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SHERIFF'S OFFICE

Fort Bend County, Texas

MILTON WRIGHT
Sheriff

(281) 341-4700
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April 19, 2011

AGENDA ITEM

24

Honorable Robert E. Hebert, County Judge
Commissioner Richard Morrison
Commissioner Grady Prestage
Commissioner Andy Meyers
Commissioner James Patterson

Dear Gentlemen:

We have been given the opportunity to apply for a STEP (Statewide Tobacco Education Program) grant through the Texas Comptroller of Public Accounts. The purpose of this grant is to "encourage and enforce regulations concerning the sale, distribution, and use of cigarettes and tobacco products".

The amount of the award funds is determined by the Comptroller of Public Accounts and is based upon population size, the number of tobacco retailers within our jurisdiction, proposed use of grand funds, and past performance.

We are requesting your authorization to apply for this STEP grant. Please place this matter on Commissioner's Court agenda schedule for Tuesday, April 26, 2011.

Sincerely,

Milton Wright
Sheriff

MW/kr

5-4-11 copy received

COUNTY JUDGE
RECEIVED
APR 29 2011

S U S A N	<h1 style="margin: 0;">Tobacco Compliance Grant Application for Local Law Enforcement Agencies</h1> <p style="margin: 0;">TEXAS COMPTROLLER <i>of</i> PUBLIC ACCOUNTS</p>
C O M B S	



Fiscal Year 2012 Application Filing Deadline is Thursday, May 12, 2011

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.

Tobacco Compliance Grant Application for Local Law Enforcement Agencies



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

Fiscal Year 2012: Sept. 1, 2011, through Aug. 31, 2012

Name of organization Fort Bend County Sheriff's Office		Federal Employer Identification Number (FEIN) 7 4 - 6 0 0 1 9 6 9	
Applicant title Sheriff	Applicant first name Milton	Applicant middle initial T.	Applicant last name Wright
Mailing address 1410 Williams Way Blvd.		City Richmond	State Texas
County Fort Bend		ZIP code 7 7 4 6 9 - 3 6 6 9	
Phone (Area code and number) (2 8 1) 3 4 1 - 4 7 0 0		FAX number (Area code and number) (2 8 1) 3 4 1 - 4 7 0 1	
E-mail address Milton.Wright@co.fort-bend.tx.us		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 Community Services Division

Grant Contact Information (if different from above) Sergeant		Kathy Rader	
1410 Williams Way Blvd.		Richmond	Tx 77469
<i>Address</i>		<i>City</i>	<i>State ZIP code</i>
281-238-1534	281-652-7561	Kathy.Rader@co.fort-bend.tx.us	
<i>Phone</i>	<i>FAX</i>	<i>E-mail</i>	

2. What is the approximate number of tobacco products retailers within your jurisdiction? 399

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 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 Robert E. Hebert, County Judge	
sign here	Date May 3, 2011

3. Zip codes within our jurisdiction

77064 – 10%

77082 – 100%

77083 – 20%

77095 – 5%

77406 – 100%

77407 – 100%

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%

77474 – 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 the determination to continue a model enforcement program in achieving the ultimate goal of limiting minor's access to tobacco. We will continue to make frequent visits to retailers to provide education, conduct compliance inspections, and controlled buys. We have a wonderful working relationship with our court personnel and we will stay in communication with them regarding any changes in tobacco law and 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 year before. We intend to meet that goal.