123.

Sincerely,


Susan Combs

Enclosures

cc: Carol Lauder
Texas STEP

Texas Comptroller's 2011 Tobacco Compliance Grant
Scope of Work
Local Law Enforcement Grantee Requirements

Contract funds shall be used to support the enforcement, compliance education and reporting of activities related to the grants as follows: 60 percent of the effort of all grant activities shall be focused on Retailer Controlled Buys/Stings; 20 percent shall be focused on Retailer Compliance Inspections; 15 percent shall be focused on Retailer and Judicial Education; 5 percent is available to cover the costs of reporting. Grantee shall follow program requirements outlined in Sections A, B and C.

- A. Grant Activities – Controlled Buys (60 percent), Compliance Inspections (20 percent), Retailer and Judicial Education (15 percent), Reporting of Activities (5 percent)**
- Grantee shall conduct tobacco education for retailers for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 – Subchapters H, K and N.
 - Grantee shall conduct tobacco education for each local court in the city and/or county to which Grantee submits citations for tobacco law violations and which may assist in obtaining information concerning the final disposition of citations written in accordance with Health and Safety Code, Chapter 161 – Subchapters H, K and N.
 - Grantee shall conduct on-site compliance inspections of tobacco retailers, not using minors as decoys, which may result in the issuance of citations for violations in accordance with Health and Safety Code, Chapter 161 – Subchapters H and K.
 - Grantee shall conduct on-site controlled buys/stings of tobacco retailers using minors as decoys, to determine compliance with applicable laws in accordance with Health and Safety Code, Chapter 161 – Subchapter H.
 - Grantee shall conduct follow-up inspections/controlled buys of tobacco retailers found to be in violation of state laws concerning tobacco in Grantee's jurisdiction.
 - Grantee shall conduct follow-up activities on complaints sent to Grantee concerning tobacco law violations within Grantee's jurisdiction.
 - Grantee shall submit reports to the Comptroller's contractor, Texas Statewide Tobacco Education and Prevention (Texas STEP) (as noted in "C" on the next page.)
- B. Additional Program Requirements**
- Grantee shall designate staff to attend the Technical Assistance Training provided by the Comptroller's contractor Texas STEP, concerning the recommended protocols for performing compliance education and enforcement activities, appropriate use of grant funds and reporting requirements. This training relates to controlled buys, compliance inspections, compliance education, financial reporting and other duties as prescribed by Senate Bill 55, 75th Legislature. Grantee shall comply with all applicable state and federal laws, regulations and guidelines.
 - Grantee shall ensure attendance at training events by local law enforcement officer(s) responsible for conducting the tobacco compliance education and enforcement activities who can return to the department and train other officers and staff on the grant requirements and procedures covered in the training.

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**TEXAS COMPTROLLER'S 2011 TOBACCO GRANT
ACCEPTANCE AGREEMENT AND COMPLIANCE STANDARDS
FOR LOCAL LAW ENFORCEMENT AGENCIES
(This signed document must be returned before grant funds will be awarded)**

By this Agreement, Fort Bend County Sheriff's Office (hereinafter "Grantee") hereby agrees and certifies that Grantee shall comply with all requirements in the *2011 Scope of Work* provided to Grantee contemporaneously with this Agreement and all applicable provisions of the Uniform Grant and Contract Management Standards (UGCMS) promulgated by the Office of the Governor pursuant to the Uniform Grant and Contract Management Act, Chapter 783, Government Code. A copy of the UGCMS may be obtained from the Office of the Governor at www.governor.state.tx.us/files/state-grants/UGMS062004.doc.

Grantee acknowledges that appropriate approvals have been obtained from its governing body (city council or county commissioners' court) to accept and utilize all grant funds as specified in this Agreement.

Grantee shall use or expend grant funds exclusively for the following tobacco compliance and enforcement activities, unless directed otherwise by the Texas Comptroller of Public Accounts (Comptroller):

- Grantee shall provide compliance education to each local court involved in adjudicating grant agency's tobacco-related citations.
- Grantee shall provide ongoing and consistent compliance education to tobacco retailers and local court personnel concerning the tobacco laws.
- Grantee shall provide an ongoing and consistent enforcement initiative that utilizes on-site compliance inspections of cigarette or tobacco retail outlets by law enforcement and other officers and fully acknowledges that the foregoing may result in the issuance of citations.
- Grantee shall provide an ongoing and consistent enforcement initiative that utilizes on-site controlled buys at cigarette or tobacco permitted retail outlets by officers, using minors as decoys (i.e., "stings") that may result in the issuance of citations.
- Grantee shall allocate grant fund expenditures for enforcement and compliance activities as recommended by the Comptroller's office.
- Grantee shall provide monthly enforcement activity reports and quarterly compliance education and financial status reports to the Comptroller's contractor the Texas Statewide Tobacco Education and Prevention (Texas STEP) initiative.

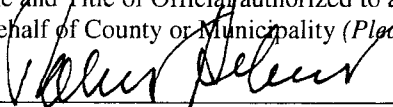
Approval of grant funding, based on the application submitted by the prospective Grantee or agency, does not constitute approval of any or all plans or requests as listed in the submitted application. Appropriate use of grant funds and proper protocols for education and enforcement activities will be covered in the grant training.

Comptroller reserves the right, under this Agreement, to unilaterally amend the terms of the Agreement at any time and to impose additional requirements on Grantee at the sole discretion of the Comptroller.

Grantee understands and acknowledges that failure to comply with the terms of this Agreement, including grant usage restrictions, or with any applicable state or federal law or regulation, shall result in the forfeiture of grant funds. Upon forfeiture, Grantee shall also be responsible for the return of the full amount of the original grant to the Comptroller.

This grant award is in the amount of **\$14,000** and covers the period from Sept. 1, 2010, through Aug. 31, 2011. Grantee shall return all unexpended grant funds within 45 days of the close of this grant period.

Robert Glebert, County Judge
Name and Title of Official authorized to accept grant funds
on behalf of County or Municipality (Please print)


Signature of Authorized Official

7-27-10
Date

Fort Bend County - Sheriff's Office
Department or Agency Name

FEI Number (required)